"The need to know:
European information-sharing"
SDA roundtable report
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The need to know: European information-sharing

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Session I - Why is there so little information-sharing in Europe?

Intelligence, counter-terrorism and private security stakeholders all rely on the timely and accurate delivery of information to "front-line" staff. In most major security breaches, although relevant data was available it failed to reach the right person in time. Information-sharing to reduce vulnerabilities is vital, so why has intra-European cooperation remained so limited? What disincentives are there for cross-border information-sharing in Europe, and why do outdated national practices that delay information exchange remain so prevalent? Do EU and NATO member states mistrust each other when dealing with sensitive security information, or is it security sector rivalries that obstruct cooperation?

Speakers
Brig. Gen. Guenter Eisl, Intelligence Director, European Union Military Staff, European External Action Service
Joaquim Nunes de Almeida, Head of Unit, Police Co-operation and Access to Information, Directorate General for Home Affairs, European Commission
Ilkka Salmi, Director, EU Situation Centre, European External Action Service
Wouter Vlegels, Expert – Critical Information Infrastructure Protection, ENISA

Moderated by:
Giles Merritt, Director, Security & Defence Agenda

Session II - Harnessing the power of information-sharing

The core of the new US 'National Information Sharing Strategy' is the need to reinforce information-sharing and increase efficiency by harnessing new technologies. Can Europe draw lessons from the US experience in the decade since 9/11? Although the Lisbon treaty is meant to unify EU security policies, coherence on information-sharing remains elusive, so which EU body should take the strategic lead? Do EU countries need to increase funding, or is it rather that existing resources should be streamlined? How can the reluctance of private stakeholders to share crucial information be overcome, and what measures are needed to ensure equality of access, regardless of size? Is Permanent Structured Cooperation the most pragmatic way forward, and how real is the problem of information "free-loaders"?

Speakers
John D. Cohen, Principal Deputy Coordinator for Counterterrorism, Department of Homeland Security, United States
Adam Isles, Homeland Security Director, Raytheon
Brian Donald, Chief of Staff to the Director, Europol

Moderated by:
Giles Merritt, Director, Security & Defence Agenda

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US Department of Homeland Security

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Introduction

Information-sharing between EU agencies and member state authorities is a vital part of handling complex situations and threats to European security. The effective dissemination of time-sensitive intelligence, best practices and analysis is a widely acknowledged goal, but is European information-sharing adequate?

Introducing the day's discussion, SDA Director **Giles Merritt** reminded assembled participants that information-sharing is an area were the "the authority and autonomy of the European Union increasingly comes up against national sensibilities." He also suggested that "privacy will be an increasingly prickly problem. Information rendition is already leading us into practices where privacy can be intruded," demanding a higher level of scrutiny on information-sharing at EU level.

Session I - Why is there so little information-sharing in Europe?

The first session's panellists tackled the European information-sharing environment. They engaged with questions about the adequacy, sophistication and political aspects affecting current intelligence and information exchanges between member states, EU agencies and NATO.

Joaquim Nunes de Almeida, Head of Unit for Police-Cooperation and Access to Information at the European Commission's DG Home Affairs started by calling for

optimism on European information-sharing. Although some inter-agency competition can be identified, he maintained that "the EU is not perfect, but by-and-large information does seem to get exchanged - we don't have a fundamental problem."

What is more, in his opinion trust is not a major issue in European information exchange. According to a recent mapping exercise, "78% [of agencies surveyed] do not think that lack of trust is a problem in exchanging information between police forces." This proves that "cooperation works well between like-minded networks across the 27 member states".

There were some additional complexities that need to be taken into account, de Almeida continued. Basic problems regard language barriers across borders, and sometimes still a lack of awareness, and the difficulty foreign police forces often face dealing with different judicial systems. Also, regarding the "need to know" in information-sharing, the Commission official maintained that "there is no way of deciding who needs to be informed at any precise moment in time," so a "common sense" approach would probably continue to be the best solution in complex situations.

