

E U R O P O L

Open Source Intelligence: A Foundation for Regional Co-operation in Fighting Crime and Establishing a Regional Intelligence Community

by Jürgen Storbeck, acting Director

Information and intelligence is a lifeblood of police and law enforcement work. Police actions and investigations begin when there is either information for suspecting the existence of criminality, or offences have occurred which need solving. The success in the fight against international organised crime depends on the availability of, or access to relevant data from all countries and regions of the world.

Law enforcement agencies normally receive such information by the international exchange of information and intelligence among the competent authorities of different countries through or from international organisations such as Interpol, Europol, the World Customs Organisation. In addition information is obtained by having access to international information systems such as the Schengen Information System and Customs information System, as well as the Interpol and Europol data bases.

But often, national and international law enforcement agencies and institutions are not in possession of the appropriate information and intelligence. When creating Europol we studied the methods and practices of European security services of some law enforcement agencies in North America and Australia taking into account these problems. We also looked at private enterprises who were in the business of collecting and evaluating information. Based on this exercise in 1994 the Europol Drugs Unit as forerunner of the actual Europol began the systematic evaluation of open sources by its documentation office. The documentation office of Europol is a rather small unit, which has been built since this time by Frans-Jan Mulschlegel. The initial tasks of the documentation office was to regularly inform the Europol Management Team and staff as well as the Europol National units about:-

- political events and decisions concerning the fight against international organised crime;
- changes in information technology and matters;
- important crime and law enforcement developments.

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In addition the documentation office searched open sources to give on request responses to specific law enforcement and technology problems.

Europol and especially Frans Jan Mulischlegel have promoted the use of open sources by law enforcement agencies at the occasion of the many visits to the Europol headquarters by ministers, senior civil servants and heads or senior officials of police and customs organisations. This permanent promotion resulted in a political and professional acceptance of the use of open sources in the law enforcement community of the European Union. The European Union Action Plan for the fight against organised crime even recommends in no. 43 paragraph 1 to use Europol's documentary work for operational activities, means to use open source intelligence for the support of investigations and operations in the fight against international organised crime. This measure of the European Union Action Plan has to be implemented in the coming 2 years. However before this implementation in the framework of the European Union and of Europol we need a common understanding and agreement on how to define open source information and intelligence and the activities needed to use them. Europol and its documentation office have developed some definitions and interpretations which have, however, not yet finally been agreed upon by the European Union member states and by the relevant Third Pillar working groups competent for the implementation of the European Union Action Plan. Nevertheless I would like to present to you how Europol defines open source information and intelligence and the activity linked within the process of its use.

1. Open Source Intelligence:

Open Source information, as seen by us at Europol, results from the search and evaluation in the Internet, commercial **and non-commercial** online services, government online data bases, human **experts** providing verbal and/or written knowledge, and a wide variety of multi-media sources with value-added processing services including complex knowledge base visualisations, commercial imagery, hard-copy limited edition documents from scientific & technical conferences and foreign language document acquisition and translations.

It is important to define the terms used in the open source intelligence process in order to reach national and international co-operation:

"Data" is understood as raw material, in the form of hard copy or digital text, signals (transcripts of interviews and/or of radio and television broadcasts), or images (e.g. commercial satellite imagery or hand-held imagery).

"Information" includes multi-media and multi-lingual information that has been processed to produce a generic informative product of interest to multiple readers.

"Intelligence" is information designed for action or in other words is multi-media and multi-lingual information which has been processed to support a decision

and/or an action by an intelligence analyst or any other consumer at a specific time and place.

Intelligence as used in this definition is explicitly not synonymous with secrecy or classification.

Taking into account this approach "Open Source Information" is then information processed by private and public sector parties and available to anyone (citizen, private enterprise, public administration) through legal and ethical means.

"Open Source Intelligence" is information produced from Open Sources designed for decision or action applying the methods and technologies of the intelligence analysis process to Open Source Information (without recourse to classified source information).

Let me finally present our definition of "Validated Open Source Intelligence" which combines the normal Open Sources Intelligence with classified information and intelligence. Such "Validated Open Source Intelligence" can explicitly be processed only by analysts and experts with access to classified information and intelligence. It is shared among partners who offer each other access to their open and classified sources without risking the exposure of classified sources and methods.

