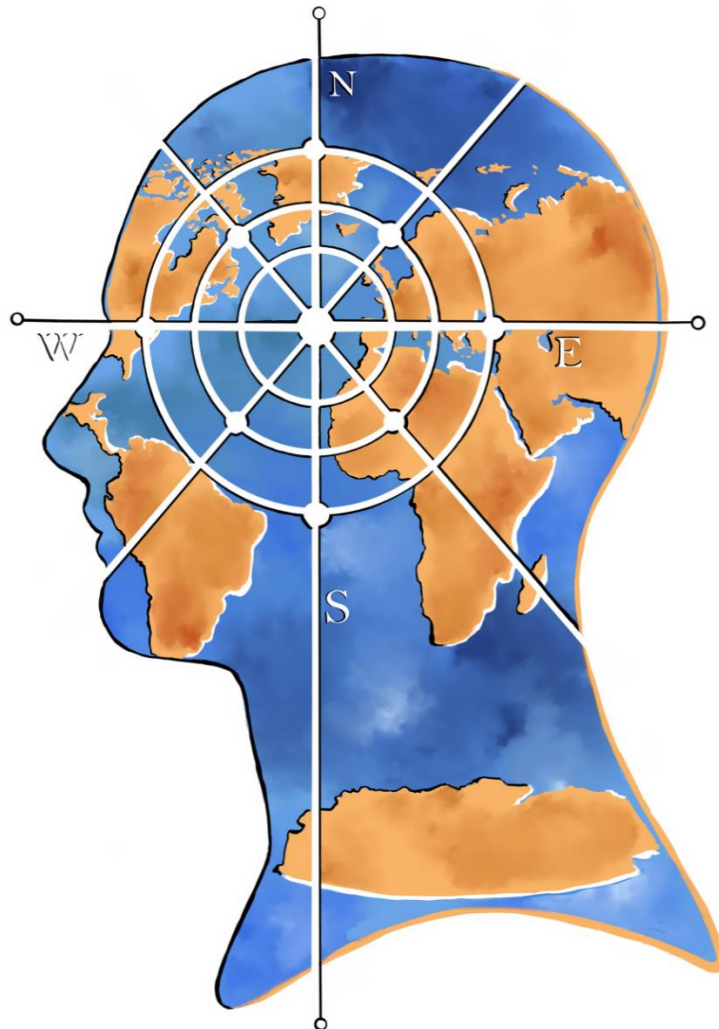# JOURNAL *of* EUROPEAN *and* AMERICAN INTELLIGENCE STUDIES

AN INTERNATIONAL PEER-REVIEWED JOURNAL

The Lessons of the COVID-19 Pandemic for Intelligence

JOURNAL *of* EUROPEAN *and* AMERICAN INTELLIGENCE STUDIES

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Mission and Scope

The *Journal of European and American Intelligence Studies* (*JEAIS*, formerly the *Journal of Mediterranean and Balkan Intelligence —JMBI*) is published by the Research Institute for European and American Studies (RIEAS) under the editorial direction of the Department of Security and Intelligence Studies at Coastal Carolina University. It is an international academic-led scholarly publication that focuses on the field of intelligence and related areas of study and practice, such as terrorism and counterterrorism, domestic and international security, geopolitics, and international relations. The journal's rationale is driven by the global nature of security challenges, where we are called more than ever to communicate and work collaboratively to solve our common problems. Thus, the *JEAIS* aspires to promote an international dialogue between diverse perspectives and experiences, based on original research on the broader European and American practice and study of intelligence. The *JEAIS* is an all-inclusive academic platform that allows accomplished and emerging scholars and practitioners from both the public and private sectors to share their knowledge, ideas and approach to intelligence studies. By crafting each journal issue through a rigorous and highly selective screening process of potential contributors, and an exhaustive review process, the *JEAIS* adheres to its mission, which is three-fold: (a) to provide an equal opportunity for academics and practitioners of intelligence to discuss and challenge established and emerging ideas; (b) to address existent knowledge gaps by advancing new knowledge; and (c) to shape the evolution of intelligence scholarship beyond traditional communities of research.

Contents

Editor's Note

Joseph Fitsanakis

Professor, Department of Intelligence and Security Studies, Coastal Carolina University

Overly narrow definitions of national security pose dangers to the survival of nations, or indeed the world. For too long, intelligence officials and policy- or decision-makers have —by design or subconsciously— presented us with alarmingly constricted visions of national security. In the American context, in which the present author is writing, successive generations of intelligence producers and consumers focused on what Milt Bearden and James Risen have referred to as "the main enemy"[1] —i.e. the Soviet Union during the Cold War. This left American intelligence with critical gaps of understanding when it came to massive swathes of territory in Africa, Asia, the Middle East and elsewhere. Such intelligence gaps came back to haunt the United States in the post-Cold War security environment, when the rise of a new breed of political Islam forced Westerners and their regional allies to pay attention to the intricacies of the Muslim world.

In doing so, however, intelligence practitioners, as well as those who rely on them, fell victim once again to the same tendency of restricting their operational conceptualization of national security. This time the focus was on threats emanating from the actions of sub-state violent actors. Scholarly research and writing on intelligence and security followed —and to some extent helped sustain— this spiraling global trend. Indeed, since the terrorist attacks of September 11, 2001, the specialist bibliography on intelligence and security has been led by works on sub-state violence and a host of interconnected issues and concerns —to which the present author has personally contributed. To a large extent, this laser-focused preoccupation with sub-state violence has borne fruit. It is no coincidence that the world has not witnessed another 9/11, and this is certainly not because of lack of trying by would-be perpetrators. On the flip side of that coin, the sterility and banality of America's 20-year-long "global war on terrorism" are indicators that Western intelligence agencies still have much to learn about the root causes of militant Islam, both regionally and globally.

It usually takes a powerful event of international magnitude to shake the system off of its self-absorption, and force it to re-examine some of its fundamental tenets. The onset and global spread of the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)

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[1] Milt Bearden and James Risen, *The Main Enemy: The Inside Story of the CIA's Final Showdown with the KGB* (New York, USA: Random House, 2003).

epidemic, also known as COVID-19, is one such event. The highly infectious nature of the disease, coupled with the speed and efficiency of global transportation systems in our time, have made COVID-19 one of the deadest pandemics in recorded history. In addition to its ever-growing death toll (which currently stands at well over 4 million worldwide), the pandemic has severely disrupted basic social, economic and political processes the world over. It is today widely acknowledged that COVID-19 has brought upon the global economic system the greatest downturn since the Great Depression of the 1920s and 1930s.[2] Moreover, the forces unleashed by the pandemic have drawn desperately needed attention to issues surrounding wealth and health inequality, information and mis/disinformation on a massive scale, as well as the often-fragile balance between the rights of the individual and the power —as well as the responsibilities— of the state.

This global crisis, which many have likened to war, continues to rage, with unforeseen outcomes and consequences. But its development so far has aptly demonstrated that the danger of so-called non-traditional threats to security deserve the same level of attention that is usually reserved for hazards emanating from nation-state and sub-state actors. The lessons to be drawn from the experience of COVID-19 for intelligence theory and practice are currently fragmentary and, at best, in progress. It is, however, apparent that the intelligence response to the virus was as varied as the number of intelligence agencies around the world. Some states placed their intelligence apparatus at the helm of nationwide efforts to mitigate the spread and effects of the pandemic. These include Spain, but also Israel, whose intelligence agencies, led by the Mossad, coordinated the state's response to the pandemic, even to the extent of placing commando units inside health centers and hospitals.[3] In other cases, the national intelligence system provided early warning of the impending calamity, but was largely disregarded by decision-makers. This includes the United States, where, as I have shown elsewhere[4], the White House disregarded consistent warnings, dating back to at least 2004, about the strong likelihood of a highly transmissible respiratory virus originating from Southeast Asia. In the case of the United States, affixing the label of "intelligence disaster" to the COVID-19 pandemic would be unwarranted.

One of the articles in this compendium, written by Michaël Alexandre, chair of World Politics at Belgium's Royal Military Academy, posits a similar argument in relation to Belgium. Alexandre argues that, despite the limited resources that are available to the Belgian intelligence community, and despite the multitude of non-traditional threats that

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[2] James k. Jackson, et al., Global Economic Effects of COVID-19, United States Congress (Washington, USA, Congressional Research Service).
[3] Ephraim Kahana, "Intelligence Against COVID-19: Israeli Case Study," *International Journal of Intelligence and CounterIntelligence*, 34, no.2 (2021): 259-266.
[4] Ana Maria Lankford, Derrick Storzieri and Joseph Fitsanakis, "Spies and the Virus: The COVID-19 Pandemic and Intelligence Communication in the United States," *Frontiers in Communication*, 5, no.107.

are present in today's global security landscape, Belgian intelligence did not fail to anticipate the COVID-19 pandemic. This does not mean that improvements and/or adaptive measures are not warranted, says Alexandre, but the view that the Belgian intelligence services failed to warn of the coronavirus is largely uninformed.

In another one of the articles in this issue, Tom van Ham and Michiel Rovers (from the Royal Netherlands Marechaussee, a gendarmerie that constitutes one of the four branches of the Netherlands Armed Forces), along with Monica den Boer (professor at the Netherlands Defence Academy), turn their attention to a host of law enforcement concerns that emanate from the pandemic. The authors explain that intelligence-led law enforcement has fallen short of its mission regarding domestic riots and violent protests sparked by, and within, COVID-19 conditions. After highlighting several case studies from their native Holland, the authors put forth the view that a theoretically sound intelligence strategy must reside at the heart of any further development of knowledge-based public-order management.

The above interpretation of intelligence-led law enforcement inevitably involves a degree of centralized surveillance functions. Our third paper, authored by Nabeela Siddiqui and Bhupinder Singh (from the School of Law at CHRIST Deemed University in Delhi, India), examines the little-studied intersection between public health surveillance programs and citizen privacy. Writing from the world's largest democracy, Siddiqui and Singh concede that efficient monitoring is needed in order to facilitate the early identification of disease outbreaks of diseases, which might eventually turn into epidemics or even pandemics. Their usefulness aside, however, these mechanisms tend to fuel widespread concerns about privacy and data transparency, which are not always addressed in Indian law. It follows, claim the authors, that the establishment of governance structures that will be sensitive to privacy concerns is needed to guide the managerial leadership of public-health programs.

The editors of this journal are grateful to the contributors of this insightful and —in many ways— innovative issue, which we hope takes us a step further to the goal of expanding our understanding of national security. Judicious, theoretically sound and well-informed intelligence work is urgently required if our societies are to fare better when —and not if— the next pandemic arrives. It is our hope that this publication will contribute to that worthy goal.

'Wisdom of the Crowds': Crowd Control and Intelligence Gaps During the COVID-19 Pandemic

Tom van Ham[i] **Michiel Rovers**[ii] **and Monica den Boer**[iii]

[i] Researcher at the Royal Netherlands Marechaussee
[ii] Major at the Royal Netherlands Marechaussee
[iii] Professor of Military Police Operations at the Netherlands Defence Academy

Abstract

Throughout the COVID-19 pandemic, several law enforcement organizations around the world seemed surprised about the "sudden" escalation of crowd gatherings into riots and violent protests, while they could have known about the potential impact of social undercurrents. In the firm belief that police and security organizations should continuously draw lessons from the pandemic in order to improve their performance, the authors of this article have sought to provide a comparative framework for the assessment and interpretation of collective violence. The article describes public order management tasks of law enforcement organizations and focuses on the materialization of these tasks during the COVID-19 era. Furthermore, attention is paid to different stages of the intelligence-gathering process that law enforcement authorities carry out to prevent the escalation of violence and potentially dangerous encounters. The dominant claim of the article is that the COVID-19 pandemic laid bare unnecessary intelligence gaps, which could easily have been identified if professional norms for intelligence-processing had been complied with. Our findings, which are based on a combination of recent academic research with doctrinal insights from professional experience with public order management, provide input for the further development of knowledge-based public order management, and thus seek to contribute to a theoretically shared basis for intelligence strategies on public order management. The article wraps up with the formulation of future lines of research.

Introduction

Throughout the COVID-19 pandemic, severe social tensions have manifested themselves in collective gatherings, ranging from legitimate and peaceful protests to non-authorized violent encounters between citizens and police. Law enforcement organizations themselves seemed ill-prepared for these dimensions of the pandemic and were surprised about the escalation of crowd gatherings into riots and violent protests. From a knowledge management perspective, this raises various questions: to what extent law enforcement organizations were plagued by a lack of information and intelligence about the events themselves; the people who were participating in them; the way these events had the potential to transform themselves; and the means and instruments that could be used prior, during and after these events.

Public order management, as well as crowd and riot control, have been subject to doctrine for a wide range of law enforcement agencies worldwide, ranging from civil police to paramilitary-style police organizations. Intelligence-policing has increasingly been emphasized as a means to improve the effectiveness of interventions:[5] for instance, when it is possible to assess the probable conduct of a crowd, it is easier to pre-organize riot control tactics. At the same time, a sound information position may help to prevent clashes either between the crowd and law enforcement or among crowds themselves. Hence, if intelligence can be organized in a rational, systematic, professional and transparent manner, and if it results in constructing pinpointed and relevant information products useful for operational translation, it may actually help to enhance the legitimacy of public order policing.

On the basis of open source information on crowd violence during the pandemic, we aim to investigate why civil protest has actually resulted in forms of violent encounters with law enforcement actors. This article follows up on recent theoretical developments and, on the basis of available literature, seeks to provide a comparative framework for the assessment and interpretation of collective violence. This framework subsequently serves to identify underlying intelligence issues with regard to public order management. Available academic literature and empirical research are used to acquire a deeper understanding of these issues and to allow a closer analysis of intelligence lessons and intelligence gaps. On the one hand, our findings provide input for a practical contribution to knowledge-based public order management, while on the other hand, they contribute to building a theoretical basis for intelligence strategies on public order management[6] that comply with a series of conditions, including legal and social legitimacy.[7] The article closes with the exploration of potential future lines of research.

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[5] Charl J. Crous, "Policing with Intelligence: Leading a Paradigm Change," *The Journal of the Australian Institute of Professional Intelligence Professionals* 19 (2011): 1-19. Jerry H. Ratcliffe, *Intelligence-led Policing,* (Cullompton, UK: Willan Publishing, 2008).

[6] See e.g. https://www.app.college.police.uk/app-content/public-order/planning-and-deployment/#gather-information-and-intelligence; accessed 15 April 2021.

[7] Daniel J. Jones, "The Potential Impact of Pandemic Policing on Police Legitimacy: Planning Past the COVID-19 Crisis," *Policing: A Journal of Policy and Practice* 14 no.3 (September 2020): 579–586, https://doi.org/10.1093/olice/paaa026.

Historical analysis

In twentieth-century democracies, demonstrations have recurrently generated violence in the form of broken negotiations. Demonstrations pose interesting puzzles for analysts of violence because of their ambivalence. On the one hand, the characteristic actions of demonstrators – marching, assembling, and displaying shared will – are in themselves nonviolent. On the other hand, conventional demonstrations share enough form and genealogy with the military parade and review to convey a threat of force. When and how does that threat become reality?[8]

Historical analysis of public order management issues provides a far from exhaustive overview of collective violence around demonstrations, protests, football matches, recreational events and community disturbances. One may think, for instance, of the United States riots in the 1960s,[9] the British mass riots at the end of the 1980s,[10] confrontations between protesters and the police at international G8 and G20-summits[11] and disturbances around football matches.[12]

The variety of settings in which collective violence has occurred over the past decades indicates that collective violence is bound to manifest itself in modern society. This point of view is illustrated by the fact that – following the announcement of a curfew to fight COVID-19 – several European countries repeatedly experienced civil unrest and riots that in some cases continued for several days. In Germany, for instance, riot police clashed with anti-lockdown protesters in Berlin (May 2020)[13] and Kassel (2021).[14]

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[8] Charles Tilly, *The Politics of Collective Violence,* (Cambridge, UK: Cambridge University Press, 2003).

[9] N.S. Caplan and J.M. Paige, "A Study of Ghetto Rioters," *Scientific American* 219, no.2 (August 1968):15-21.

[10] Danny Burns, *Poll tax rebellion*, (London, UK: Attack International, 1992).
S.D. Reicher, "The Battle of Westminster: Developing the Social Identity Model of Crowd Behavior in Order to Explain the Initiation and Development of Collective Conflict," *European Journal of Social Psychology* 26, no.1 (January-February 1996):115-134. John Walton and Charles Ragin, "Global and National Sources of Political Protest: Third World Responses to the Debt Crisis*," American Sociological Review* 55, no.6 (December 1990): 876-890.