Ilkka Salmi, Director of the EU Situation Centre in the European External Action Service (EEAS) began by asking participants to "clearly divide this issue into what is shared amongst member states and what is shared within the EU framework – these are very different exchanges." The unique position of the SITCEN is that despite its role as an EU intelligence-sharing hub, the Lisbon Treaty has not explicitly mandated that member state agencies must share information with the SITCEN, he explained. This could have proven complicated if

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no-one volunteered information, but on the whole "it seems to be acknowledged as being in the member states services' interest to do that, and this is functioning rather well."

"Our challenge is no longer medium- and long-term warnings or assessments - now we need to provide information on a timely basis to the right people for operational and diplomatic purposes,"

However, what has also become clear since Lisbon is that the scope and timeliness of intelligence demands on the SITCEN have changed. "Our challenge is no longer medium - and long-term warnings or assessments - now we need to provide information on a timely basis to the right people for operational and diplomatic purposes," a challenge the SITCEN was now getting to grips with.

To deal with these new roles, the official highlighted several areas in need of improvement. "We will need to strengthen our open-source and public information processing competencies - that would give us the opportunity to share more freely," he opined. He would also like to "see more representatives from the member state agencies getting involved in the SITCEN." Finally, "I would like to see the SITCEN's points of contact with the EU improved – so that member states know we are the counterpart providing an interface between national services and EU functions."

Speaking from the perspective of the European Union Military Staff (EUMS), **Brigadier General Guenter Eisl,** Intelligence Director, agreed that member states' am-

bitions for the EEAS were making "the time requirements of intelligence support tighter and tighter." EU intelligence support is still relatively new and "have a very colourful patchwork of organisations at member state level. There is no single model: each has developed based on historical and cultural experiences," making any single intelligence hub a complex endeavour.

For the General, the EU's intelligence sharing role faces major challenges. There is "the need to adequately support the new political ambitions of the EU". The establishment of the EEAS requires "intelligence support for the decision making process of member states at EU level at the same quantity, quality and time as at member state level." Given that the EU is entirely reliant on member state intelligence contributions, "enhancing the level of information sharing support is clearly the priority".

"We have a very colourful patchwork of organisations at member state level. There is no single model: each has developed based on historical and cultural experiences,"

Wouter Vlegels, ENISA expert on Critical Information Infrastructure Protection (CIIP) stated that, particularly in the field of cyber-security, a lot is shared between member states and the EU. From ENISA's experience in pan-European cyber-security training programmes, Vlegels identified two kinds of problems in information exchange. Most of the information sharing is done through trusted information sharing mechanisms (e.g. traffic light protocols) and Public-Private Partnerships

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(e.g. European Public Private Partnership for Resilience or EP3R). However most of these initiatives do not process classified information nor do they engage themselves in sharing their information with the intelligence community. As a result little classified intelligence is shared in a multinational context on cyber. As an example more than 200.000 nationally released intelligence products were shared on a coalition-led operational theatre – while only 18 were shared on cyber threats.

> *"Today member states bring their own capabilities with them, which have no standardisation on information management"*

Yet the issues are not always technological: "sometimes it is the procedures and policies that are not adapted to the situation," he continued. This challenges the security community to think outside of the "traditional" intelligence world to communicate with those actors in cyber-space who have access to the relevant information. In Europe, "when we are talking about CIIP, these needs are not always well understood by member state authorities, however many of these actors can contribute with their analysis to the work of the traditional intelligence officer assessing the geo-political threats and impacts of cyber security incidents.'' From his experience in the defence arena – many obstacles remain related to multinational information-sharing. The analyst in the field is particularly challenged. The lack of good information-management processes and the lack of standardised capabilities for information sharing in a multi-national context hinder the intelligence officer in assessing the threats. As an example, most of the capa-

bilities used today for intelligence sharing in NATO and EU are for the dissemination, search and retrieval of nationally released strategic intelligence. In the field however – the tactical level – the intelligence sharing requirements are very different. The intelligence officer in the field will need different capabilities and processes than exist today. "Today member states bring their own capabilities with them, which have no standardisation on information management" making sharing more difficult. This calls for a radical re-think, to help "get the correct structures in place to engage the right person at the right time" he concluded.

