



# HOUSE OF LORDS

Revised transcript of evidence taken before

## **The Select Committee on the European Union**

Home Affairs (Sub-Committee F)

Inquiry on

### **EU INTERNAL SECURITY STRATEGY**

*Evidence Session No. 2. Heard in Public. Questions 40 - 66*

**MONDAY 6 DECEMBER 2010**

Witness: William Shapcott

Members present

Lord Hannay of Chiswick (Chairman)  
Baroness Eccles of Moulton  
Lord Richard

---

### Examination of Witness

*Witness:* **William Shapcott**, former director of the Council Joint Situation Centre (SitCen)

**Q40 The Chairman:** We are most grateful to you for coming here to give us your views. We understand what you just said about being a little out of date on the SitCen, but it is an important part of our evidence-taking to understand how it fits in to the whole issue of the EU's internal security strategy, which we have just started our inquiry on. We have just seen Cecilia Malmström, we are going to see David O'Sullivan to talk about the interface with the EEAS and tomorrow we are going to see the rapporteur from the European Parliament, Rita Borsellino. We will be taking a lot of evidence, with the director of Europol and so on coming along.

None of us was present when you gave evidence to this Committee in 2004 in its inquiry after the Madrid bombings, but I think you will remember from that and from other occasions that the verbatim transcript of your evidence will be put on the parliamentary website and will in due course be published with our report. Because of this, we would quite understand if at any time there are things you'd prefer to say off the record and not for publication; just say so and we will ensure that that is given effect. As I say, we will have a couple of points at the end. A few days after we get back to London we will send you a copy of the transcript to check it for accuracy. We would be grateful if you would advise us of any corrections as quickly as possible. If after this evidence you wish to clarify or amplify any points made during your evidence or have any additional points to make, don't hesitate to submit supplementary evidence.

If you'd like to say a little bit to start us off, that will be fine; if not, we will go into questions, but we would be happy if you did. I think you've met the other two members of the Subcommittee who are here as well as Stephen Hawker, our specialist adviser, and Michael Collon, who is the Clerk of the Committee. Over to you.

**William Shapcott:** I shall start with an introduction that sweeps up at least the first, and maybe touches on the second, of your questions. It is incontestable that each of the member states faces threats to its security that either have an overseas component or have a complexity to them that makes it very difficult for any single member state to respond alone. I think people have subconsciously recognised this for some time, and of course it's what drives a lot of the bilateral relationships in terms not only of intelligence but of operation or collaboration. The security strategy highlighted that the web that joins all the member states together in this area is more complex than it perhaps first appears—in other words, that the security of one member state often depends on the approaches taken by other member states, and that there is scope to have a much more mutually reinforcing network of security collaboration. The internal security strategy was intended, first, to highlight the threat aspect of that, to make clear to everyone, or at least to reinforce with the public, the complex nature of the threat and, perhaps en passant, to remind people that member states can't deal with these threats alone. It was also intended then to look at the areas where the Union can assist member states.

For the UK, this is a delicate question. National security, rather than internal security, is the responsibility of states; one of the most important duties of a state, obviously, is to preserve the security of the state. But "internal security" is a useful term because it gets you away from national security and begins to convey the notion that they are not quite contiguous.

Again, the strategy looks at ways in which the EU can help member states deal with their responsibilities. In my view, it is not an attempt to Europeanise national security; it is an

attempt to identify ways in which the Union can assist. You have studied it, obviously. It has a section that deals essentially with the threat description and the notion of the complex nature of the threat. It talks a bit about common tools and policies. It provides at least a sort of stimulus to look at ways of enhancing co-operation. Although a lot of member states co-operate with a lot of other member states, the Union has brought some tools into play that could be used much more than they are at present. Europol is an underexploited instrument. The same goes for Frontex and SitCen to a certain extent. The Union has created these tools that have the potential to play a greater role. Then there is Eurojust—you can keep going through the list. They are all available and perhaps not sufficiently exploited as yet.

