

Fixing the EU Intelligence Crisis

Musa Khan Jalalzai



Islamic Theology of Counter Terrorism

اسلام کے تھیولوجی آف کاؤنٹر ٹیررزم

The epidemic of wars and military clashes from Syria to Yemen and from Iraq to Libya, the rising powers of China and Russia, and the turbulence in Afghanistan, Pakistan, and North Africa, all underscore the urgent need for a professional mechanism to fix the crisis of intelligence failure. Most of the current intelligence problems within the European Union, Pakistan and India, whether they relate to predicting surprise attacks, the politicisation of intelligence, or questions of ethics and privacy, are old conundrums. However, it is hard to escape the feeling that closer attention to obvious lessons from the past would have assisted the intelligence sharing of these states in avoiding the Taliban, ISIS and other ethnic and sectarian group's attacks on civilian and military installations.

After the London, Madrid, Paris, Munich and Nice attacks, the EU member states are still waiting for miracles to bring a ready-made remedy to their pain. The most critical counter terrorism efforts within the project still need to be streamlined where law enforcement agencies have failed to share information properly. The Europol and Eurojust have also failed to deliver. The EU intelligence agencies complain that the Europol policing organisation is unable to deliver, particularly in the field of investigation. Moreover, Europol has also failed to demonstrate itself as a professional policing organisation after the Paris, and Germany attacks. One of the most important tasks of an intelligence agency is to investigate and provide immediate warning of foreign and domestic terrorist attacks while security of a country is at threat.

One reason behind these failures is that intelligence and law enforcement agencies operate in opposite directions in a complex legal environment. There is a huge difference between these agencies over the perceptualisation of war against terrorism in Iraq, Syria and Afghanistan. The Europol and Eurojust are confused and don't know how to operate in collaboration with all EU intelligence agencies. Law enforcement and intelligence infrastructure of the EU Eastern partners has raised many questions, including insecurity and Russian political and military influence in this region. Though, NATO is struggling to counter the Russian influence by sending more troops and funds to the region, it is too late to win the hearts and minds of the ruling elite of Ukraine, Georgia and Moldova who enjoy no security guarantee.

Not going into an unnecessary philosophical argument, I just want to elucidate the fact that the most damaging intelligence failure in the EU member states is the lack of a professional security approach and intelligence sharing. The failure to intercept or identify terrorists before they carried out attacks against civilians, the counterterrorism approach of Brussels, Germany and French intelligence agencies remains in question. There are so many hindrances due to which the EU member states cannot move ahead with a single voice. Speculations that the security assurance of all member states within the EU is mere a hyperbole as complaints of some Eastern European allies about the Brussels attitude raised several questions.

The Netherlands, Denmark, Moldova and Baltic states feel threatened. There recent complaints against the weak intelligence sharing mechanism are matters of great concern. The Nice and Munich attacks further exposed the EU counterterrorism approach, where political parties and civil society pointed to the incompetency of law enforcement agencies.

Professional intelligence and law enforcement approach is not something ready-made and available in markets; it is built by experts and policy makers.

Since 2012, terrorists carried out more than nine deadly attacks, in which 249 civilians were killed. They used different tactics in their attacks to keep the law enforcement agencies affixed to their old operational mechanism. The issue of security sector reforms in France and Germany is often discussed in print and electronic media, but in reality, their zeal and resolve are revolving around old mechanism.

More than 24 years ago, some intelligence reforms were introduced in France under the 1991 law, and intelligence surveillance was confined to the tapping of wireless telephone communications. After that initiative, in 2015, an intelligence act was adopted by the French government, but after the terror attacks in 2015 and 2016, the country's parliamentary investigation identified multiple failures of French intelligence. The investigation enquiry, later on recommended a fusion of all six intelligence agencies. Socialist lawmaker Sebastian Pietrasanta told journalists that two intelligence chiefs admitted intelligence failure.

On 21 January 2015, French Prime Minister Manuel Valls presented a package of immediate reforms to address the issue of radicalisation and terrorism in his country, but unfortunately, the new counterterrorism measures did not prove effective to save the country. Because, the recent security measures against Muslim communities had weaken the roots of French intelligence agencies and the trust deficit further added to the country's pain. In these new intelligence efforts, the government created the code of internal security within the intelligence act, which means to create the climate of trust between intelligence agencies and minority communities. The act stresses technical capabilities of the intelligence infrastructure to harmonise the range of tools that intelligence can use according to the regime applicable to judicial investigations.

The failure of French intelligence before the 14 July 2016 terrorist attacks in Nice was mainly due to the lack of its coordination with law enforcement agencies to prevent the truck runner. However, when the killings started, police and security agencies were unable to show a brisk reaction or intercept the truck immediately. All these attacks were carried out under the police and intelligence surveillance system, which means something, is going wrong under the carpet. Chief of the French domestic intelligence has warned in June 2016 that terrorist attacks are inevitable. In these circumstances, French lawmakers had no option other than to call for a shake-up of the intelligence infrastructure of the country. A committee of lawmakers in a press conference regretted on the lack of coordination between the foreign and domestic intelligence agencies. "Our intelligence services failed" said lawmaker Georges French. German intelligence is not so different from the French spy agencies.

The consecutive failure of German intelligence agencies to intercept the lone wolves and religiously motivated Muslim extremists before they translate their ferments and resentment into a violent action has raised important questions about its national security and counterterrorism approach. The lack of predictable security management in the region is the nucleation of debate today. In Moldova and Georgia, security crisis and political fragmentation give the EU more pain. Moldova's support for the EU integration is weak, while Georgia is also thinking on the same lines because their citizens still face the uneven visa regime within the EU member states.

However, amidst this controversial engagement, German intelligence spied on France, created the clouds of surveillance on US and Britain, while Britain spied on Germany, which prompted distrust. On November 6, 2013, the BBC reported that the head of German parliament's intelligence committee called for enquiries into alleged spying committed by the British embassy in Berlin. German intelligence agencies are looking at the US and UK through a hostile glass after the taping of Angela Merkel's personal telephone by NSA and UK's illegal surveillance operation in the country. Britain's decision to leave the EU could have a significant impact on the Union's ability to help nations on its Eastern borders, implement political and economic reform, or to respond to Russia's determined efforts to expand its sphere of influence.