[11] Donatella della Porta and Herbert Reiter, "The Policing of Global Protest: The G8 at Genoa and its Aftermath," in *The Policing of Transnational Protest,* 1st ed., ed. Donatella della Porta, Abby Peterson and Herbert Reiter (Aldershot, UK: Ashgate Publishing, 2006). R. Ericson and A. Doyle, "Globalization and the Policing of Protest: The Case of APEC 1997," *British Journal of Sociology* 50, no.4 (December 1999): 589-608.
Steve Herbert, "The 'Battle of Seattle' Revisited: Or, Seven Views of a Protest-Zoning State," *Political Geography* 26, no.5 (June 2007): 601-619. Mike King and David Waddington, "Flashpoints Revisited: A Critical Application to the Policing of Anti-globalization Protest," *Policing and Society* 15, no.3 (2005): 255-282.
Willem de Lint and Adam Pocrnic, "Living Law in Public Order: Trust, Risk, Dominion and Universality," in *Comparative Policing from a Legal Perspective,* ed. Monica den Boer (Cheltenham, UK: Edward Elgar Publishing, 2018).

[12] Ramon Spaaij, *Understanding Football Hooliganism: A Comparison of Six Western European Football Clubs*, (Amsterdam, Netherlands: Amsterdam University Press, 2006).
Ramon Spaaij, "Men Like Us, Boys Like Them: Violence, Masculinity and Collective Identity in Football Hooliganism," *Journal of Sport and Social Issues* 32, no.4 (November 2008): 369-392.
John Williams, Eric Dunning and Patrick Murphy, "The Rise of the English Soccer Hooligan," *Youth and Society* 17, no. 4 (June 1986): 362-380.

[13] Ryan Fahey, "Riot Police Clash with Hundreds of Protesters in Berlin Chanting 'Freedom' in Demonstration against Coronavirus Restrictions as Germany Death Toll Rises by 147 to 7,369," *Daily Mail,* May 10, 2020, https://www. dailymail.co.uk/news/article-8304227/Riot-police-clash-hundreds-anti-lockdown-protesters-Berlin.html.

[14] "Police Use Water Cannon as German Lockdown Protest Turns Violent," Reuters, last accessed June 7, 2021, https://www.reuters.com/article/us-health-coronavirus-germany-protest-idUSKBN2BC0NL.

Furthermore, in January 2021, the Netherlands experienced violent protests that continued for several days and occurred not only in larger but also in smaller municipalities across the country.[15] The interesting novelty here was that law enforcement actors saw themselves confronted with atypical protestors, hence not so much a well-known and relatively static group of "usual suspects" but unknown, emergent and fluid "unusual crowds" that seemed to emerge and re-emerge. This demonstrated the capacity of opportunity coalitions and mixed groups that rallied around different —and even opposite—objectives. Hence, doctrines on information-gathering as a means to properly prepare a public order operation suddenly seemed somewhat obsolete. For instance, it is much more difficult

Figure 1. Intelligence Apex

Pyramid diagram from top to bottom: Intelligence on Violent Individuals; Individual Intelligence; Crowd Intelligence; Contextual Intelligence; Situational Intelligence; Historical Intelligence (Records & Archives).

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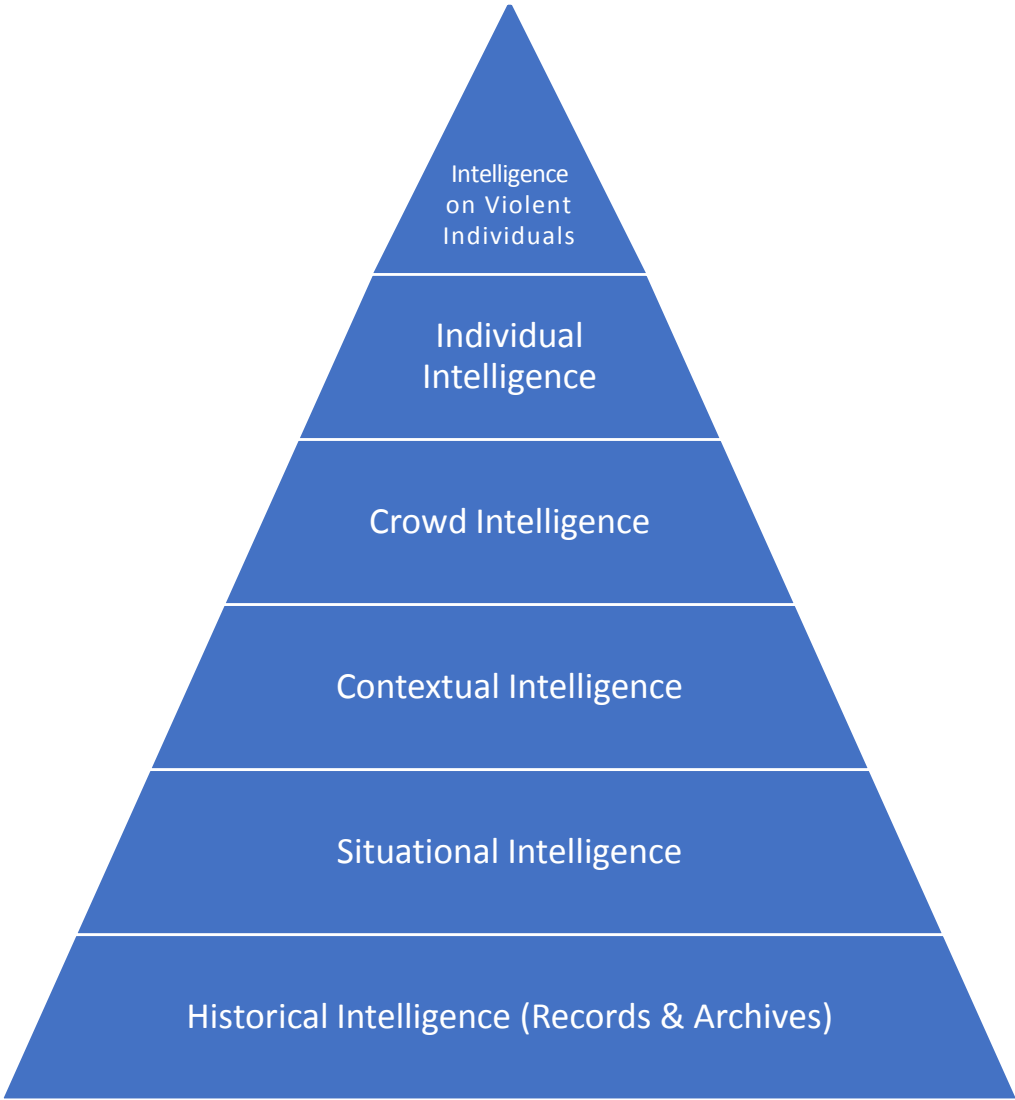
[15] Jen Kirby, "Violent Anti-Lockdown Protests Sweep the Netherlands," *Vox,* January 26, 2021, https://www.vox.com/2021/1/26/22250380/violent-anti-lockdown-protests-netherlands.

to build a relationship with unknown (groups of) demonstrators. It may also undercut law enforcement organizations to limit the intelligence-gathering to the top-violent Apex of the gathering crowd; instead it becomes much harder to focus on subjects that may be new and instigate agitation amongst protesting individuals.

Compared to previous public order interventions, during the COVID-19 crisis, government and security actors immediately focused on the conduct of rioters and called for a vigorous criminal investigation with the aim to prosecute all involved.[16] By focusing on conduct and prosecution of those involved in collective violence, the riot itself is —unconsciously— considered as a given, thereby overshadowing the relevance of information and intelligence, while these resources may play a fundamental role in the context of protest policing as well as crowd and riot control. For instance, information that assists in identifying potential drivers of crowd violence can be instrumental in making informed decisions concerning the measures to be taken. A highly relevant question, both from an academic as well as a (military) policing perspective, is which information is relevant to allow security providers to perform effective and legitimate management of potential and real collective violence before, during and after the event(s), whilst at the same time facilitating legitimate and peaceful public assemblies and avoiding unnecessary use of violence despite arising intelligence gaps.

Theoretical positions on collective violence

Despite the practice of monitoring individuals and groups whose conduct in crowds may be pre-considered as problematic by the police,[17] in the past decades a dominant frame evolved that individuals who participate in crowd violence are "ordinary" human beings that resort to violence only under very specific conditions.[18] Focusing on the social context in which human beings enter into collective conflict was deemed necessary, particularly as —despite the presence of individuals and groups known for their frequent engagement in such conduct— some events perspired into collective violence and others did not.[19]

[16] "'Criminal Violence': Dutch PM Deplores COVID Lockdown Riots," Aljazeera, last accessed June 7, 2021, https://www.aljazeera.com/news/2021/1/24/dutch-police-clash-with-anti-lockdown-rioters-in-two-cities.

[17] Ramon Spaaij, "Risk, Security and Technology: Governing Football Supporters in the Twenty-First Century," *Sport in Society* 16, no.2 (2013): 167-183.

[18] Ramon Spaaij, "Sports Collective Violence: An Interdisciplinary Synthesis," *Aggression and Violent Behavior* 19, no.2 (March-April 2014):146-155. Stephen Reicher, "The Psychology of Crowd Dynamics," in *Blackwell Handbook of Social Psychology: Group Processes,* ed. Michael A. Hogg and R. Scott Tindale (Malden, USA: Blackwell Publishers, 2001). Stephen Reicher et al., "An Integrated Approach to Crowd Psychology and Public Order Policing," *Policing: An International Journal of Police Strategies and Management* 27, no.4 (December 2004): 558-572.

[19] Clark McPhail, "The Social Organization of Demonstrations" (paper presented at the annual meeting of the American Sociological Association, Washington DC, 1985). Clark McPhail, *The Myth of the Madding Crowd*, (New York, USA: Aldine de Gruyter, 1991). Michael D. Smith, *Violence and sport*, (Toronto, Canada: Butterworths, 1983). Ralph H. Turner, "Collective Behavior," in *Handbook of Modern Sociology*, ed. Robert E. L. Faris (Chicago, USA: Rand McNally, 1964). Stephen Reicher et al., "Crowd Psychology and Public Order Policing."
David Waddington and Mike King, "The Disorderly Crowd: From Classical-Psychological Reductionism to Socio-Contextual Theory – the Impact on Public Order Policing Strategies," *The Howard Journal of Criminal Justice* 44, no.5 (December 2005): 490-503.

Contextual theories have mainly focused on perceived injustice, perceived efficacy and social identity.[20] Perceived injustice relates to economically, politically or socially perceived forms of injustice that may act as "triggers" that lead human beings to desire a restoration of justice by behavioral means, potentially consisting of retaliatory moves against those considered responsible.[21] The likelihood of behavioral reactions increases in case of strong feelings of injustice, when people see a chance of improving their situation, and when they assume that the situation would not change without any other type of action.[22] This links to the element of perceived efficacy, relating to a group's awareness of its ability to advance its goals and interests. Most relevance, however, has been attributed to the concept of *social identity*. This concept has been developed to illustrate that, to those involved in collective violence, their conduct can be defined as meaningful. It is argued that crowd behavior is guided by an individual's self-understanding as a member of a group (social identity) instead of his or her personal goals and desires (personal identity), shifting focus to perceived shared similarities with the in-group and differences with the out-group. Social identity, then, relates to the emergence of a shared social definition within a crowd, resulting in an "us versus them" perspective. This divide has a polarizing effect and serves as a catalyst in which situation-specific norms direct individual behavior.[23]

Despite the focus on contextual drivers of collective violence over the past decades, recently so-called propensity theories have gained scientific support. A vantage point in propensity theories is that individuals who participate in collective violence resemble other (violent) offenders, who are constantly on the verge of frequent offending due to their personal characteristics.[24] While acknowledging the relevance of intergroup relations ("us versus them" perspective), Van Ham found that particularly individuals who persist in collective violence suffer from psychological characteristics which may underlie the incentive(s) of engaging in violence, such as heightened impulsivity, sensation-seeking

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[20] Otto M. J. Adang, "Initiation and Escalation of Collective Violence: An Observational Study of Protest and Football Events," in *Preventing Crowd Violence,* ed. T.D. Madensen and J. Knutsson (Boulder, USA: Lynne Rienner Publishers, 2011), 47-68. John Drury and Steve Reicher, "The Intergroup Dynamics of Collective Empowerment: Substantiating the Social Identity Model of Crowd Behavior," *Group Processes and Intergroup Relations* 2, no.4 (1999): 1-22. John Drury and Steve Reicher, "Collective Action and Psychological Change: The emergence of New Social Identities," *British Journal of Social Psychology* 39, no.4 (December 2000): 579-604.
John Drury and Steve Reicher, "Explaining Enduring Empowerment: A Comparative Study of Collective Action and Psychological Outcomes," *European Journal of Social Psychology* 35, no.1 (January-February 2005):35-38.
S.D. Reicher, "The Battle of Westminster.". Stephen Reicher, "The Psychology of Crowd Dynamics."
[21] Other major types of responding to injustice are: a) psychological or cognitive restoration of justice by changing the interpretation of the situation; and b) nonacting or resignation. See , T. R. Tyler, *et al.* (1997) Social Justice in a Diverse Society. Boulder, CO: Westview.
[22] G. Mikula, "Justice: Social Psychological Perspectives," in *International Encyclopedia of the Social and Behavioral Sciences*, ed. Neil J. Smelser and Paul B. Baltes (Oxford, UK: Elsevier, 2001).
[23] Stephen Reicher, "The Psychology of Crowd Dynamics."
[24] Gustave Le Bon, *La psychologie des Foules*, (Paris, France: Alcan, 1895). Stan Taylor, "The Scarman Report and Explanations of Riots," in *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath*, ed. John Benyon (Oxford, UK: Pergamon Press, 1984). P.A.J. Waddington, "Policing Public Order and Political Contention," in *Handbook of Policing*, ed. T. Newburn (Cullompton, UK: Willan, 2003).

behavior and a hostility bias.[25] In addition, his findings suggested that there ought to be a differentiation between spontaneous crowd violence and pre-planned forms of crowd violence, the latter particularly observed in individuals and hooligan groups who appear to extract intrinsic (excitement) and/or extrinsic value (social dominance) from behaving violently, both individually and as a group.[26]

Taken together, the results of prior empirical work on collective violence indicate that this type of collective violence requires analysis on various levels. The first level of analysis is that of *context*, such as trigger events and intergroup relations. The second level of analysis is that of *intragroup relations*, which focuses on intragroup dynamics, norms and expectations (e.g., role models, synchronizing behaviors). The third level of analysis relates to individual characteristics that are associated with behaving violently and may influence individual perception of intra- and intergroup relations.[27] In the analysis that follows, this evolution of contextual and propensity positions on collective violence serves as a cornerstone for the identification of an analytical basis that contributes to an effective and legitimate framework for proactive intelligence assessment that can be projected onto forms of (potential) collective violence, aiming to take contextual as well as individual drivers of collective violence into account.

Public Order Management Issues During the Covid-19 Pandemic

Public order management tasks
Traditionally, police and law enforcement agencies have adopted and enforced doctrines on public order management, allowing them to prepare their operations strategically, tactically as well as operationally. Public order management has been subject to substantial professionalization: training, preparation and evaluation are regarded as core elements of public order policing.[28] Public order management centers around three tasks:

1. The prime task for the designated law enforcement authority is to facilitate legitimate protest and demonstrations ("policed demonstrations"), as well as peaceful events. In this sense, they are responsible for crowd management in order to prevent the danger of brawls and people running each other over. In the past, we have witnessed several instances where mass gatherings got out of hand, leading to significant death tolls and critical injuries. Examples are the Love Parade in Duisburg, Germany (2010) and the Heizel Football Stadium drama in

[25] Tom van Ham, "Collective Violence Offenders and Offending. The Role of Individual Characteristics," (PhD thesis, Leiden University, 2020).
[26] Ramon Spaaij, "Men Like Us, Boys Like Them."
[27] Tom van Ham, "Collective Violence Offenders and Offending."
[28] Willem de Lint, "Public Order Policing: A Tough Act to Follow?" *International Journal of the Sociology of Law* 33, no.4 (December 2005): 179-199. P.A.J. Waddington, "Policing of Public Order," *Policing: A Journal of Policy and Practice* 1, no.4 (2007): 375-377.