Since the security strategy was written, I know that the commissioner whom you have just seen has started to place emphasis on one of the threats that was touched on but not developed in any great depth: cybersecurity. That is another example of an issue where there is much more that member states could do together and there is scope for the Union to help. To take one example in Brussels that illustrates that these are not just national issues, the security of the institutions' IT infrastructure has come—for us, at least—a bit more centre stage in recent months. There was a period when member states looked at the institutions as unlikely to be of very major interest for hostile intelligence services, and they weren't actually putting a great deal of effort into helping the institutions reinforce their security postures. Now, with the development of CFSP and the establishment of the EEAS, there is a realisation that here is a much closer joint interest between the member states and the institutions in sharing information and making sure that the Union's policies are well founded. That immediately draws you into the situation where there is an interest in member states in seeing that this is all properly protected, and there has been a realisation in the past year or two that hostile intelligence services are rather interested in what goes on in the institutions. In a way, that is an example of an issue that previously was looked at

very much from the point of view of national security—cybersecurity was a national thing to worry about—and now it is worthy of much greater attention at the EU level. Malmström is doing that, and a number of others are trying to get more attention paid to it. It is an example of something that has become a shared interest rather than purely a national one.

A last point and then I will stop my introduction. The breakdown in this notion that national security is something that should be dealt with only by the member states was illustrated a bit by the Swift judgment. Here we were talking about a matter—the transfer of sensitive data to third parties—which, up to that point, many member states had considered to be the sort of thing that they would deal with, yet we found ourselves in the sort of situation where, like it or not, the evolution in the treaties means that the institutions do have a role in this. So you can write into the treaty as many times as you like that national security falls within the exclusive competence of member states, but other bits of the treaty have taken you to a place where that no longer holds good. For better or for worse, the fact is that over these sorts of international agreements the European Parliament now has a role, and that role has to be taken into account. People should not necessarily be frightened of that. I work in Brussels so I might think this, but the European Parliament has a role in contributing positively to the legitimacy of some of the actions taken at EU level. If they are with an agreement, that agreement carries greater force. It should not necessarily be seen as a negative thing that there is an increased role vis-à-vis the past, or that there has been this increase in the EU's scope to contribute and to play a role without, as I say, necessarily taking away the core competence that rests with the member states.

**Q41 The Chairman:** I want to follow up on your comments by asking about the dichotomy, which is often referred to, that it is one thing for member states to do certain things collectively at 27 in regulatory terms, in sharing experience and so on, but it is quite another to think of doing operational things at 27, where there are often strong arguments

for saying that that is not the best way to do them. The SitCen is somewhere at the crossover between those two points, and I wonder whether you could give your own views, on the basis of your quite lengthy experience of SitCen, of how that dichotomy looks now.

**William Shapcott:** SitCen, of course, has had no operational role so it has been limited essentially to sharing assessed intelligence with a view to producing evaluations to support policy-makers in Brussels. It has touched on the issue that you raise but that has not been a central issue. My personal view is that the member states are still a bit too coy about sharing in these sorts of frameworks. It is perfectly understandable that sensitive operational information should be shared on very limited circuits. It is not a question of nationality and limiting the number of nationalities in each area; it is simply a question of limiting the number of people that you share it with. The UK does share sensitive things with a range of nationalities, so the hang-up is not the notion of sharing with foreigners—the hang-up is the notion of sharing with lots of foreigners, sometimes in frameworks where you cannot control what every single one of them does with the information.

SitCen is not dealing with such sensitive information, which has allowed it to get going, and member states have contributed reasonably well. We confronted one problem that in my time was never properly sorted out. Everyone agrees that you can share assessed intelligence about your views on a third state—what you think might be happening there if it has a programme of weapons of mass destruction, for example. That is not so contentious. But we realised that the EU is now doing operational things, and you can't limit this discussion just to assessed information to support policy. The Union has people in dangerous places now, such as Afghanistan and Iraq, and we began to realise that the block on the sharing of more punctual operational information meant that these operations were not properly supported. Thank goodness, we have not so far had a terrorist attack on one of our ESDP missions, but a couple of years ago I tried to interest the member states in

going a little further with regard to these vulnerable operations. They are what I call “operational diplomacy”—the more live negotiations where the Union was operating in one way or another by operating as a crisis management mission, or operating because High Rep Solana was involved in an active negotiation, where member states knew things but were reticent about operational sharing or not sharing. We didn’t get very far. The line held pretty firmly that this sort of information was not for sharing in a multilateral framework.