As the debate continued, a key question emerged about how we should gauge the success of information-sharing. Both Giles Merritt and **Thomas Renard** from the Egmont Royal Institute for International Relations asked if the EU's inability to predict events such as the Arab Spring or rapidly plan a CSDP mission to handle Libya indicated a lack of capacity to adequately draw together an intelligence picture.

Eisl disagreed that this was a failure of information-sharing. "Yes, we were not able to say the [Arab Spring] revolutions would start. Ultimately, no intelligence agency can precisely predict such an outbreak of unrest," he reminded participants.

Another question rose related to EU-NATO information-sharing. Faced with a lack of formal intelligence agreements between the EEAS and NATO, some participants queried how effective information-sharing can be without a formal relationship in place.

Eisl was unequivocal in clarifying that these challenges cannot be wished away. "We try to mitigate this, but

we have our limits," he explained. That being said, he also pointed out that "we do not have the same ambition as NATO regarding missions. For the ambitions given to us, we have set up a system of intelligence support that has responded well."

Wouter Vlegels agreed that pragmatic agreements often trumped high-level politics. He did however suggest that "there could be more transparency and sharing of best practices then is currently taking place." Nonetheless, he believed that "informal contacts and working groups can provide a great deal of valuable information," even without formal diplomatic agreements.

Giuseppe Benassi, Head of the Office of Security and Policy Oversight, NATO, also agreed that "these limitations are often overcome by mutual and informal consensus between parties." He felt the idea that NATO-EU information-sharing was drastically limited is something of a misperception. "We are advancing towards achieving some meaningful mutual recognition, so this issue needs to be viewed in a less pessimistic light," he concluded.

Session II - Harnessing the power of information-sharing

The second session allowed a comparison of US information-sharing policy and European approaches to improving information delivery.

John D. Cohen, Senior Advisor to the Secretary of the US Department of Homeland Security, described how the post 9/11 counter-terrorism information-sharing

agenda required "very significant changes from both a technological and cultural perspective." For the US this involved "thinking about the important role state and local authorities can play in threat detection and prevention," which has led to engaging with local actors at every level.

The US "has very much moved towards a dynamic where counter-terrorism intelligence sharing is not tangential to what we do at the local level, but is part of the everyday."

"What we have increasingly sought is to build the capacity at the state and local level to detect and prevent threats," he explained. Practically, this has meant that as well as encouraging inter-agency exchanges, DHS adopted a strategy of "supporting efforts to grow a grassroots analytics capability… to develop the knowledge necessary so that front-line officers recognise a threat indicator and how to respond." In sum, the US "has very much moved towards a dynamic where counter-terrorism intelligence sharing is not tangential to what we do at the local level, but is part of the everyday."

The US official thus suggested that there were lessons to be drawn from this approach for Europe. However, such an agenda does raise questions about the division of labour in information gathering and dissemination. "The underlying challenge in all of this is that there is no clear-cut delineation between law enforcement and state security issues" in the US, he warned. This can cause judicial and cultural friction between state and

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national efforts, which would only be multiplied across 27 EU member states.

Speaking from his perspective as Head of the Director's office at Europol, **Brian Donald** suggested that "nowadays we have systems and structures where contacts can be dealt with quickly and reasonably….the EU has invested a huge amount of resources in Europol for information exchange, and we are largely successful in harnessing member state support," he claimed.

However, "we have not yet fully harnessed the power of information-sharing," he continued. "Technologically we have the systems in place to move information around – but people look at things from a different perspective across Europe – they have different objectives, priorities and concerns." This has obvious implications for the depth and sophistication of EU information-sharing.

"Everyone can do with more money, but it may be a question of streamlining – we need to look towards rationalising the approach member states take to EU Information-sharing, and increasing emphasis they place on multilateralism."

When concluding, Donald expressed doubts that more funding was necessarily the answer. "Everyone can do with more money," he opined, "but it may be a question of streamlining – we need to look towards rationalising the approach member states take to EU information-sharing, and increasing emphasis they place on multilateralism." For Donald, this is a matter of trust between national agencies; indeed, "the 'trust agenda'

is the make and break agenda for Europol."