Belgium (1985). It should be emphasized however that in most cases, large-scale events take place without a single incident. Moreover, several measures have recently been introduced to manage crowds, a task that is increasingly performed by private security providers (e.g., stewards) as well as volunteers.

2. Another task of police and law enforcement is to de-escalate and to prevent that an orderly and peaceful event leads to aggressive encounters between police and public, or between different groups among the public themselves. Often, this task is performed before, during and after the event, for instance by creating obstacles to direct crowd dissemination or to impose temporary or local alcohol bans.

3. Thirdly, police and law enforcement agencies have to weigh and operationalize different styles of policing, ranging from community policing to the use of repressive tactics and instruments to bring a violent encounter under control. By all means and throughout the full duration of an operation, the police and law enforcement authority are responsible for continuous communication between the different units on the ground.

4. Fourthly, if the situation threatens to get out of hand, leading to potentially risky circumstances, a broad repertoire of interventions is available to dissuade or stop a crowd from engaging into violent conduct. Increasingly, security providers employ technical means to stage electronic surveillance and behavioral detection (e.g., by means of drones).

Ultimately, civil police agencies may be assisted by military police agencies when there is a prediction that the collective violence will be extreme. Hence, military police can be called to assist and thus acts in a complementary and subsidiary manner, mostly at the higher end of the violence spectrum. An example is the (late) mobilization of the National Guard when the United States Congress was under siege on January 6, 2021. Another example of a multidisciplinary public order intervention, also in January 2021 and following upon the imposition of curfew: riot control units of the Royal Netherlands Marechaussee (RNLM) assisted the National Police in regaining control when violent riots simultaneously persisted for a number of days in different municipalities. However, the potential problem in a multidisciplinary public order management operation is either the lack of (shared) intelligence, the late arrival of intelligence or the passing of intelligence that has previously been filtered and translated, making it ineffective for the complementary law enforcement organization to actually use it. This intelligence-dependability within a multidisciplinary context has, to our knowledge, hardly been the subject of empirical research. "Ready-made" intelligence makes it hard to exercise autonomous discretion within a public order management context.

Public order management and COVID-19

Although the law does not provide an unambiguous definition of demonstration or civil protest, it primarily refers to a collective expression of an opinion by a group of people who share a point of view in public space. The right to demonstrate is included in Article 21 of the International Covenant on Civil and Political Rights (ICCPR) and Article 11 of the European Convention on Human Rights (ECHR). A government can only impose additional and restrictive legal rules on this right to protect health, in the interests of traffic, and to combat or prevent public disorder.

Generally, police and administrative authorities are often informed prior to a demonstration or protest about the objective of a demonstration or civil protest, the expected size of the crowd, as well as the time and location where the crowd intends to stage its protest. However, it may occur that demonstrations fail to be pre-announced or that they emerge as a result of spontaneous organization. In a world which is increasingly online or virtual, "flash mobs" – the mobilization (and/or dispersion) of crowds through the use of social media – happen more frequently.[29] There have been various examples of "flash mobs" in the recent past, including during the COVID-19 pandemic. For instance, on Instagram a demonstration against the corona measures in Deventer (the Netherlands) was announced by stating that "today we stand up against all rules and order." This demonstration was scheduled to commence just before the curfew of 9 p.m. that was in force at the time.[30] Around the same time, in Belgium, messages were circulating on social media, calling for a protest in cities like Antwerp, Genk, Kortrijk and Turnhout.[31]

In connection to the spread of the coronavirus, governments have mandated that protesters keep a distance of at least five feet (1.5 meters) from each other and/or wear a mask. Consequently, the expected number of individuals present and the location where a demonstration was taking place was an even more relevant issue during the COVID-19 pandemic. However, at least in the Netherlands, the possibilities of social media monitoring proved limited due to privacy protection by social networks themselves, legal restrictions on gathering social media information on groups and individuals as well as information volatility. For instance, a Black Lives Matter (BLM) demonstration in Amsterdam was joined by far more protesters than was expected based on social media monitoring, possibly in part due to influencers bringing the

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[29] For example, see Sander Vols, "*Virtuele Handhaving van de Openbare Orde*," (Master thesis, Groningen University, 2010).

[30] Ivar Penris, "Corona-demonstratie Vanavond in Deventer: Gemeente Neemt Oproep Serieus," *De Gelderlander,* January 25, 2021, https://www.gelderlander.nl/overijssel/corona-demonstratie-vanavond-in-deventer-gemeente-neemt-oproep-serieus~a37c32ba/.

[31] Els Brandt and Judit Verstraete, "Oproep op Sociale Media om Rel te Schoppen in Turnhout, Genk, Antwerpen en Kortrijk," *VRT*, January 26, 2021, https://www.vrt.be/vrtnws/nl/2021/01/26/oproep-op-sociale-media-om-rel-te-schoppen-in-turnhout-burgemee/. R. Procter, J. Crump, S. Karstedt, A. Voss & M. Cantijoch (2013). "Reading the riots: What were the police doing on Twitter?" *Policing and Society*, 23(4):413-436.

demonstration to the attention of their followers.[32] Due to the assessment of the police that an early termination could result in conflict between the police and protesters, the demonstration was not dissolved despite the fact that social distancing could no longer be practiced. Whether or not to dissolve a demonstration, due to the coronavirus, thus became a trade-off between public health and public order.[33] In addition, recent experiences in the Netherlands have highlighted that demonstrations against government measures to fight the coronavirus may mobilize far higher numbers of participants than originally specified, in part due to the very wide reach of social media groups of individuals (which may have up to 160,000 members) and groups calling for protests.[34]

In general, civil protest against measures taken to fight COVID-19 have been peaceful in character. However, various countries (including the Netherlands) have been confronted with riots during which cars were set on fire, windows were smashed, shops were looted, and (military) police faced rocks, fireworks and Molotov cocktails, leading to substantial risk for demonstrators themselves, the law enforcement personnel as well as the social and physical surroundings. On the one hand, it appears indeed that the violence was reactive in nature –a response to the friction between governments and civilians due to imposed measures. On the other hand, however, it seemed that individuals involved –particularly young males– shared the intention to seize the moment for showing violent misconduct.[35] From a theoretical perspective, this can be seen as another expression of the so-called "young male syndrome",[36] which refers to the tendency of young males to take risks and be violent because they discount the future in favor of short-term gains, something that is socially facilitated by the presence of peers in pursuit of the same goals.[37] In practice, however, the observation that groups participating in anti-lockdown demonstrations are diverse and have various motives[38] reflect the main dilemma of public order authorities, namely controlling crowd members with violent intent without alienating crowd members whose aims are legitimate.[39] This is obviously a fragile balance to manage.

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[32] However, also other reasons such as the nice weather and the then recent relaxing of corona restrictions have been implicated in the presence of more protesters than expected.

[33] "Demonstraties in Coronatijd (Demonstrations in Corona Time Information Provision and Decision-Making by the Police Prior to and During the Demonstrations on 1, 2 and 3 June 2020)," Inspectie Justitie & Veiligheid, last modified September, 2020, https://www.inspectie-jenv.nl/Publicaties/rapporten/2020/11/05/rapport-demonstraties-in-coronatijd.

[34] Bonne Kerstens, "Demonstratie tegen Coronamaatregelen Ook in Amsterdam Verboden," *AD.nl,* June 20, 2020, https://www.ad.nl/binnenland/demonstratie-tegen-coronamaatregelen-ook-in-amsterdam-verboden~a22b3e52/.

[35] Algemeen Nederlands Persbureau (ANP), "Plunderingen en Vernielingen in Onrustig Den Bosch," *Nederlands Dagblad,* January 25, 2021, https://www.nd.nl/nieuws/varia/1016292/-plunderingen-en-vernielingen-in-onrustig-den-bosch-.

[36] Margo Wilson and Martin Daly, "Competitiveness, Risk-Taking and Violence: The Young Male Syndrome," *Ethology and Sociobiology* 6, no.1 (1985): 59-73.

[37] Otto M. J. Adang, "Initiation and Escalation of Collective Violence."

[38] "Jaarverslag 2020," Algemene Inlichtingen- en Veiligheidsdienst (AIVD), last accessed June 1, 2021, https://www.aivd.nl/onderwerpen/jaarverslagen/jaarverslag-2020.

[39] Stephen Reicher et al., "Crowd Psychology and Public Order Policing."

Intelligence Issues for Public Order Management

An adequate information position is deemed crucial for a balanced preparation and active performance which is proportionate to the potential level of aggression and/or violence. Having a thorough understanding of the phenomenon and more specifically the situation that is at hand is a sine qua non for the professional public order profession. Therefore, it is important to understand and analyze how events (potentially) evolve into aggressive and violent encounters, and what the underlying patterns and logics are.

In order to prevent the escalation of violence and to avoid potentially dangerous encounters, relevant law enforcement authorities stage an intelligence-gathering process, which follows an intelligence cycle, such as presented in figure 2.

Figure 2. Intelligence Cycle[40]

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[40] Based on (p.7) "The Collection and Use of Intelligence in Policing Public Order Events," Wayne P. Wawryk, last accessed June 1, 2021, https://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/policy_part/research/pdf/ Wawryk.pdf.

The initiation and escalation of events should be subject to analysis prior to the event, in the sense that triggering events should not be waited for, but preferably assessed and anticipated in a proactive manner. On the basis of a broad analysis of the phenomenon and prior knowledge that is locally present within the police force, an intelligence position starts with a reconnaissance operation of the situation, the location, and the group or groups that are likely to participate in the event. This includes an appreciation of how the environment will affect the group of individuals and how that environment, with the presence of the group of individuals, may affect the relevant (public order) policing unit. On the basis of this pre-inquiry, a situation report ("sitrep") is established, which is used for the first preparation of the law enforcement operation in the form of a (pre-)briefing of the relevant unit(s).

Intelligence issues around pre-inquiries
Trigger events and the subsequent intergroup dynamics facilitate the forming of groups and the antagonistic relationships between them.[41] An antagonistic relationship may have existed for a long time due to all kinds of causes – such as ideologically divergent views, rivalry or previous violent encounters – but may also evolve *impromptu* due to a specific course of events, such as mutual provocations or police actions that are considered disproportionate by the crowd. Collective violence, then, can materialize in a wide range of situations; from spontaneously emerging groups against the police or each other to spontaneous, unilateral (revenge) or concerted confrontations between groups already known to the police (such as hooligans, right- and left-wing groups)[42].

Distinguishing between the controlled and spontaneous nature of collective violence implies that one may differentiate between an intention and a willingness to act violently. Whereas intentions reflect a mental state of commitment to carrying out an action in the future (requiring planning and forethought), a willingness to act reflects taking action when considered necessary. Particularly, given the wide range of groups present around demonstrations against COVID19-measures, a specific intelligence issue relates to differentiating between intent and willingness of the groups that are present. This appears an even more salient intelligence issue in light of the observation that to some groups and individuals violence is a means instead of an end. Violence, within certain limits, thus may be considered as a "catharsis".[43] This links to observations around demonstrations and football matches alike: groups were not merely reacting to unfolding events but were actively seeking out opportunities to behave violently.[44] Consequently, collective violence may materialize out of some form of revenge or because of a collective feeling of being (physically or psychologically) attacked, but may also rest on underlying individual motivations such as excitement-seeking conduct and desire for social dominance or goods.[45]

[41] Stephen Reicher, "The Psychology of Crowd Dynamics."
[42] Spaaij, R. (2007). "Football hooliganism in the Netherlands: Patterns of continuity and change". Soccer & Society, 8(2-3).
[43] Tom van Ham, "Collective Violence Offenders and Offending."
[44] For example, see Otto M. J. Adang, "Initiation and Escalation of Collective Violence."
[45] Richard Howard, "Personality Disorder and Violence: What is the Link?" *Borderline Personality Disorder and Emotion Regulation* 2, no.12 (2015):1-11. Ramon Spaaij, "Men Like Us, Boys Like Them."

From the foregoing, it may be derived that it is important to know in advance which groups are present, what they intend to achieve by organizing or participating in a demonstration, and which underlying mechanisms can influence an escalation into a violent confrontation. Given the dynamics of collective violence, intelligence with regard to intergroup and intergroup dynamics may provide further input to assess the risk of collective violence manifesting itself. With regard to intergroup dynamics, the societal position of the group present is of relevance. Aspects requiring attention, for instance, are: the size and scope of a group; whether the group is being threatened by or being in conflict with other known groups; whether it is socially isolated; and whether it is operating in an unstable context. In addition, a history of violence of groups, violent norms or goals, strong cohesion, and strong leadership or power structure are examples of intragroup dynamics that – when present – may increase collective violence risk. Although it is generally possible to offer a description of (potentially) present groups and their inter- and intragroup dynamics – certainly when groups have a certain history with law enforcement bodies – gathering intelligence about their intentions with regard to specific events has proven much more difficult. HUMINT, for example, may not suffice to gather the required intelligence due to counter measures taken by groups and their closed character.

In addition, Van Ham provided evidence that the relative contribution of individual and contextual determinants and their interaction differs between various types of collective violence offenders.[46] Furthermore, he found that psychological characteristics may underlie the incentive(s) of engaging in violence by affecting trigger events and intergroup relationships perceptions. Therefore, he argues that individual characteristics and their interrelation with intragroup dynamics should also be accounted for. From an intelligence perspective, this means that individual aspects such as strength of group-based identity, (violent) role or status, strength of commitment, and negative attitudes toward out-group people require assessment. Furthermore, on the individual level, one encounters conduct- and attitude-problems (including pro-violence and antisocial attitudes), social adjustment problems and mental health problems. Currently, however, such information – also about individuals who frequently participate in collective violence – cannot easily be obtained. A first issue at hand is that of availability. In part due to the dominance in practice of contextual theories, generally no information on individual characteristics is gathered (also in case of individuals who frequently participate in collective violence). A second issue in this regard is that of access, as, at least in the Netherlands, various parties – including the Dutch National Police and Probation Service – have access to information on, for instance, crime history and psychological traits. Finally, unlocking this information tends to be very time-consuming as data are not recorded and processed in a uniform manner.

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[46] Tom van Ham, "Collective Violence Offenders and Offending."

Intelligence issues during an event

During the event, the information position of the law enforcement units needs to be updated on a continuous basis. More recently, security providers employ the concept of "real time intelligence," also in the context of so-called "netcentric" performance. Different mechanisms are used in order to achieve an updated information position. An important element of routine public order management is to liaise with the groups during the event ("dialogue policing"), namely to have police-public contacts with the leaders or communicators of the group, which allow to measure the perceptions within the group.[47] This amounts to a mutual appreciation of intelligence requirements, for instance, concerning individual subjects, whose safety may be at stake at a certain moment. Hence, atmospheric reporting is prerequisite to a dynamic understanding of the event. At a tactical and operational level, this may be translated into flexible performance, for instance, in the form of couples of police professionals who are recognizable by (for example) a yellow vest and who are ready to communicate with the group: they act as human sensors and function as the ears and eyes on behalf of the law enforcement organization. Moreover, their information position serves as a basis for the differentiation between tactics, ranging from community policing to crowd control or even crowd combat (and potentially calling in assistance), and the staging of interventions. In addition, human intelligence on the ground may be achieved by police informants andpolice infiltrators (i.e., undercover agents who are present on the ground but may not be recognized as official police presence).

Human intelligence on the event may be achieved by means of analysts that comb through Open Source Intelligence (OSINT), and who map relevant groups, as well as their size, their potential to grow or to decline, and the likelihood of aggression or violence. To achieve an optimal and dynamic intelligence situation, technological sensors may be used in addition to human sensors. This includes the intensification of the use of aerial sensors and/or drones to map the situation on the ground.

Intelligence gaps during the COVID-19 Pandemic

Unfortunately, the COVID-19 pandemic has been marked by several violent encounters between police and public across the globe. Often these encounters resulted from previous and underlying social tensions. It emerged that police agencies faced substantial difficulty in balancing a certain amount of goodwill and understanding in enforcing health-related measures, whilst on the other hand, having to flex their capacity between total lockdown situations and public order capacity during protests and demonstrations. Moreover, from observations, it emerged that police authorities were confronted with spontaneous events for which they seemed ill-prepared. Were intelligence failures the cause of poor performance on the side of the police forces?

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[47] Willem de Lint and Adam Pocrnic, "Living Law in Public Order," 89.