I don’t think people properly analysed it. In the case of Afghanistan, for example, people would say, “Ah, but this information’s all shared with NATO and your mission is in Kabul, it’s next to a NATO mission, it’s all perfectly safe”. Unfortunately, that’s not how it really happens. Information may be shared with NATO but I think you know that the state of EU-NATO relations is not good. NATO accorded the EU mission in Kabul the same status as it accorded the United Nations mission—it would be protected within means and capabilities. NATO was not able to reach agreement with us on an intelligence-sharing agreement, so our people had no solid intelligence feed from NATO and no protection beyond that which was offered through normal means and capabilities.

So, in my view, it’s a gap. The model has worked reasonably well for assessed intelligence, but doesn’t work at present in the area of operational information—yet there is a need, because we have people in dangerous places and we are doing some live diplomacy in one or two cases.

**Q42 Lord Richard:** I want to pursue slightly the problem, as I see it, of the multiplicity of institutions working in groups, and all the rest of it, while all dealing with virtually the same point. This moves us slightly down to our questions 8 and 9, as well as our question 2. Article 72 of the treaty makes it clear that internal security continues to fall within the exclusive competence of member states. First, do you think that those provisions limit or undermine the strategy’s impact? Do you think that there will be much bilateral or

multilateral co-operation between member states under Article 73? Where is it actually going to go? At the same time as one is asking oneself that, we then have the problem that COSI is now in existence. There is the relationship with COSI and COSI's relationship with about six or seven other institutions. If one was Eurosceptic, which I am not, one would say that this is one of those things that should not happen but does, too often, in Europe.

**William Shapcott:** It is reasonable to point out that there a number of actors and, perhaps, fair to say that COSI has got off to a rather slow start. Part of the theoretical appeal of COSI, at least, was that it would enable you to co-ordinate some of the action of all those bodies and working groups to ensure that there was not duplication. As I say, COSI has got off to a slow start. Member states have not yet made up their mind about how they want to staff or run it and it is not exerting this co-ordinating effect, so that is a disappointing point. On the other hand, in the alphabet soup of bodies that you mention here, there is a slight mix-up between bodies which are essentially for policy formulation, like the terrorist working group and the counter-terrorism group, and the CTG, which has a much more operational structure. Again, the Article 36 committee is a policy-making group, so you have a few things mixed up there. My personal view is that what we should want is essentially a permissive environment in which member states can co-operate, liberally and bilaterally, and use these European instruments when they want to.

**Q43 Lord Richard:** You would keep them?

**William Shapcott:** Yes, because the CTG, which is technically not an EU structure, as they say, is valuable. It covers a range of technical operations between, essentially, operational co-operation and it provides a framework for member states to do some of that co-operation bilaterally. It provides a communications network among the services to share sensitive information. They look at best practices together and since this is spooks with spooks, they

get on pretty well and do quite a bit of decent stuff. They have kept the EU reasonably away from that, which is legitimate.

**Q44 Lord Richard:** Talking about spooks, what is the Club of Berne?

**William Shapcott:** It is bigger than the CTG.

**The Chairman:** It is wider.

**William Shapcott:** Bigger in subject and scope.

**The Chairman:** Geographically?

**William Shapcott:** No, it is not at the moment. The CTG has enlarged to 27. All of the member states are in the CTG. The Club of Berne is, I think, still hesitating over a couple but the scope is larger. It was originally intended for counterintelligence—all the classics: counterintelligence, countersubversion and counterterrorism—and it sort of farmed off counterterrorism when the CTG was created.