2. Open Source Information Gathering – Traditional methods versus current pro-active developments (secret service to open environment):

Open sources information gathering has been traditionally a function and method within secret services, unknown to criminal investigation units and criminal intelligence analysts. However for some years there has been a dramatic change in law enforcement methods putting emphasis on analysis and intelligence work and creating analysis units and modern library and documentation centres. But even in the rather modern use of open sources we have a traditional approach in the information gathering by the secret services and law enforcement departments. The information gathered in open sources is usually immediately classified by the law enforcement agencies and by the secret services when supporting operational activities or when being used in strategic planning. Information that in many cases was open public information, but deemed classified as soon as one of these units began working on this information.

The information would move from the various information units to the criminal intelligence analysis unit where it would be studied for current and further use.

The use of open sources such as newspapers, magazines, radio and/or television broadcasts were normally not considered to be resources of useful information. The current use of these true open sources, has led to a complete re-evaluation of information sources, giving each source the value that it should have, and in the terms of criminal intelligence analysis, each source contributing a small piece to the greater puzzle.

Traditionally the use of information was limited to a select number of persons, whereas current access to all forms of open source information means that most information is accessible to everyone. This means that filters need to be used to carefully limit the amount of relevant information any one person may wish to receive. At Europol the Open Sources Information Bureau carries out this filtering procedure, with each staff member submitting pre-selected descriptors for the areas in which they are involved.

Additional filters involve language, geographical coverage, time and sources. The key to receiving effective and limited information is the selection criteria, which precedes any search that the Bureau carries out for staff members.

3. Europol's role in the law enforcement intelligence community:

Article K1.9 of the Maastricht Treaty provides for the establishment of Europol that the police and, if necessary, customs co-operate for the purposes of preventing and combating crime in such fields as terrorism, drug trafficking and other serious forms of international crime through the central exchange and analysis of information and intelligence.

The text describes Europol's tasks as follows (articles 3 and 5):

- the exchange of information;
- analysis;
- facilitating the co-ordination of ongoing investigations;
- increasing expertise;
- training.

Article 3.1 of the Convention states that Europol shall have the following principal tasks:

- 1) to facilitate the exchange of information between the Member States;
- 2) to obtain, collate and analyse information and intelligence;

According to Article 3.2 of the Convention Europol has the following additional tasks:

- 1) to develop specialist knowledge of the investigative procedures of the competent authorities in the Member States and to provide advice on investigations;
- 2) to provide strategic intelligence to assist with and promote the efficient and effective use of the resources available at national level for operational activities;
- 3) to prepare general situation reports.

So for the first time an international convention covers specific areas of analytical work to be undertaken both within Europol, Europol National Units and throughout the law enforcement agencies of the Member States. As I already mentioned in my introduction, the exchange of information and intelligence, as well as strategic and operational intelligence includes open

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source intelligence. The EU Action Plan against organised crime tasks Europol to extend its documentary support insofar for the support of investigations and operations.

In fact, when carrying out analysis in the framework of Europol, there is now more and more emphasis on all-source analysis in which open sources almost always are of great importance, particularly when talking about strategic analysis.

Today it is possible for us to find unclassified information useful for the work of our customers, law enforcement agencies of the Member States, by various electronic means that was impossible to access just a few years ago. Moreover, in a few seconds we get and transmit the necessary information that earlier took days or weeks to collect and disseminate.

However, it is not an easy task to find the best and most reliable open sources. The amount of information available today is enormous and therefore you often need training and help by well-educated experts to find what you need.

As a result of the development described, the concept Open Source Intelligence (OSINT) has been established in the framework of the Europol Intelligence Model, and is now an intelligence art in itself that demands expertise to be conducted in the best way.

As defined before open source information is publicly available information. Sometimes you have to pay for the information thereby placing an enormous burden on the Europol budget. However there is good information that is free, the difficulty is knowing where to look.