Intelligence gaps could potentially arise from a number of challenges that occasionally occurred in combination with each other (interpersonal violence). A first intelligence challenge emerges from the fact that, in many cases, the police does not act on its own. Except for the need of internal intelligence consistency between different units of the same force, there is obviously a need for smooth intelligence-sharing with other security actors prior, during and after the event. In other words, except internal intelligence exchange, there needs to be an external intelligence-sharing mechanism/system, which is both consistent and agile, in the sense that it needs to take account of the dynamics of potential (de-)escalation. In the age of multi-agency performance, even across national borders, a pooled and shared intelligence situation is a precondition for professional public order management.

Another major intelligence challenge throughout the COVID-19 pandemic has been the duration of the pandemic and the perpetual demand for police intelligence capacity. This raised the need for a constant awareness and presence of potential public order disturbances, ranging across hugely differentiated groups and events, demanding new intelligence positions throughout a long period of time instead of specific time frames or focused on specific events. Added onto this was the fact that multiple events took place in different districts or municipalities at the same time, making it harder for intelligence capacity to pool efforts.

Except for the risk of reduced or even depleted intelligence capacity, two more challenges undercut the capacity of police authorities to mobilize their public order forces. On the one hand, the space-time-compression was reinforced during the pandemic, for instance, by means of previously mentioned "flashmobs", where groups of people could suddenly and spontaneously be mobilized online and gather in sizeable group settings, whilst at the same time making it harder to enforce public health measures. Last but not least, whilst there may have been a need for permanent operational intelligence in a netcentric context, real-time intelligence may not have amounted to an integrated and joint intelligence picture that enables an agile form of crowd management.

Intelligence Lessons Learnt and Concluding Observations

When confronted with a pandemic or other pervasive crisis, there is no need for law enforcement organizations to be taken by surprise when crowds gather, potentially erupting into violent encounters. Last-minute intelligence-gathering, weak multi-disciplinary information-sharing and intelligence gaps can be avoided if law enforcement organizations start preparing even before a crisis looms. Scenario-thinking as well as joint training and preparation are a sine qua non for professional public order management that is ready for the challenges of the dynamic interface between the physical and the virtual world, and

which focuses on prevention of violence and de-escalation, instead of having to respond at the frontline. At this stage, the majority of studies and guidebooks on intelligence-led policing focus on the use of intelligence in view of criminal investigation (e.g., on organized crime).[48] An academic and professional inquiry will help to build a mature framework for the use of information and intelligence in the context of public order management, as this field remains relatively unexplored.

It has been a common observation that, during the COVID-19 pandemic, several communities around the world felt deprived of their rights. Building on the presence of undercurrent perceptions of injustice and unequal treatment, some demonstrations, which were meant to be peaceful, escalated into aggressive or violent encounters within and between protesters as well as between them and the police. Given the right to peaceful assembly, these situations should be regarded as undesirable.

A high-quality intelligence position does not necessarily undercut the legitimacy of public order management, but there should be transparency on the why, the how, the choices, and the tactics that were used. Professional intelligence-collection may benefit accountability and transparency of police performance,[49] as intelligence may help to solve the puzzle of why certain events amounted to violent escalation and others did not. A high-quality professional and rationally explained understanding of group dynamics and potential escalation assists in guaranteeing the integrity of the event as well as professional police performance, and may help protect the safety of group individuals, such as law enforcement officers, bystanders and the physical environment around them. As intelligence-led policing allows law enforcement to make informed and evidence-based decisions, intelligence-gathering not only helps to strike a balance between the types of policing and the level of coercive means that are employed during the event, but also helps to avoid selective and arbitrary use of police violence.

Once the COVID-19 pandemic is behind us, a proper evaluation study should be conducted of the role of intelligence before, during and after public order events, preferably from an internationally comparative point of view.[50] Evaluation results are paramount to the further development of public order management, and thus for improving professional training and performance in this field. On the long term, this will contribute to a public understanding of why certain strategies and tactics were used. Our observation is that public order events are rarely subject to a profound and independent evaluation, except if or when they get really out of hand, such as in the case of high number of injuries or even fatalities. Though traditionally information and activities are registered in a log report, allowing a potential reconstruction and accountability of the events, this material is often not used and remains unexplored. We would recommend a more systematic evaluation of public order events,

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[48] Organization for Security and Co-operation in Europe, "OSCE Guidebook: Intelligence-Led Policing," *OSCE TNTD/SPMU Publication Series* 13 (July 2017): 2-104.

[49] For example, see p. 24 of "The Collection and Use of Intelligence," Wayne P. Wawryk,

[50] Rogier et al., *Handhaving van de Openbare Orde in het Buitenland: Overzicht van Bevoegdheden, Praktische Toepassing en Toepasbaarheid in Nederland,* (The Hague/Rotterdam, Netherlands: ES&E i.s.m. OMV-Faculteit der Rechtsgeleerdheid EUR, 2002). Willem de Lint and Adam Pocrnic, "Living Law in Public Order."

including all those that went smoothly and took place in the shadows of the media. Systematic evaluation allows the building and sharing of learning loops, through which intelligence operations in the context of public order management stand subject of continuous improvement and growing professionalization.

Furthermore, a more profound exploration is required of how intelligence-led policing can (and should) be legitimately performed in the face of multi-agency co-operation, privatization of security, as well as European and international intelligence-exchange,[51] in compliance with overarching regulatory frameworks as well as with universal codes of conduct for law enforcement officials.[52] A multidisciplinary approach to the development of a sustainable regulatory framework is very much needed, contributing to evidence-based implementation of codes of police conduct that have been developed by the United Nations, the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe. All too often, these ethical codes of conduct rest on the shelves of police archives. Departing from the assumption that civil policing and military policing environments may learn from one another, there may also be space for an academic exploration into how intelligence is used in – potentially expeditionary – military combat settings. We would suggest that multidisciplinary intelligence collection is also studied more profoundly within the context of public order management during stability policing missions, where information and intelligence is collected continuously on the adversary (e.g., through reconnaissance operations). Intelligence can then lead to situational awareness that enhances the commander's understanding of the environment and the people in that environment.[53] Both within national as well as international public order management operations, unity of command and unity of effort are crucial for the success of the operation.[54]

In order to gain a better understanding of the relation between cyber activities, disinformation and social media, and the forming or radicalization of (violent) groups, we advise there should be an in-depth assessment on the influence of hostile social manipulation[55] through cyber tactics in order to identify required capabilities for monitoring and mitigating the influence they might have on their behavior.
We would also recommend a comparative analysis of the effectiveness of surveillance technology prior and during public order events. Do drones or other technological devices actually help to prevent or close potential intelligence gaps? What should be the

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[51] Monica Den Boer, "Intelligence-led Policing in Europe: Lingering between Idea and Implementation," in *The Future of Intelligence. Challenges in the 21st Century,* ed. Isabelle Duyvesteyn, Ben de Jong, Joop van Reijn (Abingdon, UK: Routledge, 2014).
[52] "Basic principles on the use of force and firearms by law enforcement officials"; https://www.ialeia.org/docs/OSCE_Guidebook_ILP_2017_327476.pdf; accessed 12 May 2021.
[53] Bruce W. Watson, "Intelligence (Military Science)," in *Encyclopedia Britannica,* https://www.britannica.com/topic/intelligence-military.
[54] Muller et al., "Strandrellen in Hoek van Holland - Dancefestival Veronica Sunset Grooves, 22 augustus 2009," *COT Instituut voor Veiligheids- en Crisismanagement & Bureau Beke*, December 8, 2009, https://www.burge meesters.nl/files/File/Crisisbeheersing/docs/20090822.pdf.
[55] Michael J. Mazarr et al., *Hostile Social Manipulation, Present Realities and Emerging Trends*, (California, United States: RAND Corporation, 2019).

balance between human intelligence and information or intelligence that is required through technological means? And can it be regarded as legitimate if and when law enforcement goes undercover under a fake identity on social media in order to predict and identify potentially violent encounters?

Capacity and capability are two other issues to be explored further: lack of capacity and/or capability may actually make things worse. For example, if the number of violent protesters exceeds the police capacity needed to adequately enforce a trigger event, the individual police officer might be confronted sooner with a situation where that police officer is forced to use lethal force for self-defense, than if there would be adequate police capacity or capability.[56] An in-depth analysis on the number of police vs number of protestor ratio (capacity), including intensifying or mitigating (capability) aspects, might lead to better insights on effective public order policing (analysis Capitol Hill).

Finally, (potentially) violent encounters during the COVID-19 pandemic may have undermined the trust relationship between police organizations and the communities they serve. A policy study may be required into the need for and conditions of an information position that implies the restoration of police-community relationships.

References

Adang, Otto M. J. "Initiation and Escalation of Collective Violence: An Observational Study of Protest and Football Events." In *Preventing Crowd Violence,* ed. T.D. Madensen and J. Knutsson. Boulder, USA: Lynne Rienner Publishers, 2011.

AIVD "Jaarverslag 2020." Algemene Inlichtingen- en Veiligheidsdienst (AIVD). Last accessed June 1, 2021. https://www.aivd.nl/onderwerpen/jaarverslagen/jaarverslag-2020.

Algemeen Nederlands Persbureau (ANP). "Plunderingen en Vernielingen in Onrustig Den Bosch." *Nederlands Dagblad.* January 25, 2021. https://www.nd.nl/nieuws/varia/1016292/-plunderingen-en-vernielingen-in-onrustig-den-bosch-.

Brandt, Els, and Judit Verstraete. "Oproep op Sociale Media om Rel te Schoppen in Turnhout, Genk, Antwerpen en Kortrijk." *VRT.* January 26, 2021. https://www.vrt.be/vrtnws/nl/2021/01/26/oproep-op-sociale-media-om-rel-te-schoppen-in-turnhout-burgemee/.

Burns, Danny. *Poll tax rebellion.* London, UK: Attack International, 1992.

Caplan, N.S., and J.M. Paige. "A Study of Ghetto Rioters." *Scientific American* 219, no.2 (August 1968): 15-21.

Crous, Charl J. "Policing with Intelligence: Leading a Paradigm Change." *The Journal of the Australian Institute of Professional Intelligence Professionals* 19 (2011): 1-19.

De Lint, Willem, and Adam Pocrnic. "Living Law in Public Order: Trust, Risk, Dominion and Universality." In *Comparative Policing from a Legal Perspective,* ed. Monica den Boer. Cheltenham, UK: Edward Elgar Publishing, 2018.

De Lint, Willem. "Public Order Policing: A Tough Act to Follow?" *International Journal of the Sociology of Law* 33, no.4 (December 2005): 179-199.

Della Porta, Donatella, and Herbert Reiter. "The Policing of Global Protest: The G8 at Genoa and its Aftermath." In *The Policing of Transnational Protest,* 1st ed., ed. Donatella della Porta, Abby Peterson and Herbert Reiter. Aldershot, UK: Ashgate Publishing, 2006.

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[56] Muller et al., "Strandrellen in Hoek van Holland."

Den Boer, Monica. "Intelligence-led Policing in Europe: Lingering between Idea and Implementation." In *The Future of Intelligence. Challenges in the 21st Century,* ed. Isabelle Duyvesteyn, Ben de Jong, Joop van Reijn. Abingdon, UK: Routledge, 2014.

Drury, John, and Steve Reicher. "Collective Action and Psychological Change: The Emergence of New Social Identities." *British Journal of Social Psychology* 39, no.4 (December 2000): 579-604.

Drury, John, and Steve Reicher. "Explaining Enduring Empowerment: A Comparative Study of Collective Action and Psychological Outcomes." *European Journal of Social Psychology* 35, no.1 (January-February 2005):35-38.

Drury, John, and Steve Reicher. "The Intergroup Dynamics of Collective Empowerment: Substantiating the Social Identity Model of Crowd Behavior." *Group Processes and Intergroup Relations* 2, no.4 (1999): 1-22.

Editor. "'Criminal Violence': Dutch PM Deplores COVID Lockdown Riots." Aljazeera. Last accessed June 7, 2021. https://www.aljazeera.com/news/2021/1/24/dutch-police-clash-with-anti-lockdown-rioters-in-two-cities.

Ericson, R., and A. Doyle. "Globalization and the Policing of Protest: The Case of APEC 1997." *British Journal of Sociology* 50, no.4 (December 1999): 589-608.

Fahey, Ryan. "Riot Police Clash with Hundreds of Protesters in Berlin Chanting 'Freedom' in Demonstration against Coronavirus Restrictions as Germany Death Toll Rises by 147 to 7,369." *Daily Mail.* May 10, 2020. https://www.dailymail.co.uk/news/article-8304227/Riot-police-clash-hundreds-anti-lockdown-protesters-Berlin.html.

Herbert, Steve. "The 'Battle of Seattle' Revisited: Or, Seven Views of a Protest-Zoning State." *Political Geography* 26, no.5 (June 2007): 601-619.

Howard, Richard. "Personality Disorder and Violence: What is the Link?" *Borderline Personality Disorder and Emotion Regulation* 2, no.12 (2015): 1-11.

Inspectie Justitie & Veiligheid "Demonstraties in Coronatijd (Demonstrations in Corona Time Information Provision and Decision-Making by the Police Prior to and During the Demonstrations on 1, 2 and 3 June 2020)." Inspectie Justitie & Veiligheid. Last modified September, 2020. https://www.inspectie-jenv.nl/Publicaties/rapporten/2020/11/05/rapport-demonstraties-in-coronatijd.

Jones, Daniel J. "The Potential Impact of Pandemic Policing on Police Legitimacy: Planning Past the COVID-19 Crisis." *Policing: A Journal of Policy and Practice* 14 no.3 (September 2020): 579–586. https://doi.org/10.1093/police/paaa026

Kerstens, Bonne. "Demonstratie tegen Coronamaatregelen Ook in Amsterdam Verboden." *AD.nl.* June 20, 2020. https://www.ad.nl/binnenland/demonstratie-tegen-coronamaatregelen-ook-in-amsterdam-verboden~a22b3e52/.

King, Mike, and David Waddington. "Flashpoints Revisited: A Critical Application to the Policing of Anti-globalization Protest." *Policing and Society* 15, no.3 (2005): 255-282.

Kirby, Jen. "Violent Anti-Lockdown Protests Sweep the Netherlands." *Vox.* January 26, 2021. https://www.vox.com/2021/1/26/22250380/violent-anti-lockdown-protests-netherlands.

Le Bon, Gustave. *La psychologie des Foules.* Paris, France: Alcan, 1895.

Mazarr, Michael J., Abigail Casey, Alyssa Demus, Scott W. Harold, Luke J. Matthews, Nathan Beauchamp-Mustafaga, and James Sladden. *Hostile Social Manipulation, Present Realities and Emerging Trends.* California, United States: RAND Corporation, 2019.

McPhail, Clark. "The Social Organization of Demonstrations." Paper presented at the annual meeting of the American Sociological Association, Washington DC, 1985.

McPhail, Clark. *The Myth of the Madding Crowd.* New York, USA: Aldine de Gruyter, 1991.

Mikula, G. "Justice: Social Psychological Perspectives." In *International Encyclopedia of the Social and Behavioral Sciences*, ed. Neil J. Smelser and Paul B. Baltes. Oxford, UK: Elsevier, 2001.

Muller, E.R., U. Rosenthal, M. Zannoni, H. Ferwerda, and S.D. Schaap. "Strandrellen in Hoek van Holland - Dancefestival Veronica Sunset Grooves, 22 augustus 2009." *COT Instituut voor Veiligheids- en Crisismanagement & Bureau Beke*. December 8, 2009. https://www.burgemeesters.nl/files/File/Crisisbeheersing/docs/20090822.pdf.

Organization for Security and Co-operation in Europe. "OSCE Guidebook: Intelligence-Led Policing." *OSCE TNTD/SPMU Publication Series* 13 (July 2017): 2-104.

Penris, Ivar. "Corona-demonstratie Vanavond in Deventer: Gemeente Neemt Oproep Serieus." *De Gelderlander.* January 25, 2021. https://www.gelderlander.nl/overijssel/corona-demonstratie-vanavond-in-deventer-gemeente-neemt-oproep-serieus~a37c32ba/.

Procter, R., J. Crump, S. Karstedt, A. Voss & M. Cantijoch (2013). Reading the riots: What *were* the police doing on Twitter? *Policing and Society*, 23(4):413-436.

Ratcliffe, Jerry H. *Intelligence-led Policing.* Cullompton, UK: Willan Publishing, 2008.

Reicher, S.D. "The Battle of Westminster: Developing the Social Identity Model of Crowd Behavior in Order to Explain the Initiation and Development of Collective Conflict." *European Journal of Social Psychology* 26, no.1 (January-February 1996):115-134.