**Q45 Lord Richard:** It is not part of the Community?

**William Shapcott:** No, absolutely not. The Norwegians and the Swiss are in both the CTG and the Club of Berne. I think that the Club of Berne has about 26 at the moment and the CTG 29 with those two. Anyway, the CTG does some concrete stuff. Europol, as I mentioned earlier, is in my view an underexploited tool. It does some quite respectable operational work and could do more if people engaged with it more. Frontex is—I do not know if you have visited it—a rather lean and, by EU standards, quite effective structure. It got going rather quickly and has been involved in quite a lot of quite successful co-ordination of operational activity. It does a very good job of analysis. It has a very good idea, through its work, of what the flows are. It is very good at sharing what member states learn about particular methodologies and providing a framework for sharing. What I'm trying to say is that in the alphabet soup, you essentially have two tiers. You have an operational tier, which works rather well. It could do with a bit of co-ordination to make sure that there are no

overlaps or duplications. Then you have the policy sphere, which is mainly the groups you have listed there yet, as I said, we do not yet have perfect order and co-ordination. But member states themselves are both the agent of and the barrier to enhancing that co-ordination. As I say, the member states have not fully sorted out how they want to be represented in COSI. There is not a consensus on quite how people see it operating, so it has not played this role yet.

**Q46 Baroness Eccles of Moulton:** You talked quite a bit about co-operation. This is more about specific international relations and co-operating with the US, particularly, Russia, China and India and how that will be fostered by the new internal security strategy, which is obviously extremely important. I am presuming that it will be a carry-forward of the sort of co-operation that already exists with those states, but now that this new body is being set up it is something which has to be carefully looked at to make sure that advantages are gained and existing areas of co-operation maintained.

**William Shapcott:** As we perhaps have seen in recent days in terms of how the US sees other countries and organisations, they and other third parties make cool, cold calculations about the most efficient way of doing their business. On some of these issues, I am sure that they calculate that the most efficient way is to do it bilaterally. The US now has a reasonably good idea of how the EU works and has worked out that, on certain issues, it has to deal with the institutions. If you read Vice-President Biden's speech, which he made in the European Parliament about a month after the SWIFT deal was first blocked, he was emollient in his treatment of them. The more astute third parties, certainly, work out where they can work with us and in some of these areas, particularly legislative areas, their conclusion is that they are working with the EU.

Because, as we have discussed, the EU is not involved operationally, the US does not try to engage with the EU operationally. That is probably the right judgment, 99 times out of 100,

except for those very few occasions that I just mentioned where the EU is doing something operationally and where they cannot work out how to play it. I have personal experience in the case of Georgia, for example, where the EU has a mission. It knows lots of things which it could probably quite usefully share with the Americans, but the Americans will not get into a relationship with the EU over a subject like that because the US is in a number of rather intimate relationships with member states. I think that they miss a trick; the EU has 300 people on the ground in Georgia. It has had many of those since the end of August 2008, so it has a lot of ground information and ground truth.

**Q47 Baroness Eccles of Moulton:** What sort of capacity has the EU in Georgia?

**William Shapcott:** There is an EU monitoring mission, which drives up and down the administrative boundary line between Georgia and South Ossetia and Abkhazia. It goes across from time to time and spends a lot of time talking to Russians and Georgians, so it has something which spy satellites cannot wholly cover.

**Q48 Baroness Eccles of Moulton:** And is it equally welcomed on both sides?

**William Shapcott:** It is not massively welcomed on the Russian side.

**Baroness Eccles of Moulton:** But it is tolerated.

**William Shapcott:** It is tolerated and it has achieved some effects. After 2008, there were some areas where the Russians did not pull back and, through rather long but determined and persistent diplomacy, the Russians have in recent months moved out of areas and properly withdrawn behind the boundary line. This is an operational activity of the Union which is a bit more complicated for third states to relate to, because of this essential split which they have between the legislative, where they will deal with us, and operational matters, where they tend to deal with the member states. It is the EU's ambition to go further in its relationships in this area with some of the other countries listed—Russia, China and India—and perhaps one that was not mentioned, Pakistan. Yet with the exception of

Pakistan, it has not really got very far. We have rather empty discussions with the Russians. I would say that the most fruitful area of co-operation after the United States is with Pakistan. The EU is helping and has had a number of assistance programmes to help Pakistan from which you do not get operational information, but that is not really the purpose of the exercise.