One extremely important subset of open source information evaluated by Europol on behalf of the Member States' law enforcement agencies is the so-called Grey Literature. These are sources that neither are officially published nor classified. It can include research reports, technical reports, economic reports, working papers, discussion papers, unofficial governmental documents, pre-prints, studies, dissertations and theses, trade literature, market surveys, and newsletters. Important organisations which often generate Grey Literature are research institutions, national governments, private publishers, NGOs, think tanks and universities.

So what types of open sources our documentation office do our analysts use?

Governmental public information
 Electronic Libraries
 Scientific journals
 News Bureau (statistics, laws, reports, press releases)
 Newspapers
 Television
 Maps
 Radio

Grey literature
Commercial Data bases
Internet.

Users of Internet know that the 'net' can be used successfully for retrieving information from all the other types of sources as well.

It is obvious that Internet is an extremely important tool for finding information. But it must also be emphasised that there are some very good commercial products that are extremely useful where it often is easier to access information directly.

As any other law enforcement agency, Europol is bound to obtain and share intelligence by legal means. The information and intelligence gathering must not conflict with national laws or international agreements. For this reason, intelligence in EU Member States is being regulated more and more by legal instruments, a practice that is gaining increasing ground. These instruments include:

- constitutions;
- penal codes;
- police law;
- European Convention for the Protection of Human Rights and Fundamental Freedoms (especially art. 8)
- International Convention on Civil and Political Rights

Thus, intelligence sharing including the use of open sources by law enforcement agencies is influenced primarily by:

- national and international criminal law;
- national and international criminal procedure systems;
- national and international police law.

The functioning of modern open source evaluation in the framework of Europol and it's integration in the Europol intelligence process can be described as cyclical.

This cycle generally consists of five steps:

- 1) Planning and direction: determining intelligence requirements, developing a collection plan, issuing orders and requests and monitoring the productivity of collection units on a regular basis.
- 2) Collection: acquiring open source information and intelligence and passing it on to the processing and/or production unit.
- 3) Processing: converting collected open source information into a form more suitable for producing intelligence.
- 4) Production: converting the information by integrating, analysing, evaluating and/or interpreting all available data, often combining the open source

information with classified information and developing task oriented intelligence products to support known or anticipated client requirements.

- 5) Dissemination and evaluation: conveying intelligence in a suitable form to the specialised departments in Europol and to other customers in the Member States.

There is still a long way to go to ensure that all Member State law enforcement agencies are familiar with these ideas and methods, before the use of open sources in the process of analysis and intelligence work is accepted and becomes standard practice throughout the law enforcement agencies of the entire European Union. Europol has a forerunner function as foreseen in the Convention and in the Action Plan. It is one of our main tasks to develop these new methods further, to promote the use of open source information and intelligence and to train law enforcement officers in such techniques. Therefore, specific guidelines are just one part of the Europol's Criminal Intelligence Analysis awareness program to ensure that each analyst and documentalist, no matter what nationality, 'speaks with the same voice', and that all law enforcement personnel are at least aware of the techniques.

4. The open Sources Information Bureau of Europol and its support activities:

For the past 5 years the Open Sources Information Bureau at Europol has been actively involved in supporting all the activities of all levels of staff, from the Management Team to the General Support Services, from Criminal Intelligence Analysts to Liaison Officers, from the Legal Department to the Finance Department, all requiring in some form open source information support. And over the past 5 years the manner in which the Bureau provides support has drastically changed.

From traditional library and documentation (open sources information) services developing into a fully multi-media support service providing 24 hour/7 days a week, re-active and pro-active support from anywhere in the world.

Five years ago the concept of open sources as we know it today was virtually unheard of in law enforcement. Traditional methods of gathering, arranging and storing information were prevalent and in most cases within law enforcement documentation support centres these traditional means are still carried out.

Of course open sources were used before, such as newspapers, magazines, commercial and non-commercial databases, reports, government documents, and various other publication forms. And these open sources have been around for many years, the concept of open sources is not new, it's just that we didn't call it by this name. We used to and in most cases still do, call the depository of open sources a library and documentation centre, and you will find many law enforcement agencies in Europe which still house such a centre. For instance, the Police Staff College at Bramshill, the DCRI in Zoetermeer, the BKA in Wiesbaden, the Gendarmerie in Brussels, the Police National in Clermont Ferrand, the police school in Barcelona.