Reicher, Stephen, Clifford Stott, Patrick Cronin, and Otto Adang. "An Integrated Approach to Crowd Psychology and Public Order Policing." *Policing an International Journal of Police Strategies and Management* 27, no.4 (December 2004): 558-572.

Reicher, Stephen. "The Psychology of Crowd Dynamics." In *Blackwell Handbook of Social Psychology: Group Processes,* ed. Michael A. Hogg and R. Scott Tindale. Malden, USA: Blackwell Publishers, 2001.

Rogier, L.J.J., A.R. Hartmann, M.J. Verheij, and A.G. Mein. *Handhaving van de Openbare Orde in het Buitenland: Overzicht van Bevoegdheden, Praktische Toepassing en Toepasbaarheid in Nederland.* The Hague/Rotterdam, Netherlands: ES&E i.s.m. OMV-Faculteit der Rechtsgeleerdheid EUR, 2002.

Smith, Michael D. *Violence and sport*. Toronto, Canada: Butterworths, 1983.

Spaaij, R. (2007). Football hooliganism in the Netherlands: Patterns of continuity and change. *Soccer & Society*, 8(2-3):316-334.

Spaaij, Ramon. "Men Like Us, Boys Like Them: Violence, Masculinity and Collective Identity in Football Hooliganism." *Journal of Sport and Social Issues* 32, no.4 (November 2008): 369-392.

Spaaij, Ramon. "Risk, Security and Technology: Governing Football Supporters in the Twenty-First Century." *Sport in Society* 16, no.2 (2013): 167-183.

Spaaij, Ramon. "Sports Collective Violence: An Interdisciplinary Synthesis." *Aggression and Violent Behavior* 19, no.2 (March-April 2014):146-155.

Spaaij, Ramon. *Understanding Football Hooliganism: A Comparison of Six Western European Football Clubs*. Amsterdam, Netherlands: Amsterdam University Press, 2006.

Staff. "Police Use Water Cannon as German Lockdown Protest Turns Violent." Reuters. Last accessed June 7, 2021. https://www.reuters.com/article/us-health-coronavirus-germany-protest-idUSKBN2BC0NL.

Taylor, Stan. "The Scarman Report and Explanations of Riots." In *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath*, ed. John Benyon. Oxford, UK: Pergamon Press, 1984.

Tilly, Charles. *The Politics of Collective Violence.* Cambridge, UK: Cambridge University Press, 2003.

Turner, Ralph H. "Collective Behavior." In *Handbook of Modern Sociology*, ed. Robert E. L. Faris. Chicago, USA: Rand McNally, 1964.

Van Ham, Tom. "Collective Violence Offenders and Offending. The Role of Individual Characteristics." PhD thesis, Leiden University, 2020.

Vols, Sander. "*Virtuele Handhaving van de Openbare Orde*." Master thesis, Groningen University, 2010.

Waddington, David, and Mike King. "The Disorderly Crowd: From Classical-Psychological Reductionism to Socio-Contextual Theory – the Impact on Public Order Policing Strategies." *The Howard Journal of Criminal Justice* 44, no.5 (December 2005): 490-503.

Waddington, P.A.J. "Policing of Public Order." *Policing: A Journal of Policy and Practice* 1, no.4 (2007): 375-377.

Waddington, P.A.J. "Policing Public Order and Political Contention." In *Handbook of Policing*, ed. T. Newburn. Cullompton, UK: Willan, 2003.

Walton, John, and Charles Ragin. "Global and National Sources of Political Protest: Third World Responses to the Debt Crisis*." American Sociological Review* 55, no.6 (December 1990): 876-890.

Watson, Bruce W. "Intelligence (Military Science)." In *Encyclopedia Britannica.* https://www.britannica.com/topic/intelligence-military.

Wawryk Wayne P. "The Collection and Use of Intelligence in Policing Public Order Events." Wayne P. Wawryk. Last accessed June 1, 2021. https://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/policy_part/research/pdf/Wawryk.pdf.

Williams, John, Eric Dunning and Patrick Murphy. "The Rise of the English Soccer Hooligan." *Youth and Society* 17, no. 4 (June 1986): 362-380.

Wilson, Margo, and Martin Daly. "Competitiveness, Risk-Taking and Violence: The Young Male Syndrome." *Ethology and Sociobiology* 6, no.1 (1985): 59-73.

Surveillance of Public Health in India: Prospects and Challenges

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Abstract

India's advancement in the field of Public Health Disease Surveillance draws on existing expertise in public health surveillance programs, focusing on governance and cooperative federalism, promoting the participation of State governments, and using a bottom-up approach. Early identification of outbreaks of disease, using adequate monitoring techniques, is a fundamental concept for efficient management of epidemics. Debates on privacy and the digital handicap in terms of transparency and technologies tend to fuel concerns against public health monitoring, while the policy mechanisms open up the fields for addressing the next measures that may require the construction of a path map or a blueprint for intervention. It will be necessary to set up efficient and sensitive governance structures to create political, technological, digital, and managerial leadership to provide sound policy and law on the same.

Introduction

Public health monitoring offers and interprets data to promote disease prevention and control. To this end, the monitoring of an illness or other health issue should have specific goals. These priorities should provide a detailed explanation of how data gathered, consolidated, and processed for monitoring can be used to deter or monitor the disease. The aims of public health surveillance for human infection with COVID-19 are:

1. To track disease patterns where human-to-human transmission occurs.
2. To rapidly diagnose new cases in countries where the virus does not circulate.
3. To provide epidemiological evidence for risk assessments at national, regional, and global levels.

4. To provide epidemiological evidence to enable preparedness and intervention activities.[1]

Data visualization is a valuable method for exploring and sharing discoveries, and plays an important role in the study and forecasting of epidemic/pandemic time series. Many resources, including dashboards, have been developed to visualize time data and to suggest course(s) of action.[2] Data tracker-driven, action-oriented policy interventions offer an open-policy informatics tool to monitor the spread of the COVID-19 pandemic and policy responses globally.[3] Surveillance is presently operational in India through the existing Integrated Disease Surveillance Program (IDSP) network.[4] Both suspicious cases (through contact tracing) and confirmed cases (through laboratory tests) are identified with active surveillance. No specific effort is being made to control animal diseases or to monitor the environment.

The WHO has developed an archive of more than 5,000 peer-reviewed and selected scientific papers on numerous subjects, including epidemiology, clinical characteristics, diagnosis, care, social factors, and economics. Digital health is described as an area of knowledge and practice linked to every aspect of the adoption of digital technology to enhance health care, from start-up to service.[5] Global digital health initiatives have influenced and are having a significant effect on the fight against COVID-19. Digital well-being has been envisaged as a cornerstone of the National Health Policy 2017.[6] India has to accelerate its progress to reach the Millennium Development Goals by 2015 and the Sustainable Development Goals by 2030, according to the National Health Policy of 2017. In line with the Universal Health Coverage goal and guiding principles, which include providing universal health as a right; assured access to an essential health plan that includes main, secondary, and tertiary services; and patient competition between public and private providers. The allocation of GDP for health was raised from its present amount to 2.5 percent by the end of the program, and to 3 percent by 2022, ensuring the supply of free drugs and minimizing out-of-pocket expenditures. According to the proposal, 70 percent of all health care services must be devoted to strengthening primary care.

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[1] "WHO Updates COVID-19 Dashboard with Better Data Visualization," World Health Organization, last accessed May 1, 2020, https://www.who.int/news-room/feature-stories/detail/who-updates-covid-19-dashboard-with-better-data-visualization.

[2] For example, see "World Coronavirus Tracker," Observer Research Foundation, last accessed May 1, 2020, https://www.orfonline.org/%20COVID-19%E2%80%90tracker/.

[3] "SMAART RapidTracker: a Global Policy Informatics Tool to Track COVID-19 Outbreak," Ashish Joshi, last accessed May 1, 2020, https://www.smaartrapidtracker.org/.

[4] "Integrated Disease Surveillance Programme," Ministry of Health and Family Welfare - Government of India, last accessed October 10, 2020, https://www.idsp.nic.in/.

[5] World Health Organization, Draft: Global Strategy on Digital Health 2020-24. https://www.who.int/docs/default-source/documents/gs4d h.pdf?sfvrsn=cd577e23_2, accessed on May 01, 2020.

[6] Suptendra Nath Sarbadhikari, "Digital Health in India – As Envisaged by the National Health Policy (2017)," *BLDE University Journal of Health Sciences* 4, no.1 (January-June 2019): 1-6.

Laws governing Public Health in India

Maintaining a satisfactory quality of life necessitates good health. Health is the most crucial factor in productivity and enjoyment of life. "Health refers to the state of the body and the degree to which it is free of illness, or the state of being well; the state of something that changes or expands, such as an organization or system", according to the Cambridge Advanced Learner's Dictionary.[7] The United Nations Declaration of Human Rights (1948) states that:

> "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control, and motherhood and childhood are entitled to special care and assistance."[8]

The Constitution of India (1950) establishes a framework for a welfare/socialist development model. While civil and political rights are enshrined as justifiable Fundamental Rights; social and economic rights such as health, education, and livelihood are enshrined as State Directive Principles and are therefore not justifiable. Article 21 of the Constitution guarantees the right to life, including the right to health and health care. When interpreted, this right (which has been couched in the negative form) empowers the State to interfere with life and liberty's enjoyment in accordance with legal procedures. At the same time, it imposes a primary duty upon the State to raise the level of nutrition and the standard of living of the people, as well as improve public health.[9]

Similar to the provision in the Government of India Act (1935), Article 246 of India's Constitution established three categories of health subjects —namely, Union, Concurrent, and State lists. Independent India envisioned creating a new social order based on equality, liberty, justice, and individual dignity. Health is on the State list in the Indian Constitution, but there is enough room for the Central government to maneuver, since many items are on the Concurrent list. The Planning Commission was formed in 1950, and its first task was to draft the first Five Year Plan, which was to begin in April 1951.

Health systems worldwide continue to pique the interest of policymakers seeking to cut costs while increasing productivity, raising quality, and becoming more responsive to patient and public preferences. It is all happening at a time when people's expectations of what modern health care can do for them are skyrocketing. Modern medicine's typical pressures revolve around financial and ethical decisions about how limited resources

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[7] See https://dictionary.cambridge.org/dictionary/english/
[8] "UN Declaration of Human Rights (1948)," University of Minnesota – Human Rights Library, last accessed March 23, 2021, http://hrlibrary.umn.edu/instree/b1udhr.htm.
[9] Constitution of India, art. 47.

should be distributed, and how to strike a better balance between treating illness on the one hand, and promoting health on the other. As a result of these pressures, various countries are moving toward broadly similar solutions. Naturally, the solutions must be tailored to specific socio-economic and political conditions and values, cultures, and historical traditions.

Sections 269 to 294-A of the Indian Penal Code (1860) deal with "offences affecting public health, safety, convenience, decency and morals." They make provisions against negligent or malignant acts that are likely to spread infection of disease and prescribe punishment for these acts. In procedural law, Section 91 of the Code of Civil Procedure (1908) contains provisions for the abatement of air and water pollution when it becomes nuisance to the people and may create health hazards. Similarly, under the Code of Criminal Procedure (1973), a magistrate may issue a conditional order for the removal of a nuisance if he or she believes that the conduct of any trade or occupation, or the keeping of any goods or merchandise, is harmful to the health or physical comfort of the community; and as a result, such trade or occupation, or such goods or merchandise, should be prohibited or regulated.[10] Various laws have been passed with the specific goal of protecting children's health and their overall growth, and preventing them from being exploited, taking into account the importance of their health. Those laws are: the Drugs and Cosmetics Act (1940), the Mental Healthcare Act (2017), the Transplantation of Human Organs Act (1994), the Prevention of Food Adulteration Act (1954), the Clinical Establishments Act (2010), etc. Along with this, the Indian Judiciary is also sensitive towards protecting the public health.

Application-Based Surveillance during COVID-19 in India

Surveillance by law enforcement agencies has always been common in India. In fact, police surveillance was used in the Supreme Court's two most relevant rulings on the right to privacy. Even in those two cases, one upheld police surveillance, and the other overturned it, mostly on the legal grounds that it was conducted without proper authorization. The Indian Telegraph Act (1885) and the Information Technology Act (2000) are the two most important legislations in the field of surveillance today, since the majority of surveillance operations are carried out by tapping or intercepting telecommunication messages.

In India, the Information Technology Act (2000) governs the surveillance, interception, decryption, and collection of data from digital communications. Section 69 of the IT Act, in particular, empowers the Central government and State governments to issue orders for the surveillance, interception, or decryption of any information transmitted, obtained, or processed through a computer resource.[11] In relation to the Telegraph Act,

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[10] India Code of Criminal Procedure, S. 133 and 144.
[11] Vijay Pal Dalmia, "Data Protection Laws in India - Everything You Must Know," Mondaq, last accessed March 23, 2021, https://www.mondaq.com/india/data-protection/655034/data-protection-laws-in-india--everything-you-must-know.

Section 69 of the IT Act broadens the grounds for interception. As a result, communications interceptions under Section 69 are carried out in the interests of:

- ▫ The sovereignty or integrity of India;
- ▫ Defense of India;
- ▫ Security of the State;
- ▫ Friendly relations with foreign States;
- ▫ Public order;
- ▫ Preventing incitement to commit any cognizable offense relating to the above; and
- ▫ For the investigation of any offense.[12]

Big Data has ushered in a new period of surveillance. Information and communication technologies now host significant amounts of individual data, and the surveillance industry makes all of this data accessible to a surveyor. Government-mandated surveillance means that, in India, any and all modes of communication and data tracking are in place —there are network taps on telephony lines and deep-packet inspection on Internet lines, thus making telephone calls, SMS, VoIP, email, and Internet searches and browsing all vulnerable to surveillance. Monitoring is continuous through mechanisms like the Central Monitoring System. Moreover, centralized information stores enable data mining – extracting and extrapolating data to enable better surveillance, which is what India's National Intelligence Grid (NATGRID) aims to do.

In 2017, the Ministry of Health and Family Welfare (MoHFW) published for public consultation a draft of the Digital Information Security in Health-care Act (DISHA). The Act aimed to establish a National Digital Health Authority that would implement and encourage e-health standards. In addition, it would enforce data privacy, protection, confidentiality, and reliability policies, as well as regulate the storage and sharing of electronic health records (EHR). The Act sought to give the EHR standards legal standing, as well as give statutory approval to data security principles, which are now recognized in the 2019 Personal Data Protection (PDP) Bill. The draft was later withdrawn after the MoHFW learned that the Ministry of Electronics and Information Technology was working on enacting a Personal Data Protection Act that would apply to all realms, including health.

The PDP Bill, like all other laws and requirements previously mentioned, defines data security principles. However, under the Bill, the processing of one's personal data can only take place with the permission of the data subject. For the execution of such data-related State functions, the 2019 PDP Bill allows for an exception from the data subject's consent. An important caveat is that the exemption from consent can only be granted if

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[12] Dalmia, "Data Protection Laws in India."

this State function is legally permitted. Data under IDSP (like any other disease monitoring program) is often processed without the permission of individuals due to the broader health interest it represents. As a result, in accordance with the provisions of the PDP Bill enumerated above, all data processing under the IDSP must be sanctioned by law in order to avoid violating the PDP Bill. This means that if the PDP Bill becomes law, the IDSP must be sanctioned by a statute or legislation.

Further, an exemption from the consent of the Data Subject under the above-mentioned circumstances has no bearing on the other provisions of the PDP Bill, which will continue to apply notwithstanding the exemption from consent. The principles of lawful and fair processing, intent limitation, data minimization, accuracy, storage limitation, security, transparency, and data subject rights will apply, even in cases of epidemic or public health crises, regardless of the Data Subject's consent. Now, COVID-19 is caused by a novel coronavirus and there are considerable knowledge gaps concerning its symptoms, transmission, and other characteristics —including the possibility of reinfection. As a result, there is no certainty about the potential uses and goals of the information gathered during pandemic surveillance. Because the situation is constantly changing, data gathered for one purpose may have to be used for additional research to determine the pattern of infection transmission, or it may have to be re-used in the event of a resurgence of the infection. As a result, determining a "purpose restriction" for the collection of such data must be a lengthy process, particularly in cases where time is of the essence. It must necessitate a sophisticated scientific understanding of the epidemic/pandemic. This reinforces the importance of a legal framework for the IDSP, in which the intent and process for collecting personal data are specified by a specialized body that also considers principles of transparency, accountability, and principal rights regarding data.