Adam Isles, Director for Strategy & Policy Consulting, Homeland Security, at Raytheon, delved deeper into three vital components of effective information-sharing – trust, interoperability and insight. As with Brian Donald, trust was taken to be essential. "There is an issue of trust in terms of people who own information and how you share it – do I have reasonable level of confidence that you will handle information I share with you as I expect?" he asked. On interoperability, Isles cited several dimensions. Common semantic understandings are necessary so that one data owner's "car" and another's "vehicle" can be reconciled. Technical interoperability speaks to having key interface standards developed and in place to allow for data to move easily from one system to another. Policy interoperability speaks to agreed rules of the road related to who can see what when, how long they retain it, and under what circumstances further sharing is allowed.

Donald suggested that a key objective should be to streamline existing databases to be more easily handled. "When you ask a question, you shouldn't have to ask that question across 27 national databases." Europol has gone a long way to developing European database solutions to this problem, he added.

Gaining insight from intelligence is another concern. In this new environment, Isles suggested that the intelligence community currently faces the risk of "information over-flow."

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"When you ask a question, you shouldn't have to ask that question across 27 national databases."

This requires agencies to consider a key question: "how is information gathered electronically going to lead to operationally relevant information?" For example, persistent query functionality allows a machine to keep looking for new updates related to a topic of interest so an analyst doesn't have to.

There are also non-technical factors behind this; with nations needing to "think of an information-sharing preparedness plan, who you need to talk to in an emergency, as well as where, when, and in what context."

Another key issue cited by Isles was the question of who's at the table? It is important to consider the role of not just government entities, but the private sector, and the public both as information collectors and recipients in need of timely information.

Finally, the industry representative asked national, EU and third country authorities to consider greater collaboration on the kind of information-sharing solutions they want to develop. "The more you have a common message for industry, the better you can plan systems together, and build trust," he claimed.

The panellists' reference to processing large amounts of information electronically led to questions about databases, data retention and privacy. **Mohamed-Raja'lBarakat,** independent expert, felt that there is an inherent danger in asking the public to participate in building information databases – especially regarding

"see something, say something" engagement as advocated by DHS. "What will be the red line? Will we reach a situation where everyone is afraid of their neighbour due to public 'engagement' on collecting information?"

Isles acknowledged concerns about the creation of so called "big brother databases." He noted that some degree of centralisation was necessary to advance the efficiency of data interrogation and exchange, but argued for building privacy into systems design – both through applications that "watch the watchers" as well as by building privacy-friendly functionality into systems architecture at the outset.

"The more you have a common message for industry, the better you can plan systems together, and build trust,"

Another issue was the depth and success of transatlantic information cooperation. Despite some concerns about different cultural approaches, Cohen was optimistic about this, saying, "I have personally witnessed events where the working relationship between European partners has been incredible – we have stopped attacks by sharing information."

Donald agreed, and dismissed criticism that US-EU data sharing was one sided or contravened privacy laws. "We have a trusted relationship with the US – they know what we need to satisfy our side of the house [in terms of data privacy], and we know what they require. Once we got over the cultural hurdles, cops speak to cops and understand each other… It works, and we've had some excellent results," he concluded.

Jonathan Dowdall, Policy Analyst for Security Europe,

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later used the case study of a recent DG Home Affairs counter-terror project to ask a final question. Noting that Western European and Scandinavian representatives were overwhelmingly in attendance at this meeting he asked, "how do you makes sure that in either formal or informal exchanges, you've got a full representation of the entire EU?"

Donald agreed that some national agencies "look at the world through different eyes – maybe they see a different scenario, and prioritise differently." However, he felt that Europe was generally doing well in engaging a broad range of perspectives. "There are formal and informal mechanisms to allow that to happen – we fund and encourage operational meetings where we get the experts and investigators together. It's about allowing people to talk in their own environment."