**Q49 The Chairman:** How will SitCen operate? What will its new position be within the EEAS framework and how will that affect its role in providing situational awareness and threat assessments for the internal dimension of EU security, in addition to its existing external role? That is: how is it going to change and adapt, et cetera?

**William Shapcott:** Good question. I think that this was one of the biggest worries over the last 18 months. One positive thing about SitCen was that it brought together a range of information stakeholders, particularly military and foreign intelligence services and security services, so it was a bit like the JIC or the assessment staff but in a more modest way. It was able to produce all sorts of assessments covering the whole picture, so if you were looking at Al-Qaida you did not stop by looking at it just within your own borders or outside your borders, it was looked at as a whole. The worrying thing as Lisbon approached was in how to make sure that that was not damaged, because everyone realised that with the creation of the EEAS, although it was intended—and I am sure that it will work—to increase the coherence of our external action, to a certain extent there is a disassociation of that external action from some other spheres of activity, so a boundary line risked being created between external and internal.

Wherever you put the SitCen—if you put the SitCen in the EEAS, you have to work back to your customers dealing with the internal; or, you split the SitCen, but that was not a very good idea; or, you leave the SitCen in some other structure where one of its main customers would of course be the External Action Service—there was no neat answer. A

decision was taken, probably because the bulk of its work is in the external area, to put it in the EEAS. When the member states agreed to that, in the documents doing it they made it clear that it was to continue to provide its services to the other bodies of the Council, to the Commission and to the President of the European Council, so the SitCen has now—and has had for some time—on its distribution lists all of the actors in the other bits of the institution who have a need-to-know for its particular reporting. If it is writing a report on the Iranian nuclear programme, it will send that to a few customers outside the EEAS—not so many—but if it is writing about the threat posed to transport infrastructure inside the Union, it will send that widely to people in the Commission, to the JHA Council and to its subsidiary working bodies. The mechanical steps have been taken to preserve this capacity to work for the other structures, but of course, information-sharing is not just about mechanics. It is about confidence and understanding, and it is a bit early to see whether its organisational placement has any effect on that.

By the time I left it, I had not noticed any change in the volumes coming in on the different channels, but it is something that the new management and the High Rep will clearly have to be careful about. The High Rep, Baroness Ashton, has already met a number of heads of service and not just those covering external issues. She has met a number of heads of security services, which is a good thing, to reassure them that the role of the SitCen in working both sides of these questions should be maintained.

**Q50 The Chairman:** Is it the case that the Commission's rather small capacity for doing this sort of work is now being rolled up with the SitCen?

**William Shapcott:** The Commission has always had a fantastic PR for what it does. The Commission has a crisis room of six people in the RELEX Directorate-General, which did a rather good job in the open sources field and Baroness Ashton's plan is to amalgamate this.

It is a win-win, as they bring some skills which are not in the SitCen, so I think it is a good decision.

**Q51 Lord Richard:** How effective is SitCen likely to be in supporting at least the counterterrorism strand?

**William Shapcott:** You should be asking other people as well.

**Lord Richard:** We probably will.

**William Shapcott:** As we have sort of touched on, this sharing exercise is not intended to have one member state expose its crown jewels to another. In this area in particular, it is about ensuring that everyone has a common understanding of the threat. It is actually rather helpful. You can roughly divide the member states into three groups: those who are threatened and who really understand it. The UK is clearly in that group, and the Germans and the French are as well. Then there is a group that possibly is threatened but maybe doesn't properly register it, and then maybe some that aren't terribly threatened. The last group is probably rather small nowadays. A structure like this – and it's not the only one; the CTG definitely plays a role – is a useful vehicle for passing what the first group have learnt already about the threat to the others. For example, the SitCen was writing papers about Pakistan and the threat from violent extremists living in Europe with links to Pakistan. The first group generally understood that; the second group said, "This is a British problem – don't tell us that Pakistan is going to be the next major source of trouble". What has happened over the past two or three years is that several countries not in that first group have found that they have had problems that have either derived from a small community with some Pakistani origin or strong links to Pakistan or with people who have been going backwards and forwards to Pakistan, gaining knowledge and experience and coming back with the intention of mounting attacks or at least providing logistical support. It wasn't taken so seriously at the time, although we pushed it. For several years, we thought that we were