The Indian government in 2020 released the "Aarogya Setu" mobile app for COVID-19 containment, which includes contact-monitoring and information-dissemination.[13] In addition, various State governments and health care organizations in India have developed applications for lock-down compliance, public awareness, and monitoring of quarantined people.[14] The Government of India's Ministry of Electronics and Information Technology has taken positive steps to promote the installation and use of the Aarogya Setu software, which is currently available in 11 Indian languages.[15] Evidence indicates that 70 per cent of the population should have the digital contact monitoring software enabled in order for it to

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[13] Venkat Ananth, "Beyond Contact-Tracing, Aarogya Setu May Find Use in Policy Inputs," *The Economic Times*, April 10, 2020, https://economictimes.indiatimes.com/news/economy/policy/beyond-contact-tracing-aarogya-setu-may-find-use-in-policy-inputs/articleshow/75078678.cms.

[14] Press Trust of India, "Maharashtra Govt Launches Online Self-Assessment Tool to Better Identify, Assist Covid-19 Patients," *India Today,* April 3, 2020, https://www.indiatoday.in/india/story/maharashtra-govt-launches-online-self-assessment-tool-to-better-identify-assist-covid-19-patients-1662766-2020-04-03.

[15] Venkat Ananth, "Government Requests Social Media Platforms to Promote Aarogya Setu," *The Economic Times*, April 10, 2020, https://economictimes.indiatimes.com/tech/software/government-requests-social-media-platforms-to-promote-aarogya-setu/articleshow/75080073.cms.

be effective.[16] Caller-tunes was used by the MoHFW to educate people about COVID-19 and to ensure hygiene by hand washing.[17] Digital media advertisements have also been promoted by the government and run by corporations, alerting everyone to "Stay Home, Stay Safe."[18] Various Government of India websites and portals like All India Institute of Medical Sciences (AIIMS),[19] MoHFW,[20] and Indian Council of Medical Research (ICMR)[21] include updated educational and awareness-raising tools, guidance, and dashboards related to COVID-19.

Merely two of the apps had a fake news- monitoring segment. A number of apps had a clause concerning tele-consultations. The MoHFW has officially recognized remote consultation by recent Telemedicine Practice Guidelines.[22] With the number of COVID-19 events on the forecast, there is an urgent need to implement comprehensive tele-consultation solutions within these applications to ensure quality health care facilities for those with pre-existing conditions. Most of the applications did not have the potential to aid hospitals or health care staff. On the other side, front-line health-care staff used smart-phone applications to collect clinical notes and monitor the use of safety equipment and ventilators in the United States.[23] It is also important to be conscious, in this modern era, of the so-called "infodemic," in which a great deal of disinformation is transmitted across social media.[24]

India recently issued the Telemedicine Practice Guidelines 2020 for Modern Medicine;[25] Ayurveda, Unani and Siddha (AYUSH);[26] Homoeopathy;[27] Artificial Intelligence;[28] and

[16] HT Correspondent, "Callertunes Set to Coronavirus Advisories," *Hindustan Times*, March 8, 2020, https://www. hindustantimes.com/delhi-news/callertunes-set-to-coronavirus-advisories/story-47Jm2DuQC5C4t84i4 kn2aJ.html.

[17] HT Correspondent, "Callertunes Set to Coronavirus Advisories," *Hindustan Times*, March 8, 2020, https://www.hindustantimes.com/delhi-news/callertunes-set-to-coronavirus-advisories/story-47Jm2DuQC5C4t84i4kn2aJ.html.

[18] T.E. Narasimhan, "Stay Home, Stay Safe: Brands Try to Convey Message of Optimism Amid Crisis," *Business Standard,* March 30, 2020, https://www.business-standard.com/article/companies/stay-home-stay-safe-brands-try-to-convey-message-of-optimism-amid-crisis-120033001772_1.html.

[19] "Information Related to Covid-19," All India Institute of Medical Sciences - New Delhi, last accessed May 1, 2020, https://www.aiims.edu/en/component/%20content/arti%20cle/79%E2%80%90about%E2%80%90aiims/10405%E2%80%90information%E2%80%90rel%20ated%E2%80%90to%E2%80%90covid%E2%80%9019.%20html.

[20] "COVID-19 India," Ministry of Health and Family Welfare - Government of India, last accessed May 1, 2020, https://www.mohfw.gov.in/.

[21] "COVID-19," Indian Council of Medical Research - Government of India, last accessed May 1, 2020, https://www.icmr.gov.in/.

[22] "Telemedicine Practice Guidelines: Enabling Registered Medical Practitioners to Provide Healthcare Using Telemedicine," Ministry of Health and Family Welfare - Government of India, last accessed April 12, 2020, https://www.mohfw.gov.in/pdf/Telemedicine.pdf.

[23] HIMSS Media, "Roundup: Tech's Role in Tracking, Testing, Treating COVID-19," *Mobi Health News,* May 1, 2020, https://www.mobihealthnews.com/news/roundup-techs-role-tracking-testing-treating-covid-19.

[24] Rupali Jayant Limaye et al., "Building Trust While Influencing Online COVID-19 Content in the Social Media World," *The Lancet Digital Health* 2, no. 6 (June 2020): e277-e278, doi: https://doi.org/10.1016/S2589-7500(20)300 84-4.

[25] "Telemedicine Practice Guidelines," Ministry of Health and Family Welfare.

[26] "Telemedicine Practice Guidelines for Ayurveda, Siddha and Unani Practitioners," Central Council of Indian Medicine - Government of India, last accessed May 1, 2020, https://www.ayush.gov.in/docs/CCIM_Telemedicine_Guidelines.pdf.

[27] "Telemedicine Practice Guidelines for Homoeopathic Practitioners," Central Council of Homoeopathy - Government of India, last accessed May 1, 2020, https://www.ayush.gov.in/docs/126.pdf.

[28] Ben Dickson, "Why AI Might Be the Most Effective Weapon We Have to Fight COVID-19," *The Next Web*, March 21, 2020, https://thenextweb.com/news/why-ai-might-be-the-most-effective-weapon-we-have-to-fight-covid-19.

Digital Health.[29] Each of these terms have been used in various strategies to address the COVID-19 pandemic, mentioned both above and below. Gamification has become a new trend for health care.[30] Standards are important for the exchange of digital health content, particularly in order to provide a clear vocabulary. COVID-19 has already led to rapid solutions in this field.[31]

Debating the Right to Public Health and Privacy

By far the most challenging subject is to define in the legal catalog what privacy is. The concept of privacy varies greatly depending on the context and setting. Privacy protection is often seen as a means of limiting how much society can pry into a person's affairs. The Universal Declaration of Human Rights Article 12 and the International Convention on Civil and Political Rights Article 17 also accept privacy as a basic right, and India is a signatory to both. Despite being a member and signatory to these conventions, India does not have laws that provide people with a right to privacy.

To address this gap in the legislation, Indian courts have attempted to impose a right to privacy in favor of its citizens through two primary avenues: first, recognition of a Constitutional right to privacy, which has been interpreted as a part of the rights to life and personal liberty; second, the freedom of expression and movement provided by the Constitution. The Supreme Court of India recognized the right to privacy as a fundamental right for the first time in the case of Kharak Singh v. Union of India, in the context of the police's right to physically search the serial criminals (also known as history-sheeters).[32]

Later, in the case of Govind v. State of M.P., the Supreme Court, in a similar factual context, upheld the minority's view in Kharak Singh, and the right to privacy in India has become a well-established fundamental right under Indian law.[33] The Supreme Court addressed the right to privacy in-depth in this instance, as well as the extent and exceptions to this right. All trusted relationships, such as those between patients and physicians, require confidentiality and secrecy. Furthermore, the doctor-patient partnership is built on patient confidentiality and privacy rights. Patients must be at ease

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[29] Bertalan Meskó and Pranavsingh Dhunnoo, "Digital Health and the Fight Against the COVID-19 Pandemic – The Medical Futurist Handbook," *The Medical Futurist,* April 2020, https://www.matrc.org/wp-content/uploads/2020/04/Digital-Health-and-COVID19.pdf.

[30] Suptendra Nath Sarbadhikari and Jyotika Maggo Sood, "Gamification for Nurturing Healthy Habits," *The National Medical Journal of India* 31, no. 4 (July-August 2018): 253-254, doi: 10.4103/0970-258X.258236.

[31] Suptendra Nath Sarbadhikari, "Terminology Standards for Health Information Exchange in the Times of SARS-Cov2," *Supten's World* (blog), March 29, 2020, http://supten.blogspot.com/2020/03/terminology-standards-for-health.html.

[32] "Kharak Singh v. State of Uttar Pradesh," Supreme Court Observer, last accessed March 22, 2021, https://www.scobserver.in/court-in-review/right-to-privacy?slug=kharak-singh-v-state-of-uttar-pradesh.

[33] "Govind v. State of Madhya Pradesh and Another," Supreme Court Observer, last accessed March 22, 2021, https://www.scobserver.in/court-in-review/right-to-privacy?slug=govind-v-state-of-madhya-pradesh-and-another.

discussing personal details such as body habits, physical and sexual behaviors, and psychiatric records. The Medical Council of India (MCI) governs and supervises the medical profession in India, providing rules from time to time to govern the actions of medical practitioners. Physicians are mandated by the MCI's Code of Ethics Rules(2002) to maintain patient confidentiality, including their personal and domestic lives, unless the legislation demands it or there is a significant and defined danger to a single individual and/or society of notifiable disease.[34] Similarly, the ICMR's Ethical Guidelines for Biomedical Research on Human Subjects, published in 2006, contain detailed rules about the privacy of research subjects. On August 24, 2017, a nine-judge Supreme Court bench issued a unanimous decision in Justice K.S. Puttaswamy vs. Union of India and other related matters, affirming that each individual has a basic right to privacy under the Indian Constitution. Even though the verdict was unanimous, there were six separate concurring decisions. The judgment was authored by Justice Chandrachud, Justices Khehar and R.K. Agarwal, and Abdul Nazeer. Individual concurring judgments were written by the remaining five judges.[35]

Much is written and talked today about the growing degree of surveillance that permeates all aspects of our lives, with the consequent decline in personal privacy. As a fast-growing country, India must follow strict policies and regulations to protect the IT industry and the privacy of every person. Government agencies such as the NATGRID, the Central Monitoring System, etc., have been set up to monitor the Internet, mobile phones, private communications, as well as social media platforms. In terms of privacy, all of the contact-tracking and quarantine control applications gathered user data, such as identity, phone number, real-time location, and Bluetooth communications with other users of the application. Although the gathering of location data is vital to the mapping of disease-transmitting hotspots, privacy advocates are concerned that this data poses a risk to individual privacy and national security. The gathering of position data in South Korea and China has given rise to global questions about privacy and the possible misuse of data.[36] To overcome this, countries like Singapore and Argentina use monitoring software that only captures Bluetooth contact data to protect the privacy of users.[37] To ensure transparency, Singapore and Israel exchanged their application source code with researchers for an impartial audit.[38] In the absence of data protection legislation in India, Central and State governments need to resolve these privacy issues to build public confidence that will ensure the implementation of these applications on a scale.

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[34] Medical Council of India Code of Ethics Regulations, C. 7, S. 7.14.

[35] "Justice K.S. Puttaswamy v. Union of India," Supreme Court Observer, last accessed March 22, 2021, https://www.scobserver.in/court-in-review/right-to-privacy?slug=justice-k-s-puttaswamy-v-union-of-india.

[36] Helen Chan, "Pervasive Personal Data Collection at the Heart of South Korea's COVID-19 Success May Not Translate," *Thomson Reuters,* March 26, 2020, https://www.thomsonreuters.com/en-us/posts/news-and-media/south-korea-covid-19-data-privacy/.

[37] Tokunbo Salako and Natalie Huet, "Coronavirus Conundrum: COVID-19 Tracking Apps that Don't Breach Privacy," *Euronews,* April 10, 2020, https://www.euronews.com/2020/04/10/coronavirus-conundrum-covid-19-tracking-apps-that-don-t-breach-privacy.

[38] Simon Sharwood, "Singapore to Open-Source National Coronavirus Encounter-Tracing App and the Bluetooth Research Behind It," *The Register,* March 26, 2020, https://www.theregister.com/2020/03/26/singapore_tracetogether_coronavirus_encounter_tracing_app_lessons/.

The widespread use of mobile phone applications, such as the Aarogya Setu for contact tracing and quarantine, has been one of the focal points of the government's health response to COVID-19 in India. The applications have already received widespread criticism for inadequate user data protection. Despite the importance of mobile phone applications, India's long-running IDSP remains the primary method for gathering epidemiological data and conducting contact tracing. The importance of the IDSP is demonstrated by the fact that the Director of the National Centre for Disease Control (NCDC) recently claimed that it is the "main weapon" in the fight against COVID-19; and the MoHWF recently announced that approximately 9.45 lakh people are currently being tracked under the IDSP. Similarly, India's government and China's Asian Infrastructure Investment Bank (AIIB) have agreed to a $500 million "COVID-19 Emergency Response and Health Systems Preparedness Project," with a large portion of the funds going to the IDSP.[39] Given IDSP's size, scope, and central role in the government's response to COVID-19, as well as its collection of large swaths of sensitive personal data, legitimate privacy concerns may arise. These issues are particularly pertinent in light of the PDB Bill, which is currently being debated by a Joint Parliamentary Committee of the Indian Parliament and may soon be enacted.

India's Vision 2035: Surveillance of Public Health in India

Early identification is important to split the transmission chain and establish a resilient surveillance scheme. The National Institute for Transforming India (NITI Aayog) serves as a think tank and resource center or information hub that promotes cooperative federalism, develops policy and program frameworks, and directs the monitoring and assessment of national programs in India. In line with the focus of the Universal Health Coverage on meeting the Sustainable Development Goals by 2030, NITI focused on improving the delivery of health services through public and private sectors in a holistic way. Multiple stakeholder meetings were held to determine the goals for the basic building blocks of the New India Health System. NITI Aayog's vision paper on "Public Health Surveillance in India by 2035" articulates the vision and identifies the building blocks. It includes convergence, improved citizen-centered and community-based monitoring, enhanced laboratory capability, extended referral networks, and a centralized surveillance intelligence portal delivering data for decision-making and intervention.

Observations and Suggestions

Enhancing public health surveillance is a crucial feature of public health. This involves the prevention of illness and early warning signs of potential outbreaks or epidemics, all

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[39] See https://www.aiib.org/en/projects/details/2020/approved/India-COVID-19-Emergency-Response-and-Health-Systems-Preparedness-Project.html

of which are unique to the region or trigger a public-health emergency of international significance. Monitoring acute and chronic disease patterns and reacting to prompt and appropriate measures are essential monitoring roles. A priority was set for a health information system (2035 Vision document) that records population, environment, and facility-based data while also connecting clinicians, laboratories, and public health administrators to provide information to track disease burden, and support decision-making and resource distribution. The essential health package includes public health monitoring, analysis, and management of risks and threats to public health.

These technologies illustrate what Lawrence Lessig refers to as the law's "latent ambiguities" —namely ambiguities that force us to consider the consequences and impacts of new technologies, how to regulate them, and most importantly, to choose between conflicting values regarding the use of technologies (such as increased security versus decreased privacy).[40] Unfortunately, in India, the ambiguity appears to have been settled in favor of surveillance. Under the current regulatory regime, surveillance is either explicitly mandated or unregulated, and surveillance capabilities must be built into the architecture and design of public utilities and spaces such as the Internet and telephone networks, or even public roads and parks. Most of these regulations or mechanisms are framed without democratic debate, through executive mechanisms and private contracts with technology providers, without any public accountability and transparency.

The current technical plurality, in the absence of robust data sharing structures and central-state cooperation, may be counterproductive to technology-assisted communication tracing in a heterogeneous country like India- particularly as the lock-down ends and the free movement of people begins. Addressing this problem involves that the State and the Government of the Union must collaborate to ensure the mass implementation of a single-touch tracing application. State-specific software, on the other hand, will also be a critical medium for delivering context-specific knowledge and promoting municipal health services. Currently, an *ad hoc* administrative framework underpins the protection of personal data. With the increasing importance of IDSP, particularly in light of the current situation, it is critical to pass a comprehensive disease surveillance law that will allow for a robust and efficient program without jeopardizing the human right to privacy.

