

Member states' failure to share intelligence saps Europol work

25-31/03/2004

In the wake of the Madrid atrocities, summiters' attention will undoubtedly turn to the EU police agency and how best it can respond to the terrorist threat. **David Cronin** reports

UNLOVED and allegedly under-resourced, Europol is located in The Hague and seems to rarely flicker across the radar screens of the EU elite in Brussels.

The occasions when questions on the role and usefulness of the police agency become hot topics at summits, for example, tend to be highly dramatic.

One was in the immediate aftermath of the 11 September 2001 atrocities, when a hastily convened gathering of leaders agreed that Europol would develop an anti-terrorism unit. Another will be today's (25 March) discussion on the fall-out of the Madrid bombings. Among the raft of items on the terrorism section of the Spring summit will be how the agency can be bolstered.

Realpolitik seems to dictate that Europol is the sole EU body which could act as a central processor of intelligence at this stage. Although Austria is championing the idea of a European version of the CIA, the general view is that this is premature.

French Interior Minister Nicolas Sarkozy illustrated his disappointment on the limited results achieved by the anti-terrorism unit in a letter to Ireland's EU presidency last week. He complained that only a small number of Europol's 450 staff are assigned to the unit (it has 15 full-time officers and seven others seconded from member states).

While Sarkozy urged national authorities to "transmit more and better-quality information" about terrorist networks to Europol, he also made clear last weekend that France would not hand over anything too sensitive to the agency.

In his view, the unit should undertake inquiries into threats of terrorism and carry out research on the financing of subversive groups.

But Sarkozy admitted that having actual pooling of intelligence between EU states would be "the most difficult thing" to achieve. He agreed there could be greater liaison between secret services of the five biggest EU states – the UK, France, Germany, Spain and Italy – as they already are in the habit of working together. However, he ruled out extending that cooperation to the ten incoming EU member states for the foreseeable future, due to the risk of confidential dossiers falling into the wrong hands.

Under an agreement by EU leaders in

2001, Europol was supposed to have access to "any relevant" data held by national intelligence agencies across member states on terrorist threats.

But a senior Europol source says: "Very few intelligence agencies provide such information. There is room for improvement in terms of flow of information because Europol is in a unique position to receive, collate and analyze the knowledge."

Jelle van Buuren from Eurowatch, a Dutch group monitoring Europol's activities, explains: "This question has to do with national interests. Spain and the UK have refused to exchange really sensitive information about ETA and the IRA with Europol. They are afraid that when this is exchanged with too many other countries, it will go out on the street. And some times they are playing games by their control of the information – as we see in the Spanish reaction to the attacks."

(Despite mounting evidence that Islamic extremists were behind the Madrid bombs, the outgoing government continued to hold Basque separatists as the principal suspects in the ensuing days.)

Claude Moniquet, founder of the Brussels-based European Strategic Intelligence and Security Centre (ESISC), describes Europol as a "retirement home for old cops" and says he has never met a Belgian policeman who has furnished it with information.

He queries what 'added value' it can bring to preventing outrages.

"Cooperation between national intelligence and police services is not going so badly. Since 11 September, they have stopped a dozen attacks in London, Paris and Rome. There have been approximately 200 arrests in five-six countries and 15-20 terrorist cells have been broken up."

Should Europol have a greater say in intelligence? "Very frankly, I don't see this argument," Moniquet replies. "Possibly, if it was given new tasks, with much more resources, then Europol could work. If they just decide to amplify its role, with no more resources, it will never work."

One week after 11 September 2001, Belgian MEP Gérard Deprez proposed that an additional €10 million should be allocated to Europol from the EU budget, specifically destined for its anti-terrorism war chest.

His recommendation was rejected by the Council of Ministers, on the grounds that Europol is financed by member states, rather than from the Union's budget. In EU jargon, this means it is an intergovernmental, rather than a Community, body.

Deprez believes the effectiveness of Europol has been severely hampered because its budget (which amounts to

'For Europol to work in the fight against terrorism, it has to be obligatory for member states to provide it with sensitive information'

MEP Gérard Deprez

€59 million for 2004) has not grown in a way commensurate with its tasks.

The view is shared by Europol's management board. Last year, its chairman Rodolfo Ronconi, complained to a working group on police cooperation at the Council that Europol was being asked to take on board responsibilities "not foreseen by its yearly work programmes and budgets". Although Ronconi's letter was vague on specifics, it is understood it was in response to a Belgian drive to beef up its anti-terrorist activities.

"For Europol to work in the fight against terrorism, it has to be obligatory for member states to provide it with sensitive information," says Deprez. "The transmission of that information has to be made secure. Very specialized liaison officers have to be in charge of this and they have to be subject to extraordinarily strict conditions of confidentiality."

Gustav Lindstrom, a researcher at the EU's Institute for Security Studies in Paris,

comments: "If you want to have a credible foreign policy, you need an intelligence capability. If you want to have an internal policy, you also need an intelligence capability. The question is whether Europol is the ideal venue for intelligence cooperation – that I'm not sure about. I can understand the hesitancy in sharing information [at EU level], when this would infringe on bilateral means."

Tony Bunyan, editor of civil liberties journal *Statewatch*, says that if Europol is to be effective in fighting terrorism, it needs to focus on the phenomenon, rather than having to grapple with vast swathes of information about unrelated offences. Bunyan is critical, for example, of the move to create an EU-wide database for all convictions, which could conceivably see records for minor misdemeanours like parking offences stored in a central European location.

"If you want to tackle terrorism, then you've got to know what you're looking for," he contends. "But if you have this mass of information and you don't know what you're looking for, then you're building an enormous haystack, in order to find the same number of needles."

dauidcromin@economist.com

Europol – what it does

THE precursor of the EU police agency was the Europol Drugs Unit, formed in 1994.

● **1995: Council of Ministers agreed to the establishment of a fully-fledged police cooperation office.**

● **1999: Europol, under its current guise, began its activities after all member states had ratified the Europol Convention.**

***Raison d'être:* support national police forces by collecting information, analyzing it and passing it on to the relevant authorities.**

Originally, it was envisaged that it would focus on such crimes as drug and human trafficking, terrorism, child pornography, money laundering, forgery and vehicle theft.

After the 11 September 2001 atrocities it acquired a unit dedicated to the fight against terrorism. This has gathered evidence on possible links between Islamic extremists based in Europe and the attacks on New York and Washington.

Accords have been signed facilitating cooperation between Europol and law enforcement agencies in the US and other countries outside the Union.

Although the FBI has appointed an officer to liaise with Europol, there have been reports that there has been little information shared between the two bodies, as the FBI prefers to depend on previous bilateral contacts with national agencies.