a bit ahead of the game in trying to drive home to people what the first group were telling us by giving it more circulation to make the others wake up a bit to this threat. Some of them did and for some of them it had to happen before they woke up. That is an example of how you can help and will be able to help. It will not stop a single attack; no SitCen report will stop a single attack. That is not the purpose. It is to make people more sensitive to new directions of threat. The same applies with new technology. The most threatened member states will probably be the first to confront evolutions in terrorist methodology, modus operandi or technology. Again, you need a platform – and SitCen is perhaps not the only one – where that information is rapidly brought to the attention of others, and there are operational platforms that do that too. I will perhaps make one final point: when a member state learns of a new modus operandi and a new bit of technology, it often transmits this across the operational sharing platforms, but the connection is not always very good in member states between the operational actors and the policy actors. It is worth transmitting this across policy networks, because they are the people who can take decisions to change the approach at airports and perhaps decide to invest in new forms of detection technology. I do not know if Commissioner Malmström mentioned this, but one thing that the Commission did before but which was hinted at in the internal security strategy is investment in security research. Frattini was particularly interested in having good access to our material, because he was alert – he had the money for security research and wanted to be cued on where to put research money. So he wanted to know about the threat so he could ensure that the research money went in the right direction.

**Q52 Baroness Eccles of Moulton:** Presumably, the way in which SitCen works with the EU, the CTC and the Council through the Home Affairs Ministers is constantly evolving because it will be influenced by external circumstances. Part of this has been explained already, but what is of interest to us is how SitCen currently works with the CTC and the

Council through the Home Affairs Ministers and how much the relationships have been affected, first by the entry into force of the Treaty of Lisbon and also the implementation of the ISS.

**William Shapcott:** On the last point, I think it is still a bit too early, but perhaps I should come back to that. The Union has a lot of strengths, but it has a number of weaknesses as well. The evolution of our relationship with those bodies to a certain extent depends on presidencies. There have been presidencies where we have had a really quite close relationship and presidencies where it has been more distant. That depends on a lot of things – on the groups that I mentioned earlier, because presidencies from member states that are threatened really understand this and want everyone else to understand it. Then they might be from a member state that is not so concerned. Also it depends on how presidencies staff their structures. If you look below the level of the Council at groups such as the Article 36 Committee, you can go around the table and find policemen and senior officials, and you might find someone from a security service. Depending on whether they are in the presidency to a certain extent varies their agenda; do they have an agenda with a more legislative quality to it, or one with a more substantive quality? Do they want to talk about the issues and then talk about what measures they can take rather than necessarily looking straightaway at a piece of legislation? You can chart the relationship by presidencies, to a certain extent. This brings new energy from time to time, but it also brings frustration for an organisation like SitCen.

**Q53 Baroness Eccles of Moulton:** I would have thought exhaustion.

**William Shapcott:** Perhaps. On the external sphere, the permanent presidency will in some ways make life simpler. Coming to Lisbon, in the area of the ISS, that does not change very much. In a way, COSI could be considered an attempt to get away from a strict policy in relation to the approach and to inject a slightly more operational component. Again, some of

this was done from time to time under certain presidencies. I can recall some awful Article 36 Committee meetings and awful presidencies, when no value was added during a presidency and others when a great deal was added. With any member state, if you have a problem in government and tackle it properly, analysing it and looking at the range of possible responses, that might some lead to legislation and some operational activity. Some member states have brought that approach to the Union. I particularly remember the French were very hot on recruitment and radicalisation, so they used a lot of these bodies to have discussions about the problem – analysing it, observing it and breaking it down into its component parts – and then about what tools were available, such as a joint manual developed by three member states on how to deal with radicalisation in prisons, which was a French initiative. COSI could step into that, if people made the necessary commitments in terms of their delegation and finding the right sort of people to do it. But it's not there yet; it's slightly operating as an alternative Article 36 Committee.

