

NATIONAL INTELLIGENCE SERVICE AND INTELLIGENCE REFORM: WHAT GOES WRONG AND WHAT SHOULD BE DONE TO GET IT RIGHT

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The tensions between intelligence and democracy can never be entirely resolved.¹ In new and relatively new democracies like Greece, the relationship between the state, the intelligence organisations and democracy appears to be delicate. Areas such as the interagency cooperation, the oversight mechanisms of the state, the role of the police and the military appear to be quite subtle. This paper will discuss the reforms that have taken place in the Greek Intelligence Community (KYP, NIS), their effectiveness and will give some suggestions for better reform. It will be shown that the Greek Intelligence Community is ineffective and needs further reform.

The need to reorganise the intelligence community has gained great momentum the past years.² The main questions that need to be answered before starting the analysis on Greece are: how intelligence services democratize in (relatively) new democracies and what is intelligence reform? Democratization can mean the enactment of laws for better oversight and control over intelligence yet, reform is directed towards essential changes in the organizational structures, culture and practises sectors. According to Herman, the intelligence communities (ICs) established and expanded during the Cold War have obtained all the characteristics of a large Weberian bureaucracy.³ Bureaucracies reform mainly after a failure and they focus on establishing new units, hiring more personnel and “fighting for a share over budget.”⁴

In 1953, the KYP was “created according to Western standards as a self-standing agency being subject to the Prime Minister and having the country’s national security as its mission.”⁵ The Greek IC applied illegal practises during the dictatorship years (1967-1974). Until the restoration of democracy in 1974, communism was the main concern of KYP. However, due to the assassination of, Richard Welch, the CIA chief of Station in Athens in 1975, KYP changed its priorities on focusing on terrorism as a primary threat.⁶

In the 1980s, the Socialist government decided to assign political party members as KYP staff resulting in the political patronage of KYP that persists until the present.⁷ Pavlos Apostolidis, the Director of the NIS from 1999-2004 has stated that officers are interested in working for the NIS because of the advantages offered by the service, such as favourable working hours and good pay. The main deficiency is that the NIS rewards officers who are faithful to a political party or a minister. This has bad consequences for the service as it rarely gets valuable, qualified personnel. Furthermore, the tenure of officers in the NIS is for a specific period of time, resulting in the loss of personnel, which, although unqualified at the beginning, has managed to build experience.⁸ Most of the reforms therefore, are limited due to the nepotism legacy.

In 1986, KYP was reformed and renamed National Intelligence Service (NIS-EYP). The period of time between the fall of the dictatorship in 1975 and the first effort to reform the KYP is worth noting. It is remarkable that it took the Greek government eleven years after its transition to democracy to actually realize that its IC required reform. NIS-EYP remained an all-purpose intelligence service focusing on both internal (counterespionage, counterterrorism) and external (political, military) threats.⁹ This single all-purpose status of the NIS needs further exploration to determine whether it is effective, or if there is need for the creation of specific branches. Reform to the NIS came about also due to specific failures. Firstly, NIS lost face in the international arena, owing to the Öcalan Affair. Also, on June 8, 2000, a British Defence attaché in Greece, Stephen Saunders, was assassinated by members of the 17 November terrorist group.¹⁰

The NIS was reformed in 2001 owing to the aforementioned failures. However, “restructuring an IC by creating new agencies and sub-organisations is popular as a political solution to the problem, it allows politicians to demonstrate that action has been taken, but it does not necessarily translate into better and more effective national intelligence.”¹¹ As Samuel Huntington has argued a “blitzkrieg” approach to reform is inherently flawed. By attempting widespread reforms simultaneously, a regime tends to coalesce in opposition to the changes.¹² In Greece, conflicts among the political parties regarding intelligence reform are vivid and nepotism is an existing component in the IC that reduces the service’s quality. The opposition parties are not fond of a fundamental and broad reform strategy as it may not correspond to their interests. The broad expansion of an IC can create even more trade-offs. As Posner argues, the creation of a new branch within an IC “can trigger turf wars with the existing units, intense antagonism for a share of the intelligence budget and demoralisation of agencies that have been demoted by the insertion of the new layer.”¹³

