

Contemporary Challenges for the Intelligence Community

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**Geneva Centre for the
Democratic Control
of Armed Forces**

This document is part of the DCAF Backgrounder series, which provides practitioners with concise introductions to a variety of issues in the field of Security Sector Governance and Security Sector Reform.

How has the strategic environment changed?

The end of the Cold War and the rise of various forms of international terrorism have been accompanied by unprecedented changes in the working environment of the intelligence community. Five developments stand out:

- the proliferation of actors, sources of conflict and means of using force;
- the expansion in the transnational character, reach and impact of threats;
- the surge in technological innovation, leading to ever greater vulnerabilities from an increasingly diverse and disparate array of sources;
- the growing predominance of asymmetric and unconventional forms of conflict; and
- the increasing displacement of violence into urban areas and the domain of internal security and safety, accompanied by more economically, ethnically, religiously and ideologically induced societal strife.

Some of these trends are the results of genuine transformations, while others may have always been present and have only recently become relevant to the intelligence sector. All, however, have implications for the operations of most intelligence services.

At the same time, "traditional" interstate conflicts and rivalries, as well as the preservation of domestic stability, remain priorities for intelligence services everywhere.

What are the actors and issues of concern?

These include new, and not so new, actors such as:

- international terrorist organisations and transnational criminal organisations;
- governments that produce and make available weapons of mass destruction, provide safe havens for terrorists and sponsor the assassination of their political opponents abroad;

- failing and failed states, which can result in endemic conflict, insecurity and mass migration, and turn into breeding grounds for terrorism and organised crime;
- some multinational corporations and politicised citizen groups that seek to influence the outcome of international negotiations on an array of issues;
- statutory security forces that are not under effective state control, such as rogue military and intelligence entities; and
- non-governmental security forces that may only be loosely supervised by the state, such as private military firms, paramilitary groups and militias.

New issue areas that can require the involvement of intelligence services include:

- protection of national infrastructure against attacks from a variety of sources, from terrorists to cyber-criminals;
- international peace support operations, which require intelligence support to carry out their missions;
- protection of borders and other entry points for people and goods against WMD and related threats;
- massive violations of human rights and other major cases of unrest and destabilisation (as in Darfur);
- disaster relief, where intelligence services can place their satellite imagery and signals capacity at the disposal of those operating on the ground; and
- criminal investigations and issues of transitional justice, such as the search for war criminals.

What has been the impact of strategic terrorism?

Because of major terrorist actions in recent years, intelligence services have come under increased scrutiny and criticism. This has focused on the following issues:

- operational failures, such as failing to predict terrorist attacks or lacking the knowledge and capability to prevent them;
- organisational deficiencies, such as not sharing intelligence with other intelligence services and government departments and resisting re-organisation and reform; and
- democratic malpractice, including violating citizen's rights to privacy, not cooperating with other branches of government such as parliament and the courts, unlawful detentions, mistreatment (even torture) of detainees, unlawful interrogation techniques, the transfer of detainees to countries with more relaxed standards on the use of coercive techniques (rendition) and accommodating politicians in the politicisation and misuse of intelligence.

At the same time, because many of their activities have to be carried out in secret, intelligence services are often unable to tout their successes and expose certain details of their work to public debate.

What implications do these changes have for intelligence services?

The work of the intelligence services has become more time-sensitive, complex, dangerous and controversial.

- Effective decision- and policymaking is increasingly dependent upon early identification of problems, rapid assessment of the likely consequences of decisions and real-time monitoring of their implementation.
- With changes in the strategic environment, there has been an increase in the number and kind of consumers of intelligence, both domestic and foreign. Their needs vary enormously.
- Only if top executive decision- and policymakers are well informed can they provide the necessary guidance to intelligence services and make sound judgments on policy.
- The operations of intelligence services have become increasingly dependent on data that is difficult and dangerous to collect.

- Maintaining secrets is increasingly difficult, for both technical and political reasons.
- National intelligence services need to be able to work with their counterparts in other countries if they are to fulfil their missions; yet this can be complicated by mutual suspicion and differences in practices among partner services.
- The work of intelligence services in some countries is being hampered by a crisis of confidence in their efficiency and their commitment to democratic oversight. The problem is exacerbated where the public is not sufficiently informed about the activities of the intelligence services and the methods for controlling them.

How can these issues be addressed?

There are four main areas where the intelligence services need to adjust their approaches:

- information collection and utilisation;
- national coordination and cooperation among intelligence services and with other security sector actors;
- information sharing with international organisations and other countries; and
- public acceptability and accountability.

The Information Revolution

The Information Revolution (IR) may be the most important new factor impacting the management and work of intelligence services. It has implications for information availability and access, as well as for its analysis.

As a result of changes in collection techniques,

- there is now a surfeit of information in contrast to the information scarcity that characterised many aspects of the Cold War;
- the bulk of information for national assessments now comes from open source intelligence, though a crucial portion is still generated by

methods that largely remain the exclusive competence of intelligence services; and

- data mining and other automated collection techniques have become essential for the filtering and storing of information.

The IR has also had a dramatic impact on the way intelligence analysis is conducted. In particular, it has

- altered working relationships among individual analysts and analytical groups within intelligence services as technology trends have enhanced horizontal networking and facilitated decentralisation.
- made possible the privatisation of assessment, with many companies offering expertise in global risk analysis whose products and services are often superior to those of government intelligence organisations; and
- contributed to the emergence of informal networks of information distribution that compete with intelligence services for the attention of policymakers.

These developments require significant changes in the management and craft of intelligence. For example, one new challenge involves deciding in which domains to rely on open sources and existing methods of collection, and in which to develop new capacities. Another involves developing new methods of exchanging and protecting data as cooperation among intelligence agencies increases.

