



Press release from five European intelligence oversight bodies

Joint Statement: Strengthening Intelligence Oversight Cooperation

The cooperation between intelligence and security services has intensified, which has led to more data exchange between services in different countries. This has especially been the case in recent years when the threat of jihad terrorism became more complex and widespread and terrorist groups and individuals carried out several attacks on European soil.

The increasing international exchange of data between intelligence and security services poses a number of challenges for national oversight bodies. Oversight of intelligence exchange is strictly national. As it cannot cross borders, national oversight can therefore only reflect on one side of data exchange. Oversight bodies could cooperate in overseeing international data exchange, but they are limited by national rules on secrecy. Oversight bodies are also finding it more and more of a challenge to keep up with developments of the intelligence community towards faster and more effective ways of data exchange. These and other challenges for national oversight bodies may carry the risk of an oversight gap.

The oversight bodies of Belgium, Denmark, the Netherlands, Norway and Switzerland collaborated together, to address these challenges and to identify ways to tackle the risk of an oversight gap. We decided to each conduct a national investigation into the use and international sharing of data regarding foreign terrorist fighters by the services we oversee. Over the last three years, we have met regularly to exchange methods, best practices, legal and practical challenges and our experiences within the national investigations. No classified data has been shared among us.

In this joint statement, we have identified ways to move forward. To tackle the risk of an oversight gap, cooperation between oversight bodies needs to intensify. A valuable and necessary step towards closer oversight cooperation is to minimize secrecy between oversight bodies. Once data has been exchanged by intelligence services, there is no need for oversight to lag behind. Oversight bodies should then be able to discuss the intelligence exchanged. Another step forward is to develop new legal and technical methods of oversight, in order to effectively assess the system of international data exchange and the existence and functioning of common safeguards for the protection of fundamental rights.

The oversight bodies of Belgium, Denmark, the Netherlands, Norway and Switzerland will continue their approach to overcome challenges for oversight of international intelligence exchange and invite oversight bodies from other countries to join us in our efforts.

The attached joint statement is written in coordination between:

- Belgian Standing Intelligence Agencies Review Committee
(Comité permanent de contrôle des services de renseignements et de sécurité / Vast Comité van Toezicht op de inlichtingen- en veiligheidsdiensten) – www.comiteri.be
- Danish Intelligence Oversight Board
(Tilsynet med Efterretningstjenesterne) – www.tet.dk

- Review Committee on the Intelligence and Security Services – The Netherlands
(*Commissie van Toezicht op de Inlichtingen- en Veiligheidsdiensten*) – www.ctivd.nl
- EOS Committee – The Norwegian Parliamentary Intelligence Oversight Committee
(*EOS-utvalget*) – www.eos-utvalget.no
- Independent Oversight Authority for Intelligence Activities (OA-IA) (*Unabhängige Aufsichtsbehörde über die nachrichtendienstlichen Tätigkeiten AB-ND*) – www.ab-nd.admin.ch

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