The main reform had to do with the transfer of the NIS to the Ministry of Public Order instead of being under the Prime Minister as it was previously. This single step did not help the NIS to be productive. To the contrary, the transferring of responsibilities resulted in NIS dependence on the Greek Police. The competition between the NIS and the Antiterrorist Branch of the Police had emerged when the need to share a low budget had increased.¹⁴ In 2002, the Presidential decree 255/2002 gave the NIS more responsibilities in order to upgrade its role. The NIS was now in charge of dealing with organised crime, illegal immigration and drug trafficking; responsibilities which were under the Greek Police authority.¹⁵ The NIS’s electronic surveillance capability was also strengthened. The civilian personnel were increased in order to reduce the military and police presence. One of the most important steps taken was that the NIS became accountable to the Greek Parliament from the moment the Decree was put into force. The civilian head of the Service, the Public Order Minister, is required to submit a report annually on the NIS activities to the Greek Parliament.¹⁶ The purpose of this reform was to boost the institutional model of the NIS in a democratic framework, that of accountability.

Democratic control of intelligence is an important feature that shows the levels of democracy in each state. Democratic control includes two parts: direction and oversight.¹⁷ Democratic control can be established through the executive, the legislative and the judicial branches. If not checked by the legislative branch, the executive branch may use the intelligence community for non-democratic purposes.¹⁸ This happens with the Greek case. On the grounds of national security and in accordance with the rule of law, there is no legislation, which requires executive handling. The reforms on control and oversight appear to be insufficient since legacies linked to the dictatorship period influence the Greek IC.

The aforementioned reforms include both pros and cons for the NIS. The reinforcement of the electronic surveillance capacity of the NIS is undoubtedly beneficial. Yet, the centralisation of powers in one single service creates trade-offs.¹⁹ Although the decrease of the Police power by broadening the NIS agenda can be considered as a reasonable reform, this broadening per se is unproductive in the absence of valuable personnel. Moreover, it is a gigantic and difficult step to create an all-source, single service that deals with all national threats, internal and external, when it has been proved to be problematic in the past. Here is where the debate of centralisation and decentralisation of the ICs comes into the discussion.

Two more failures exposed the NIS's ineffectiveness and pointed to the necessity to reform; the 'Pakistani Affair' in 2005 and the 'telephone tapping case' in 2004/5. A reform bill was drafted and submitted to the government in response to the aforementioned failures in 2005. The bill included the creation of sub-organisations for organised crime, the establishment of a training Directorate, the foundation of a special unit aiming on combating cyber-attacks and the creation of a mini-national Security Council. Moreover, emphasis was put on the construction of a modern website and the need for collaboration by exchanging information with other services, the application of stricter rules for whistle-blowers and for the first time, reference was made to the need for cooperation with universities and research institutes in Greece and abroad.²⁰

The creation of new organisations and sub-organisations as keys to reform were apparent. As happened in the US, the NIS tried to adopt a similar strategy of reform believing that this is the best way to operate. The last suggestion on the need to cooperate with scientific institutions is fundamental yet, unaccomplished. NIS has fallen far behind in establishing an intelligence discipline through which the public can get informed on its activities and on the intelligence concept in general. The young potential personnel of the NIS cannot be educated, as they cannot conceptualize what intelligence is and how it operates both in Greece and abroad in order to be able to make it function better. The establishment of intelligence courses on an academic level could be the first step for more educated NIS personnel. Moreover, the IC needs to establish educational programs, which can broaden the knowledge of the recruits, advance their analytical skills and also, enrich knowledge of the social science methods. In that way, they will develop skills for alternative interpretations based on their judgement and not on flawed evidence.²¹

Furthermore, analysis would be more sophisticated if before conducting it, the analysts asked two questions: 'who is the primary audience for this piece and what is the specific intelligence question they need help with.'²² Furthermore, the declassification of information and an easier access to archives are crucial in order to learn from the past and avoid same mistakes in the future.²³ An intelligence course to educate the policy-makers would help them understand what intelligence is and how it works. Policy-makers would also learn how to ask for the product they need.²⁴ Policy-makers would learn to be open to the analysts' judgement and accept that their policy might be wrong; they also need to understand that the intelligence business is a difficult profession and consequently, it is normal to have contradictory pieces of evidence.²⁵

The Greek IC lacks some standard features. These junctures can be either structural or come down to other pointers such as the intelligence failures, the transition to democracy, the media, the intelligence policy of a party, the levels of nepotism, the transparency, the control and oversight mechanisms. The analysis of the reforms explains the actual level of intelligence service democratization in Greece. Although some reforms to the Greek IC were reasonable, it has not yet established a stable democratized intelligence community. There is still a lot to be done as political and cultural drivers hold reform behind.