The European Regulation (EC) No 851/2004, creating a European Centre for Disease Prevention and Control, is an excellent example of effective disease surveillance. It is a legally binding treaty for all European Union countries. The law establishes the structures necessary to reinforce the defense against communicable diseases and to address public health threats in a coordinated and coherent manner. It creates an epidemiological surveillance network as well as a framework for scientific advice, assistance, and expertise from medical, scientific, and epidemiological experts. It also

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[40] Lawrence Lessig, *Code: And Other Laws of Cyberspace - Version 2.0*, 2nd ed. (New York, USA: Basic Books, 2006).

ensures transparency, confidentiality, and protection of personal data of individuals, "except for the information that must be made public if circumstances so require, to protect public health," among other provisions, to ensure effective data collection, analysis, and validation.

Bibliography

Ananth, Venkat. "Beyond Contact-Tracing, Aarogya Setu May Find Use in Policy Inputs." *The Economic Times*. April 10, 2020. https://economictimes.indiatimes.com/news/economy/policy/beyond-contact-tracing-aarogya-setu-may-find-use-in-policy-inputs/articleshow/75078678.cms.

Ananth, Venkat. "Government Requests Social Media Platforms to Promote Aarogya Setu." *The Economic Times*. April 10, 2020. https://economictimes.indiatimes.com/tech/software/government-requests-social-media-platforms-to-promote-aarogya-setu/articleshow/75080073.cms.

Chan, Helen. "Pervasive Personal Data Collection at the Heart of South Korea's COVID-19 Success May Not Translate." *Thomson Reuters*. March 26, 2020. https://www.thomsonreuters.com/en-us/posts/news-and-media/south-korea-covid-19-data-privacy/.

"COVID-19." Indian Council of Medical Research - Government of India. Last accessed May 1, 2020. https://www.icmr.gov.in/

"COVID-19 India." Ministry of Health and Family Welfare - Government of India. Last accessed May 1, 2020. https://www.mohfw.gov.in/.

Dalmia, Vijay Pal. "Data Protection Laws in India - Everything You Must Know." Mondaq. Last accessed March 23, 2021. https://www.mondaq.com/india/data-protection/655034/data-protection-laws-in-india--everything-you-must-know.

Dickson, Ben. "Why AI Might Be the Most Effective Weapon We Have to Fight COVID-19." *The Next Web*. March 21, 2020. https://thenextweb.com/news/why-ai-might-be-the-most-effective-weapon-we-have-to-fight-covid-19.

"Govind v. State of Madhya Pradesh and Another." Supreme Court Observer. Last accessed March 22, 2021. https://www.scobserver.in/court-in-review/right-to-privacy?slug=govind-v-state-of-madhya-pradesh-and-another.

HIMSS Media. "Roundup: Tech's Role in Tracking, Testing, Treating COVID-19." *Mobi Health News*. May 1, 2020. https://www.mobihealthnews.com/news/roundup-techs-role-tracking-testing-treating-covid-19.

HT Correspondent. "Callertunes Set to Coronavirus Advisories." *Hindustan Times*. March 8, 2020. https://www.hindustantimes.com/delhi-news/callertunes-set-to-coronavirus-advisories/story-47Jm2DuQC5C4t84i4kn2aJ.html.

"Information Related to Covid-19." All India Institute of Medical Sciences - New Delhi. Last accessed May 1, 2020. https://www.aiims.edu/en/component/%20content/arti%20cle/79%E2%80%90about%E2%80%90aiims/10405%E2%80%90information%E2%80%90rel%20ated%E2%80%90to%E2%80%90covid%E2%80%9019.%20html.

"Integrated Disease Surveillance Programme." Ministry of Health and Family Welfare - Government of India. Last accessed October 10, 2020. https://www.idsp.nic.in/.

"Justice K.S. Puttaswamy v. Union of India." Supreme Court Observer. Last accessed March 22, 2021. https://www.scobserver.in/court-in-review/right-to-privacy?slug=justice-k-s-puttaswamy-v-union-of-india.

"Kharak Singh v. State of Uttar Pradesh." Supreme Court Observer. Last accessed March 22, 2021. https://www.scobserver.in/court-in-review/right-to-privacy?slug=kharak-singh-v-state-of-uttar-pradesh.

Lessig, Lawrence. *Code: And Other Laws of Cyberspace - Version 2.0*. 2nd ed. New York, USA: Basic Books, 2006.

Limaye, Rupali Jayant, Molly Sauer, Joseph Ali, Justin Bernstein, Brian Wahl, Anne Barnhill, and Alain Labrique. "Building Trust While Influencing Online COVID-19 Content in the Social Media World." *The Lancet Digital Health* 2, no. 6 (June 2020): e277-e278. doi: https://doi.org/10.1016/S2589-7500(20)30084-4.

Meskó, Bertalan, and Pranavsingh Dhunnoo. "Digital Health and the Fight Against the COVID-19 Pandemic – The Medical Futurist Handbook." *The Medical Futurist*. April 2020. https://www.matrc.org/wp-content/uploads/2020/04/Digital-Health-and-COVID19.pdf.

Narasimhan, T.E. "Stay Home, Stay Safe: Brands Try to Convey Message of Optimism Amid Crisis." *Business Standard*. March 30, 2020. https://www.business-standard.com/article/companies/stay-home-stay-safe-brands-try-to-convey-message-of-optimism-amid-crisis-120033001772_1.html.

Press Trust of India. "Maharashtra Govt Launches Online Self-Assessment Tool to Better Identify, Assist Covid-19 Patients." *India Today.* April 3, 2020. https://www.indiatoday.in/india/story/maharashtra-govt-launches-online-self-assessment-tool-to-better-identify-assist-covid-19-patients-1662766-2020-04-03.

Salako, Tokunbo, and Natalie Huet. "Coronavirus Conundrum: COVID-19 Tracking Apps that Don't Breach Privacy." *Euronews.* April 10, 2020. https://www.euronews.com/2020/04/10/coronavirus-conundrum-covid-19-tracking-apps-that-don-t-breach-privacy.

Sarbadhikari, Suptendra Nath. "Digital Health in India – As Envisaged by the National Health Policy (2017)." *BLDE University Journal of Health Sciences* 4, no.1 (January-June 2019): 1-6.

Sarbadhikari, Suptendra Nath. "Terminology Standards for Health Information Exchange in the Times of SARS-Cov2." *Supten's World* (blog). March 29, 2020. http://supten.blogspot.com/2020/03/terminology-standards-for-health.html.

Sarbadhikari, Suptendra Nath, and Jyotika Maggo Sood. "Gamification for Nurturing Healthy Habits." *The National Medical Journal of India* 31, no. 4 (July-August 2018): 253-254. doi: 10.4103/0970-258X.258236.

Sharwood, Simon. "Singapore to Open-Source National Coronavirus Encounter-Tracing App and the Bluetooth Research Behind It." *The Register.* March 26, 2020. https://www.theregister.com/2020/03/26/singapore_trace together_coronavirus_encounter_tracing_app_lessons/.

"SMAART RapidTracker: a Global Policy Informatics Tool to Track COVID-19 Outbreak." Ashish Joshi. Last accessed May 1, 2020. https://www.smaartrapidtracker.org/.

"Telemedicine Practice Guidelines: Enabling Registered Medical Practitioners to Provide Healthcare Using Telemedicine." Ministry of Health and Family Welfare - Government of India. Last accessed April 12, 2020. https://www.mohfw.gov.in/pdf/Telemedicine.pdf.

"Telemedicine Practice Guidelines for Ayurveda, Siddha and Unani Practitioners." Central Council of Indian Medicine - Government of India. Last accessed May 1, 2020. https://www.ayush.gov.in/docs/CCIM_Tele medicine_Guidelines.pdf.

"Telemedicine Practice Guidelines for Homoeopathic Practitioners." Central Council of Homoeopathy - Government of India. Last accessed May 1, 2020. https://www.ayush.gov.in/docs/126.pdf.

"UN Declaration of Human Rights (1948)." University of Minnesota – Human Rights Library. Last accessed March 23, 2021. http://hrlibrary.umn.edu/instree/b1udhr.htm.

"WHO Updates COVID-19 Dashboard with Better Data Visualization." World Health Organization. Last accessed May 1, 2020. https://www.who.int/news-room/feature-stories/detail/who-updates-covid-19-dashboard-with-better -data-visualization.

SARS-CoV-2 Was Not A Strategic Surprise and the Belgian Intelligence Services Should Not Be Blamed

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Abstract

In June 2020, the French-speaking journal La Libre Belgique published a carte blanche *(opinion) entitled "Why the Intelligence Services Failed to Warn of the Coronavirus". Its main argument was that a new non-traditional security (NTS) threat appeared in Wuhan, China, in the end of 2019 and that the intelligence services did fail collectively. In the first half of 2020, economic experts explained that SARS-CoV-2 was a so-called "black swan"—an unpredictable event. In this paper, we will develop four elements in response to these assertions: (1) The current security environment is much more complex than that of previous generations. As a result, the security agenda now encompasses a larger number of actors and a wide and varied range of threats; (2) The COVID-19 health crisis was certainly surprising in its speed and scale but that was not unexpected; (3) The resources that Belgium currently has to deal with this type of situation; (4) Finally, we will identify possible areas for improvement and/or adaptive measures.*

Introduction

At the beginning of the pandemic, some economic experts explained that SARS-CoV-2 (coronavirus or COVID-19) was a so-called black swan —an unpredictable or unforeseen event, typically one with extreme and unexpected consequences. In June 2020, the French-language journal *La Libre Belgique* published a *carte blanche* (opinion paper)

entitled "Why the Intelligence Services Failed to Warn of the Coronavirus."[1] Its main argument was that a new non-traditional security (NTS) threat appeared in Wuhan, China, at the end of 2019, and that the intelligence services failed collectively. Since then, numerous publications have appeared on the coronavirus crisis; but the media effectively relay very few of them in efforts to identify the true shortfalls and (some) incorrect interpretations.

Faced with a threat that seems unpredictable and inexplicable, the reflex is nevertheless understandable. We cannot resist relaying here the words of a colleague from the Belgian General Intelligence and Security Service:

> Faced with the unknown, the uncontrollable, a mysterious pandemic from the far reaches of the secret East; it is human nature to see the average citizen, but also the authorities, looking for answers at all costs and immediately. The scientific world was not able to provide answers to all the questions at first. The hope that the incomprehensible can be explained by the 'mysterious' and the fantasied 'omniscient', in this case the intelligence services, is a psychological reflex similar to superstition.[2]

Certainly, SARS-CoV-2 was a new coronavirus, but an in-depth analysis of the research and academic publications performed in the past 20 years demonstrates that our security environment has not changed to the extent some have portrayed. Indeed, since the fall of the Berlin Wall, the concept of security has significantly changed, as have the threats humanity may now face. These changes have led our intelligence services to adapt to the newly induced situations. Yet it would be highly presumptuous to assume that they are always the best placed to confront global challenges. An example in point is climate change: in Belgium, scientific and academic experts have long been involved in the efforts of the Intergovernmental Panel on Climate Change (IPCC). Not only are the Belgian intelligence services not mandated to monitor this meta-threat (on this subject, see the third element below), but these experts have now acquired world-renowned expertise on the subject, as can be seen by the role played by Jean-Pascal van Ypersele de Strihou as former vice-president of the IPCC.

First, today's security environment is much more complex than that of previous generations. Consequently, and gradually, the new concept of human security has therefore supplemented the traditional concept of security focused on the sovereign functions of the state. As noted in the United Nations (UN) General Assembly resolution 66/290, "human

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[1] Saber Jeddi, "Pourquoi les Services de Renseignements Ont Échoué à Présager le Coronavirus?" *La Libre Belgique*, May 26, 2020, https://www.lalibre.be/debats/opinions/les-services-de-renseignements-ont-echoue-a-presager-le-coronavirus-5ecbfb30d8ad581c5437f7ed#.Xs0WkJEGTrw.
[2] Personal interview.

security is an approach to assist Member States in identifying and addressing widespread and cross-cutting challenges to the survival, livelihood and dignity of their people." It calls for "people-centred, comprehensive, context-specific and prevention-oriented responses that strengthen the protection and empowerment of all people."[3]

This evolution, moving from a state-centered to a people-centered system, is linked to what Dan Caldwell and Robert E. Williams Jr. have called extending the security agenda, as subjects of this agenda have grown: no longer limited to states as conceived in the Westphalian system, but also encompassing international organizations, multinationals, individuals and citizens.[4] The old paradigm has thus evolved into a new paradigm of security, which has extended the subjects thereof. As new subjects were considered, the security agenda was also *de facto* broadened in order to take into account new threats. Some may argue that many risks do exist and that not all of them transform themselves into security threats through the process of securitization. Apart from the traditional security threats, new threats did however emerge in a variety of sectors. This brand-new concept, first highlighted in the 1994 Human Development Report,[5] was nicknamed "Human Security": "The idea of human security shifts the emphasis from the traditional security focus on national interest to securing the well-being of individuals."[6]

This new paradigm of human security combines a multi-sectoral approach while taking into account three main approaches. Traditionally, this multi-sectoral approach limits itself to seven different sectors as displayed by the UN Office on Drugs and Crime in 2004.[7] However, these realms of human security are now evolving, as new NTS threats are being taken into account. Even before climate change became a hot topic, issues such as energy security or water security emerged as issues of concern.

When we couple the three approaches with the seven security sectors and the traditional and/or emerging threats, the new paradigm shows its full complexity and scope. The table below allows one to quickly identify the different threats faced by the seven sectors and to visualise how much more varied the threats are now when we take into account this new paradigm.

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[3] "What Is Human Security," United Nations Trust Fund for Human Security, last accessed April 28, 2021, https://www.un.org/humansecurity/what-is-human-security/.

[4] Dan Caldwell and Robert E. Williams Jr., *Seeking Security in an Insecure World*, 3rd ed. (London, UK: Rowman & Littlefield, 2016), 1 – 19.

[5] The idea of human security has been previously discussed by the *Club of Rome* in the '70s; the *Willy Brandt* and *Olof Palme* Commissions; and during the '90s when the thematic of *Global governance* was addressed.

[6] Sandra J. MacLean, "Human Security as 'Freedom from Want': Inequities and Health in South Africa," *Policy and Society* 24, no. 1 (December 2005): 48, doi: 10.1016/S1449-4035(05)70049-7.

[7] Jan Van Dijk, "Human Security: A New Agenda for Integrated, Global Action," United Nations Office on Drugs and Crime, last modified April 2, 2004, https://www.unodc.org/unodc/en/about-unodc/speeches/speech_2004-04-01_1.html.

		HUMAN SECURITY	
Approach	**Security Sector**	**Threats**	
		Traditional	**NTS**
Freedom from want	Economic Security	Terrorism, espionage, subversion, sabotage, and organized crime (TESSOC)	Cyber Demography Fake News Hybrid threats Transnational Organized Crime (TOC) Energy Security(*) Water Security(*)
Freedom from want	Food Security	Biological & chemical agents	Cyber Demography Energy Security Pandemics Water Security(*)
Freedom from want	Health Security	Biological & chemical agents TESSOC	Cyber Pandemics and diseases Energy Security(*) Water Security(*)
Freedom from want	Environmental Security	Release Other Than Attack TESSOC	Climate Change Cyber Energy Security(*) Environmental events Water Security(*)
Freedom from fear	Personal Security	Conflicts Weapons of Mass Destruction (WMD) TESSOC	Cyber TOC
Freedom from fear	Community Security	Conflicts Civil wars TESSOC	Demography Migrations Fake news Hybrid threats
Freedom to live in dignity	Political Security	Conflicts Civil wars TESSOC	Cyber Fake news Hybrid threats

(*) These concepts could be considered as security sub-sectors. However, they are themselves threats to the sectors mentioned in the table.

The above list of threats is far from exhaustive. One could mention other major risks to this sectoral approach: persistent poverty and unemployment (which could have an impact on economic security), food security (hunger and famine), health security (lack of access to basic health care), political security (political repression or human rights abuses), etc. In fact, the international community has already identified the vast majority of these risks. It is because of all these systemic risks to human security that the UN put

forth its Millennium Development Goals, which were later replaced and further-developed by the Sustainable Development Goals (SDGs).[8]

Figure 1: *United Nations Sustainable Development Goals. Credit: United Nations.*

From these elements, we can conclude that the concept of human security has served as a basis for the establishment of the 17 SDGs proposed by the UN. These are objectives that the Member States have dully validated, and for which they submit an annual report on the national translation thereof.[9] Assuming that these systemic risks have been discussed and agreed upon within the UN General Assembly, we can say that the concept of health security is *de facto* known and accepted worldwide. Of course, some could argue that it is still a very ambiguous concept. Although experts continue to debate around the term itself, it is clear that the risks and threats underlying this security concept 2.0 are commonly accepted.

