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| COUNCIL OF THE EUROPEAN UNION | | Brussels, 15 November 2001 |
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NOTE

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| from : | Secretary General/High Representative |
| to : | General Affairs Council |
| Subject : | Intelligence cooperation |

Delegations will find attached as an annex a contribution of the Secretary General/High Representative on the subject of intelligence cooperation.

**REPORT BY THE SECRETARY GENERAL/HIGH REPRESENTATIVE TO
THE COUNCIL ON INTELLIGENCE COOPERATION**

Defence Ministers meeting informally on 12 October asked me to study co-operation between military intelligence services and between civil and military intelligence services. In doing so I have borne in mind the wider intelligence picture, in particular the requirement for intelligence in three fields:

intelligence relating to law enforcement and state security;

intelligence relating to CFSP

intelligence relating to crisis management operations

Defence Ministers did not strictly cover the first element and I simply recall here the steps already taken, under the direction of the European Council and in response to the events of 11 September. The second and third fields are closely linked, and are dealt with in greater detail below.

Co-operation in the fields of law enforcement and state security

Substantial co-operation between intelligence and security services was already in place before the events of 11 September, subject of course to any limitations imposed by national legislation. Recent events have given even greater emphasis to the need for intense co-operation and co-ordination, both in the operational and policy fields.

As well as intense operational contacts at working level, heads of domestic state security services met on 11 and 12 October to discuss how to improve co-operation between their services. Their experts on terrorism are meeting on 19 November. Similar contacts have taken place in the police field, with the heads of the counter-terrorism units of the 15 police services meeting on 15 October. Their co-operation was endorsed by national police chiefs at their meeting on 30/31 October. Increased co-operation is also taking place within the framework of EUROPOL, with the establishment of a special unit/task force composed of intelligence and police experts in the field of counter terrorism. It is important that co-operation in these fields is both intensified and closely co-

ordinated between the many services involved.

Co-operation in the fields of CFSP, ESDP and crisis management operations

Existing co-operation

The attacks of 11 September are a reminder of the importance of sound early warning, which is an essential element in the development of an effective CFSP. This has been recognised by Heads of Government, who at the European Council in Amsterdam in 1997, as well as establishing the Policy Planning and Early Warning Unit, noted the need for Member States and the Commission to provide confidential information to assist the policy planning process.

The goal is high quality situation assessments that take account of the widest possible range of information sources, including open sources, privileged confidential information such as diplomatic reporting and military and political intelligence. These situation assessments are needed by the key decision-making and advisory bodies of the Council, including the Council itself, COREPER, the Political and Security Committee, European Military Committee, as well as the SG/HR, the Council Secretariat and EUMS.

A start has been made with the exchange of diplomatic reporting, but is limited and in need of improvement. The Council disposes too of other important sources (for example, EUMM and Special Representatives). Steps have been undertaken to enhance information exchanges with other organisations (UN, NATO, OSCE, NGOs etc). All of these sources can provide valuable inputs to the overall information picture, thus contributing to early warning and policy planning processes, and procedures have been established within the Council Secretariat (PU, DG E, EUMS and Joint Sitcen) to exploit the available material, with the Joint Situation Centre already producing integrated all-source situation reports.

Co-operation in the military intelligence field in support of crisis management operations has also been developing as part of the European Union's Security and Defence Policy. Heads of the Military Intelligence services of the Member States met last Autumn and in Spring this year and will meet again shortly on 27 November. But most importantly, an Intelligence Division has been established within the EU Military Staff. Arrangements are in place allowing for secure transmission of classified information from each Member State to the EU Military Staff with a view to it contributing to the early warning and policy planning process, as well as in support of specific crisis management operations.

As well as enhancing co-operation within each of these fields, many Member States also taking active measures to improve co-operation between their own domestic, external and military intelligence services. This should continue to be developed.

Enhancements

With declaration of operationality expected at Laeken, further improvements are necessary. More extensive and efficient exchanges are needed in the field of diplomatic reporting. Properly protected electronic exchange is vital for real-time value. But it is particularly important to make improvements in the field of shared political intelligence.

Such material is highly sensitive. If Member States are to share it, they must be confident that it will be put to effective use, while at the same time being properly protected. This requires both staff for the analysis of such information and sound security procedures and structures.

In the light of the above I am implementing a number of structural and procedural changes within the Council Secretariat intended to enhance its capacity to properly analyse, exploit, protect and distribute sensitive intelligence

material made available by Member States.

In terms of improved sources of information, we shall be looking in the following directions: intelligence provided by the Member States (generally in an assessed form, but not exclusively); assessed intelligence reports from NATO; national diplomatic and military reporting; reports from European Commission delegations world-wide; image analysis from the EU Satellite Centre; information from Council sources, such as EUMM and Special Representatives; information exchanges with other organisations (UN, OSCE, NGOs etc), and open source information.

I am putting in place a small group of staff, experienced in the field of intelligence analysis, to work in an integrated manner with staff in the Intelligence Division of the EU Military Staff, the relevant task forces of the Policy Unit and staff of DG E. Together, their role will be to support the existing early warning effort and situation analysis work of the Joint Situation Centre. It is my intention that this additional assessment capability, which could be reinforced on my decision, will be operational before the end of the year.

The success of these arrangements will depend on high standards of security being maintained, in line with the requirements of the Council Decision of 19 March 2001, due to enter into force on 1 December 2001. Experience to date, particularly in the establishment of the Intelligence Division of the EU Military Staff, has identified a number of technical/procedural measures needed to guarantee the standards set in the Council Decision.

Secure handling arrangements will be put in place to ensure that assessments are distributed securely and appropriately within the Secretariat. Member States should nominate points of contact in Permanent Representations to receive assessments. In due course, protected transmission links will be needed, including to and from capitals.

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