Five years ago the Documentation Bureau of Europol began its activities in searching for new methods of gathering, selecting, and disseminating information.

So:

- Why does Europol see open sources as a necessary component of law enforcement intelligence?
- Why should any government agency use open sources?
- Why should law enforcement agencies integrate the search in and the evaluation of open sources in its intelligence process?

The primary reason being that this is where the information is being put in increasingly larger volumes.

In the last years a global open source community has been created. The information found in open sources has dramatically increased in extent and value. As I said before information is the raw material for police work. And the raw material is found to an increasingly higher degree in open sources. Of course we have used open sources in the past...for generations...but we didn't call it that. And even 5 years ago we were only able to have a small percentage of information that is available nowadays via open sources. I think that in the very near future it will be available much faster, more complete and much more selective (if you want it to be). Once again I must stress that the answer to any question posed lies not in the volume of information, but in the quality of those very few pieces of information that are required to answer the question.

When gathering information in open sources and the following intelligence process, Europol often needs support; we request assistance from law enforcement organisations, intelligence organisations, or from private sector purveyors of open source information.

Initially we request information on crimes being reported, drug seizures, and other relevant data etc. By studying reported crime we are able to establish patterns, and from patterns we identify a trend.

Intelligence organisations provide us with information on the activities of criminal organisations, and with this information (gathered from a large number of intelligence agencies) we are able to produce threat assessments.

As for the private sector providers of open source information, the number of fields of information which this sector offers (whether through purchase or free of charge) has tremendously increased in the last 5 years and offers an enormous variety and density. Over the past three years we have used the services of a number of private sector providers. And what strikes us most is that if we were to search for the material ourselves it would almost always take much more time, it would probably cost more, and we might not always get the same good results.

5. Practical applications of Open Source information in Europol's information exchange activity:

Within Europol the Open Sources Information Bureau has over the past five years proven it's value numerous times in its support in ongoing operational cases. Examples of this range from current company information, press reports on demonstrations, reports of drug seizures, information on the movement of ships, information from newspapers on known criminals, information on narcotic drug descriptions, background information on terrorist groups and numerous other subjects.

The information requested by the national Europol Liaison Units is usually forwarded to them within hours.

The recent increase of personnel to the bureau has given a broader and deeper coverage of topics, as well as a wider range of languages in which the material may be retrieved without first having to translate to the original text.

Specific areas of support have been created to reflect the specific areas of interest of the various project groups.

What do we see as the future of the open source field ?

We foresee a continued increase in the availability, use and recognition of the value of open source material. When you see the ever increasing dissemination of information by government agencies world-wide, and when you see the huge market of commercially available open source material you cannot but sometimes wonder where will it all end.

I see that law enforcement agencies in many countries are starting to set up open source units. I see that there are many information specialists whether they be librarians, information brokers, or open source experts, are out there looking for best practice, looking for training possibilities, looking for conferences where they are able to discuss mutual problems, methods and future trends.

Ours is an ever-increasing information world. But all of this is futile if you don't know how to find that one piece of information that you need at a particular moment.

6. The Future – Establishing the European Law Enforcement Open Sources network for practitioners: The establishment of a European Law Enforcement Open Source network of practitioners

As many "open source" practitioners from law enforcement agencies across Europe gather at the EuroIntel '99 Conference in The Hague, The Netherlands, the time is right to announce the establishment of a network for these experts in gathering open source material.

The network is open to and will draw together participants from all European countries, and from international organizations, such as the United Nations, Interpol, Europol, and the FATF.

In informal meetings at the conference, matters such as best practice, common problems, new developments, training, internships and search tools will be discussed.

An agenda for future meetings will be set out, as will points of contact. Initially Europol and Interpol will share responsibilities in establishing the network, with Europol taking the lead in the first year.

OSS '99 PROCEEDINGS Global Information Forum Information Superiority through the
Collection, Sharing and Analysis of Relevant Information: A New Approach to
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