Isles also agreed that it was important to ask: "are all the right people at the table for this discussion? What's the risk you are trying to deal with?" In emerging areas such as IT modernisation challenges common to both sides of the Atlantic, he advocated that "it might be important to have in the room chief information officers, people who have the scars on their back from major IT modernisation, to share their lessons learnt." So as elsewhere in the debate, information sharing will clearly require engagement with new communities and personnel.

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CYBER-SECURITY INITIATIVE

Launch debate

with

Cecilia Malmström
EU Home Affairs Commissioner

Defining cyber-security

9 November 2011
17:30 - 19:00
Stanhope Hotel, Brussels

Confirmed speakers

Gen. (ret.) Yitzhak Ben Israel, Senior Cyber-security Advisor to the Prime Minister, Israel
Paul MacGregor, Director, Finmeccanica Cyber Solutions
Troels Oerting, Assistant Director for Operations, Europol

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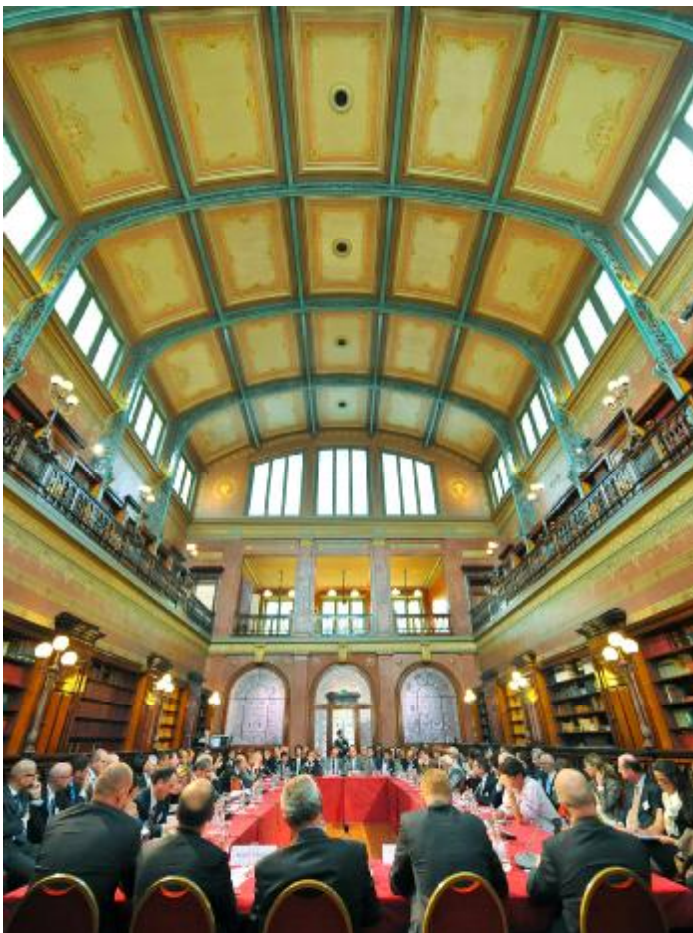Vrije Universiteit Brussel (VUB)

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BRINGING THE CYBER-DEBATE DOWN TO EARTH

Cyber-attacks are making headlines daily. The Security & Defence Agenda (SDA) separates fact from hype in cyber-security, with topics spanning cyber-governance, financial and political consequences of cyber-attacks, threat perceptions, US-EU cooperation, critical infrastructure protection, and freedom vs. security.

> **Cyber has redefined the front lines of national security**
> **Willam J. Lynn III,** US Deputy Secretary of Defense

> **The internet has become a national asset**
> **Suleyman Anil,** Head of the Cyber Defence Section, NATO

> **The defences that we have today are defences against the threats of yesterday**
> **Jakub Boratynski,** Head of Unit, DG Home, European Commission

> **The internet is a blank page for Europe to reinvent itself on**
> **Robert Madelin,** Director General for Information Society and Media, European Commission

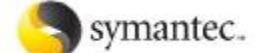> **Any future conflict will include a cyber dimension**
> **Tunne Kelam,** Member of the Subcommittee on Security and Defence, European Parliament

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