The second question that comes to mind is whether the pandemic as a NTS threat was indeed a black swan. During the first half of 2020, economic subject-matter experts (SMEs) explained that the coronavirus was a black swan or an unpredictable event. The use of this concept was at that time so intensive that Nassim Nicholas Taleb, the inventor

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[8] 17 SDGs were adapted in 2015 in the context of the "2030 Agenda for Sustainable Development." See "The 17 Goals," United Nations: Department of Economic and Social Affairs, last accessed May 27, 2020, https://sdgs.un.org/goals.

[9] You are able to check the SDGs in relation to Belgium. See "Belgium SDG Country Profile," United Nations: Department of Economic and Social Affairs, last accessed June 20, 2021, https://country-profiles.unstatshub.org/bel

of the black swan theory, went out of his way to denounce the misinterpretation of his theory. His main argument was that, notwithstanding the fact that the SARS-CoV-2 virus itself was unpredictable, experts were well aware of the pandemic threat. The question was therefore not whether a pandemic would occur, but where and when it would start.[10]

Since the beginning of the 21st century, health security and the pandemic risks have been unambiguously mentioned on numerous occasions. Examples thereof include a 2004 estimative report from the National Intelligence Council (operating under the United States Office of the Director of National Intelligence), which was followed by numerous additional warnings written by the United States intelligence community;[11] their French transposition in the book written in 2005 by Alexandre Adler and entitled *Le Rapport de la CIA: Comment Sera le Monde en 2020?* or the French *Livres Blancs sur la Défense et la Sécurité Nationale*, published in 2008 and 2013 respectively.[12] One also ought to mention Margaret Chan, Director-General of the World Health Organization (WHO), who aptly discussed in 2017 the need for "[a]dequate global health security means [to combat] for a severe disease that spreads via the airborne route, or can be transmitted during the incubation period when infected people look and feel well enough to travel."[13]At the global level, the first alerts concerning this type of threat were constituted by the severe acute respiratory syndrome coronavirus (the so-called SARS-syndrome caused by the SARS-CoV-1 virus) in 2002 – 2003, the influenza A virus subtype H1N1 in 2009 (the so-called 2009 swine flu pandemic), and the Middle East respiratory syndrome (the so-called MERS-syndrome, also known as the camel flu or MERS-CoV) in 2012.

Since the beginning of the SARS-CoV-2 pandemic, numerous articles have been published on the pandemic. Sonia Shah explained in a masterly way that zoonosis had in fact appeared since the Neolithic Revolution: as soon as humans appropriated wild areas to extend cultivated land or domesticated animals —meaning that the risk of transmission of a pathogen increased.[14] Since then, experts have routinely mentioned that this pandemic would not be the last and that the pressure humanity puts on the environment increases the risks of encountering new viruses.

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[10] Other important issues are the speed of spread, the size of the pandemic (regional/global), the degree of contagiousness of the new virus, and its ability to mutate rapidly.

[11] Ana Maria Lankford, Derrick Storzieri, and Joseph Fitsanakis, "Spies and the Virus: the COVID-19 Pandemic and Intelligence Communication in the United States," *Frontiers in Communication* 5, no. 582245 (December 2020), doi: https://doi.org/10.3389/fcomm.2020.582245

[12] Clément Renault, "Les Services de Renseignement Face au Risque Sanitaire," *Institut de Recherche Stratégique de l'Ecole Militaire - Brève Stratégique 5*, May 7, 2020, https://www.irsem.fr/publications-de-l-irsem/breves-strategiques/breve-strategique-n-5-2020.html

[13] Margaret Chan, "Ten Years in Public Health 2007 – 2017," *World Health Organization*, April 13, 2017, https://apps.who.int/iris/bitstream/handle/10665/255355/9789241512442-eng.pdf?sequence=1

[14] Sonia Shah, "Contre les Pandémies, l'Écologie," *Le Monde Diplomatique*, no. 792 (March 2020): 21.

From the above elements, we can conclude that the threat posed by pandemics was in no case a strategic surprise or a black swan. The risk was known and described, the first warnings had already been serious; what might have been missing was global anticipation and strategic foresight.

The third question to be considered is whether Belgian intelligence could have warned the country in advance. Had that been so, the Belgian executive power would potentially have had time to take the necessary preventive actions. This question requires a complex answer. We have already discussed the first element, namely that intelligence services are most of the time dealing with traditional security threats. As Clément Renault has suggested, the main effort lies in the hands of other services.[15] Secondly, we have seen that the pandemic was in no case a strategic surprise or black swan, given that such an event was predicted and foreseen by experts, as well as by intelligence services.

In Belgium, a law regulates the competences of both intelligence services: the State Security, and the General Intelligence and Security Service. The Act of 30 November 1998 (as amended in 2017) has set out the responsibilities of both the civilian and military intelligence services:

1. The State Security (*Veiligheid van de Staat – Sûreté de l'Etat or VSSE*) operates under the Minister of Justice and is responsible "for the collection and analysis of information that reveals a threat to the continued existence of the democratic, constitutional and welfare state and to the scientific and economic potential of the State, and informing the government thereof."[16] (Art 7. 1° L.R&S / W.I&V).

2. The General Intelligence and Security Service (*Algemene Dienst Inlichting en Veiligheid – Service Général du Renseignement et de la Sécurité or ADIV – SGRS*), operating under the Minister of Defence, is responsible for "the collection analysis and processing of intelligence relating to any activities that threatens or could threaten the inviolability of the national territory, the military defense plans, the performance of the roles of the armed forces, or the security of Belgian nationals abroad." (Art 11 §1er 1. L.R&S / W.I&V).[17]

Based on this legislative framework, the two Belgian intelligence services do not have *stricto sensu* the task of studying health security and/or keeping a strategic watch on these issues. On the other hand, we could argue that one of the tasks of the General

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[15] Renault, "Les Services de Renseignement."

[16] "What Do Intelligence and Security Services Stand for?" Belgian Standing Intelligence Agencies Review Committee, last accessed May 4, 2020, https://www.comiteri.be/index.php/en/39-pages-gb/305-what-do-intelligence-and-security-services-stand-for.

[17] "Security Services Stand for?" Belgian Standing Intelligence.

Intelligence and Security Service is to ensure the security of Belgian nationals abroad, including members of the Belgian armed forces when deployed abroad. In practice, a range of actors do already perform some degree of strategic oversight in Belgium:

- The defense attachés, or occasionally the security attachés in the absence of the defense attachés, are responsible for updating the security guidelines (including health aspects) for the different diplomatic posts.
- The Belgian Medical Component (ComopsMed) has a small cell dealing with medical intelligence, monitoring the sanitary risks for Belgian troops abroad. Its Travel Clinic and specialized military doctors actively collaborate with the renowned Institute of Tropical Medicine of Antwerp.
- Belgian Defense can also count on the cooperation of the German Armed Forces (*Bundeswehr*) for sanitary and medical information.
- The Defence Laboratories (*Defensielaboratoria – Laboratoires de la Défense*) in Peutie are responsible for threats such as chemical, biological, radiological and nuclear agents (the so-called CBRN threats), as well as threats involving petroleum and textile products. In the case of biological agent alerts, their skills (e.g. sampling and analysis) are highly valued by the civilian authorities.
- The Federal Public Service (FPS) Public Health plays a central role in the establishment of management plans at the national level, as sanitary risks with an international scope require a coordinated approach in the Belgian federal system with no less than nine ministers with health competencies.
- The National Crisis Centre (*National Crisiscentrum - Centre de Crise National* or NCCN), falling under the FPS Interior, is responsible for emergency planning and crisis management. In the current security climate and with more and more new and different risks, the NCCN has a major role to play.

We are therefore dealing with different services, each with its own skills and expertise. In light of the current health crisis, there is no doubt that the responsibilities of each actor and/or the cooperation between the different services could be analyzed in depth in order to mutually reinforce their effects.

This being said, one should not underestimate the role of guidance that the National Security Council (NSC) must play. As Belgium enters the process of drafting its first-ever national security strategy (NSS) at the request of our Prime Minister's office, health security will need to be considered as part of a security strategy that should not be limited to the state's sovereign functions, but should encompass all sectors of human security. Once published, the Belgian NSC could take the opportunity to task both intelligence services to organize the strategic watch on health security matters. The current legislation (Art 7. 1° and Art 11 §1er 1.f L.R&S / W.I&V) does indeed state that both services could be tasked with "any other fundamental interest of the country defined by

the King on the proposal of the [National Security Council]." In practice, this means that both the VSSE and ADIV/SGRS could be requested to do so by means of the publication of a Royal Decree. However, as Clément Renault said, intelligence services are secondary actors in this field of expertise.[18]

The final and fourth question could be summarized as: "What is the next step? Which actions do we undertake to circumvent this risk?". The first element to take into account is that Belgium is a member of a worldwide organization dealing with health security, namely the WHO. The Constitution of the WHO, which entered into force on 07 April 1948 (today's World Health Day), stipulates risks to global health security:

> (g) to stimulate and advance work to eradicate epidemic, endemic and other diseases [...]; (j) to promote co-operation among scientific and professional groups which contribute to the advancement of health [...]; (q) to provide information, counsel and assistance in the field of health [...]; (s) to establish and revise as necessary international nomenclatures of diseases, of causes of death and of public health practices. [19]

Even though the administration of the United States President Donald J. Trump criticized the WHO during the pandemic, it should be recalled that the WHO did succeed in circumventing the effects of, for instance, outbreaks of plague and Marburg virus disease, and in helping lead major cholera and yellow fever vaccination campaigns. While it is true that we have a right to expect that the WHO will take into account the criticisms that have been made, and restructure itself based on the lessons identified during its handling of the COVID-19 pandemic, an internal reorganization alone will not be enough. The objective of Member States must indeed remain to have an effective international organization, one that can strengthen the global fight against future pandemics and large-scale outbreaks. Therefore, states should also act accordingly by increasing the resources available to the WHO (its current budget is equivalent to the yearly budget of one of the hospitals in Geneva, Switzerland, for a range of missions which is absolutely out of scope compared with such a hospital).

At the European level, the COVID-19 crisis has also demonstrated the need to rethink the way European states manage public health. Belgium's current management method, which is purely national, initially prevented the European Union (EU) from intervening. Historically, the European project was set up to ensure an area of peace and prosperity

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[18] Renault, "Les Services de Renseignement."
[19] "Constitution of the World Health Organization," World Health Organization, last accessed May 7, 2020, https://www.who.int/publications/m/item/constitution-of-the-world-health-organization

in Europe. Based on the principle of subsidiarity (which means that, except in the areas where it has exclusive powers, the EU only acts where action will be more effective at its level than at national level), Member States could transfer part of their competences in terms of public health. Apart from administering the European Medicines Agency, the EU could well be given other responsibilities in terms of health safety, given that the transfer of competences to the supranational level has proved to be a true game changer in other areas in the past.

At the national level, the lessons are threefold: to put in place a strategic security culture, to review and clarify the competences of each person, and to allocate the necessary means to exercise these competences. For security-minded persons, these three lines of effort will seem like common sense. However, it appears that good fundamentals are mandatory in order to consider any further development.

The first step towards implementing a strategic culture is already a work in progress, as the first proposals for a Belgian NSS have been drafted.[20] Rome was not made in a day, but the process has started for the very first time in Belgium as mentalities are —finally, some would say— ripe for in-depth reflection. Based on this NSS, the Belgian NSC will have the opportunity to commission the Belgian intelligence community to monitor health security risks. Does this mean that the two Belgian Intelligence Services will be the only ones involved? The answer is no, because this first NSS is meant to replace the traditional security paradigm with the human security concept. This implies that health security will become a collective responsibility of all partners who can provide added value. In this particular area of expertise, it goes without saying that both intelligence services will therefore be supporting units instead of leading or supported units. Strategic oversight and medical intelligence will therefore be shared by the SMEs capable of monitoring health security threats:

- FPS Public Health will offer the main point of contact, providing Public Health Liaison Officers to the *ad-hoc* national embassies as needed.
- Renowned Belgian scientists, epidemiologists or specialists in infectious or tropical diseases could either pursue common efforts in their own laboratories or be detached as SMEs to Sciensano, the Belgian research institution responsible for, amongst other tasks, health and disease monitoring, or to the FPS Public Health (this step would however mean that the monitoring phase is largely over).
- The NCCN will focus on the overarching architecture, offering their expertise and capabilities to liaise between the various partners. Recurrent situational points (the frequency thereof depending on the risk assessment) would take

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[20] Sven Biscop and Nina Wilén, "What Belgium Can Do: Proposals for the National Security Strategy," *Egmont Institute Security Policy Brief*, no.143 (April 2021): 1-8.

places, allowing the various partners to meet frequently. The importance of face-to-face contact for a constructive and healthy climate based on trust and mutual respect then becomes paramount in an acute crisis phase. Should such a crisis occur, the reflex to consult each other would then become natural, as the different experts got to know each other.

▫ Both intelligence services would provide the global picture, as directed by the Belgian NSC in the annual national security plan. Their analytical skills, dedicated transmission systems, and networks would be beneficial to the health security specialists. Their expertise and capabilities would also be crucial in the fight against disinformation and fake news, as the current crisis has clearly demonstrated.

All partners have an interest in developing some level of medical intelligence expertise, but it would require allocating the necessary means. If duplication of efforts is to be avoided, having access to sufficient staff and funding remains paramount. Too often in the past, priorities of the moment have dictated the allotment of resources, while promises made at the peak of a crisis were slow to materialize afterwards. One need only to recall the massive reorientation of the intelligence services towards terrorist threats, with the head of the VSSE publicly acknowledging that certain missions were no longer being carried out. Prevention is healing and the ongoing COVID-19 crisis has shown us again that good anticipation (foresight and risk management) ultimately cost much less than crisis management.

Bibliography

Biscop, Sven and Nina Wilén. "What Belgium Can Do: Proposals for the National Security Strategy." *Egmont Institute Security Policy Brief*, no.143 (April 2021): 1-8.

Caldwell, Dan and Robert E. Williams Jr. *Seeking Security in an Insecure World*, 3rd ed. London, UK: Rowman & Littlefield, 2016.

Chan, Margaret. "Ten Years in Public Health 2007 – 2017." *World Health Organization*. April 13, 2017. https://apps.who.int/iris/bitstream/handle/10665/255355/9789241512442-eng.pdf?sequence=1.

"Constitution of the World Health Organization." World Health Organization. Last accessed May 7, 2020. https://www.who.int/publications/m/item/constitution-of-the-world-health-organization.

Jeddi, Saber. "Pourquoi les Services de Renseignements Ont Échoué à Présager le Coronavirus?" *La Libre Belgique*. May 26, 2020. https://www.lalibre.be/debats/opinions/les-services-de-renseignements-ont-echoue-a-presager-le-coronavirus-5ecbfb30d8ad581c5437f7ed#.Xs0WkJEGTrw.

Lankford, Ana Maria, Derrick Storzieri, and Joseph Fitsanakis. "Spies and the Virus: the COVID-19 Pandemic and Intelligence Communication in the United States." *Frontiers in Communication* 5, no. 582245 (December 2020). doi: https://doi.org/10.3389/fcomm.2020.582245.

MacLean, Sandra J. "Human Security as 'Freedom from Want': Inequities and Health in South Africa." *Policy and Society* 24, no. 1 (December 2005): 48-72. doi: 10.1016/S1449-4035(05)70049-7.

Renault, Clément. "Les Services de Renseignement Face au Risque Sanitaire." *Institut de Recherche Stratégique de l'Ecole Militaire - Brève Stratégique 5*. May 7, 2020. https://www.irsem.fr/publications-de-l-irsem/breves-strategiques/breve-strategique-n-5-2020.html.

Shah, Sonia. "Contre les Pandémies, l'Écologie." *Le Monde Diplomatique*, no. 792 (March 2020): 21.

Van Dijk, Jan. "Human Security: A New Agenda for Integrated, Global Action." United Nations Office on Drugs and Crime. Last modified April 2, 2004. https://www.unodc.org/unodc/en/about-unodc/speeches/speech_2004-04-01_1.html.

"What Do Intelligence and Security Services Stand for?" Belgian Standing Intelligence Agencies Review Committee. Last accessed May 4, 2020. https://www.comiteri.be/index.php/en/39-pages-gb/305-what-do-intelligence-and-security-services-stand-for.

"What Is Human Security." United Nations Trust Fund for Human Security. Last accessed April 28, 2021. https://www.un.org/humansecurity/what-is-human-security/.

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