Endnotes:

¹Thomas C. Bruneau & Steven C. Boraz, *Reforming Intelligence: Obstacles to Democratic Control and Effectiveness* (USA: University of Texas Press, 2007). p.xi

² Arthur S. Hulnick, "Intelligence Reform 2007: Fix or Fizzle?," *International Journal of Intelligence and CounterIntelligence* 20, no. 4 (2007). pp.567-582

³ Michael Herman, *Intelligence: Power in Peace and War* (Cambridge: Cambridge University Press, 1999). p.324

⁴ John Nomikos & Andrew Liaropoulos, "Truly Reforming or Just Responding to Failures? Lessons Learned from the Modernization of the Greek National Intelligence Service," *Journal of Policing, Intelligence and Counter Terrorism* 5, no. 1 (2010). p.30

⁵ Ibid. p.31

⁶ Pavlos Apostolidis, "Intelligence services in the National Security System: The case of EYP," Hellenic Foundation for European and Foreign Policy, http://www.eliamep.gr/wp-content/uploads/en/2008/10/op07_03_eng.pdf. p.5

⁷ John Nomikos, "The Internal Modernization of the Greek Intelligence Service," *International Journal of Intelligence and CounterIntelligence* 17, no. 3 (2004). pp.437-438

⁸ Apostolidis, "Intelligence services in the National Security System: The case of EYP". p.22

⁹ John Nomikos, & Andrew Liaropoulos, "Truly Reforming or Just Responding to Failures? Lessons Learned from the Modernization of the Greek National Intelligence Service." p.32

¹⁰ John Nomikos, "Terrorism, Media and Intelligence in Greece: Capturing the 17 November Group," *International Journal of Intelligence and CounterIntelligence* 20, no. 1 (2007).

¹¹ John Nomikos & Andrew Liaropoulos, "Truly Reforming or Just Responding to Failures? Lessons Learned from the Modernization of the Greek National Intelligence Service." p.31

¹² Boraz, *Reforming Intelligence: Obstacles to Democratic Control and Effectiveness*. pp.310-311

¹³ Richard Posner, *The Reorganized U.S. Intelligence System After One Year* (Washington: American Enterprise Institute for Public Policy Research, 2005). pp.4-5

¹⁴ Apostolidis, "Intelligence services in the National Security System: The case of EYP". p.18

¹⁵ "Presidential Decree N.D. 255/2002," (Athens: Greek Parliament, 2002).

¹⁶ Ibid.

¹⁷ Boraz, *Reforming Intelligence: Obstacles to Democratic Control and Effectiveness*. p.14

¹⁸ Ibid. pp.14-15

¹⁹ John Nomikos & Andrew Liaropoulos, "Truly Reforming or Just Responding to Failures? Lessons Learned from the Modernization of the Greek National Intelligence Service."

²⁰ Ibid.

²¹ Richard K. Betts, *Enemies of Intelligence : Knowledge and Power in American National Security* (New York ; Chichester: Columbia University Press, 2007). pp.128, 131 see also Robert Jervis, "The Politics and Psychology of Intelligence and Intelligence Reform," *The Forum* 4, no. 1 (2004). pp.7-8

²² Martin Petersen, "What I Learned in 40 Years of Doing Intelligence Analysis for US foreign Policy Makers," *Studies in intelligence* 55, no. 1 (2011). p.4

²³ Nancy Bernkopf Tucker, "The Cultural Revolution in Intelligence: Interim Report," *The Washington Quarterly* 31, no. 2 (2008). p.56

²⁴ Roger Zane George, "Beyond Analytic Tradecraft," *International Journal of Intelligence and CounterIntelligence* 23, no. 2 (2010). p.305 see also Josh Kerbel & Anthony Olcott, "Synthesizing with Clients, Not Analyzing for Customers," *Studies in intelligence* 54, no. 4 (2010). p.13 and Dennis Wilder, "An Educated Consumer Is Our Best Customer," *Studies in intelligence* 55, no. 2 (2011). pp.23, 27

²⁵ Miscik, "DDI's State of Analysis Speech," (CIA Auditorium2004). p.4