The IR will not solve all problems facing intelligence services:

- costly high-tech intelligence systems designed for monitoring the electronic environment may be ineffective against organisations employing simpler methods of communication;
- most terrorist and criminal organisations lack the type of infrastructure that technological collection methods can most easily target;
- technological advances also help intelligence targets themselves to better protect their secrets and more easily hide their activities; examples include publicly available encryption methods

for communications, widening access to the Internet (which also facilitates the exchange of funds and information) and the growth of commercially available satellite imagery; and

- many new threats require a greater emphasis on human intelligence collection, in particular by individuals who have the linguistic and cultural knowledge necessary for infiltrating today's terrorist and criminal groups.

National cooperation and coordination

In today's security environment, intelligence services have to work more closely with one another and with other national security services as well. The former is especially a challenge for larger countries with multiple intelligence services, though smaller countries usually also have multiple actors with intelligence-related functions, and thus a need for optimal cooperation. In most countries, central intelligence mechanisms consisting of officials at or near the cabinet level are responsible for the coordination of national intelligence estimates. This can be supplemented by measures ensuring that all intelligence services have access to the same databases and documents, and that frequent contacts take place between agencies working on similar issues.

Furthermore, the increasing need for intelligence services to monitor transnational issues with a domestic scope (such as international terrorism and organised crime) requires a renewed emphasis on cooperation with other national security forces. In most democracies, intelligence services have restricted powers in domestic matters such as searches, seizures and the monitoring of communications. For this reason, they are required to cooperate with other security forces at all levels of government such as the police, the military, the gendarmerie or constabulary forces, national guards, border guards and customs agencies.

In addition, elements of government not traditionally associated with security issues, such as ministries of finance, energy, trade, agriculture, health and other groups, increasingly cooperate with intelligence agencies. In some cases, intelligence analyses can benefit from the expertise and

experience of other departments of government, while the latter can benefit from the expertise of the intelligence agencies in their activities.

National coordination can be supported by such measures as:

- policy and emergency coordinating mechanisms, such as committees or working groups, operating on a permanent or ad hoc basis;
- staff exchanges to provide liaison and channel communication and cooperation;
- special, permanent inter-agency coordinating units to address specific issues such as counterterrorism or drug smuggling; and
- "situation rooms" to handle emergency situations.

Intelligence sharing and international cooperation

Since intelligence must address global and transnational matters with increasing frequency, intelligence relationships among countries have been expanding. The benefits of intelligence-sharing are obvious: intelligence exchange is a prerequisite for timely, informed and well-developed security decisionmaking. In addition, by eliminating duplicated effort, it may bring countries significant resource savings.

Intelligence is shared both bilaterally and multilaterally.

Bilateral cooperation normally involves the sharing of intelligence information and analyses on topics of mutual interest. Such cooperation generally operates on a quid pro quo basis, since countries are reluctant to share information that may reveal sources or methods without deriving a concrete benefit. Though countries with more limited intelligence resources are not always able to provide capabilities matching those of larger services, they can reciprocate in other ways, such as providing access to regions and languages that services might otherwise have to develop independently.

Multilateral cooperation is evolving in response to the following challenges:

- coalition forces deployed in peace support operations and military operations require nearly the full range of wartime intelligence support;
- transnational issues such as crime and terrorism, in which success on the part of one country benefits all, motivate many countries to obtain and to provide greater access to an increasingly broad range of information;
- multilateral networking can be crucial in the development of liaison arrangements, modern technologies and databases, and mutual legal assistance.

Some international organisations such as the EU are in the process of developing supranational mechanisms for intelligence assessment, but for the time being such mechanisms are still dependent on national intelligence inputs.

Public accountability and acceptability

In general, intelligence services – except where their sensitive functions make this impossible or unwise – need to become more like other governmental services in their attitude toward transparency and accountability, and in their engagement with the public.

Parliaments play a particularly important role in this regard. They must ensure that the law clearly and openly defines the roles and responsibilities of the intelligence services, and that they are clearly accountable to the elected government and parliament and work within the state's judicial framework. (For more on this issue, see also the DCAF Backgrounder on Parliamentary Oversight of Intelligence Services.)

As for the intelligence services and responsible executive agencies, they can enhance public accountability and acceptability in two ways in particular. They must ensure that intelligence officers possess the necessary professional qualifications and receive proper training with a sound ethical basis. They must also ensure that the need for

secrecy is not misused to conceal information that should be in the public domain.

In an age where it is no longer necessary or possible to keep the existence of agencies or all of their capabilities secret, such steps could not only help the intelligence services improve their effectiveness, but could also help to improve their image.

Furthermore, the media, non-governmental organisations and the general public need to be informed – and need to inform themselves – about the activities of the intelligence services and be able to do so without fear of sanction.

What should be the priorities?

- Building an integrated national intelligence capability with optimised collection capabilities.
- Strengthening analytical expertise, methods and practices across the intelligence community and encouraging an open, creative environment.
- Removing impediments to intelligence sharing within the intelligence community and with partners, and establishing policies that reflect the 'need to share' for all data, in place of the 'ownership by agency' approach.
- Exploiting scientific and technical advances, especially changes in information technology that make it possible to maintain and extend capacity to deal with emerging threats.
- Creating an intelligence 'cyber-community' in which intelligence producers, customers and partners can interact swiftly and securely in considering intelligence, at both the international and national level.
- Expanding technological capacities to handle the ever-increasing volume of signals being intercepted.
- Focusing intelligence collection efforts on issues that private sector intelligence will not adequately address because they would be unprofitable, be too technologically demanding, or expose those involved to unacceptable legal liabilities.

And above all:

- Developing new standards of democratic good practice, codified in legislation, to keep up with the challenges of changing technology and threats.

Further Information

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Treverton, 2005
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