**Q54 Baroness Eccles of Moulton:** And the French would have been driving it through their presidency.

**William Shapcott:** They were certainly bringing the full spectrum of discussion to the various bodies.

**Q55 The Chairman:** Do you expect SitCen to develop a bigger role and a more integrated approach to early warning and crisis co-operation functions, including disaster response?

**William Shapcott:** I am not sure. We place perhaps too much emphasis on the SitCen. I do not think that the Union has decided how it wants to manage its response to crises. In responding to Baroness Eccles' points, I forgot to mention one thing. You mentioned external events; this depends on external events as well, and the way the agenda changes if something happens. That is the case with disaster prevention as well, or disaster response. I

don't think the Union really has a settled view on how it wants to organise itself; there is the question of the balance between the work done centrally and the work done by member states; there is the question of whether the Union can do more than be a turntable for information for member states' assets or whether it can have assets of its own that can contribute to disaster response. Those issues are in flux. For example, the member states had something like 2,000 civil protection workers in Haiti within five days, and they had quite a lot of military assets in the field only a few days thereafter, yet in Brussels everyone was saying that the EU response to the disaster had been a disaster. That sort of illustrated that at that moment there was a political expectation here and in some member states that all these things should be presented as delivered by the EU, whereas the effect on the ground is probably not very different whether they are delivered by the EU or nationally. So this ebbs and flows. After Haiti, everyone runs around thinking that we need a much better EU answer to disasters. Haiti is now a year behind us and that has gone off the boil a little bit, although I think the Commission will come forward soon to refresh the subject and look again at the EU's role. The SitCen and a couple of other actors bob along on these waves and, when I was there, my view was that we should not be driving this but we should be ready to offer assistance and ideas to the market, depending on where the market has settled itself. My personal view is that, given that many of these assets are rather important to member states for their own civil protection disaster response, or with military assets, that they are never going to move to a situation where there is European command and control. My view is that it will always remain at an information turntable type level. But others are more ambitious. You are presumably familiar with the Barnier report; others feel that the EU needs a crisis response capability of its own.

**Q56 The Chairman:** Taking a specific example, do you think that the SitCen will get involved in any way in early warning at the time of the Olympic Games?

**William Shapcott:** It is possible. We have tried to avoid punctual events, because we are not built and equipped for it. As I said earlier, the information shared with us is generally not designed to help with that sort of warning. SitCen can write a respectable analysis of the overall threat in Europe and the types of features that it has, but it will not help you much in judging what next week's threat in Paris or London will be. There are other people better placed to do that.

**Q57 Lord Richard:** I think that I have dealt with most of the COSI points that I wanted to make. Perhaps one more. How do you think we should judge COSI's success?

**William Shapcott:** I think that it is too early, to be honest. It is a terrible thing to say, but we talked about external events, and big evolutions happen generally in response to big external events – and there hasn't been one for a while. So it has lost a little bit of attention.

**Q58 Baroness Eccles of Moulton:** And of course we are talking about terrorist events, not natural events, because there have been plenty of them.

**William Shapcott:** Yes.

**Q59 Lord Richard:** Listening to what you have been telling us today, which I must say I find extraordinarily interesting, what you are really saying is that it is almost by a process of natural accretion the functions of the SitCen are going to inevitably expand. I suppose that if you look at it bald-headedly and you say that the SitCen should take over responsibility for the whole thing, you lose something. This is what Beatrice Webb called the inevitability of gradualism.

**William Shapcott:** I am still not so sure. Actually, on disaster response, as the SitCen moves into the EEAS, one thing is clear. The SitCen's role as an assessment centre will be looking at foreign policy challenges, terrorism, counter-proliferation. It won't change very much. The other things that SitCen has done are really for the High Rep to choose, in collaboration with her Commission counterparts. There is a commissioner who is

responsible for disaster response—Commissioner Georgieva; I don't know if you will have the chance to see her—and she and Baroness Ashton, at the time of Haiti, developed a sort of *modus vivendi*, whereby Georgieva deals with the response to the disaster in the field of humanitarian assistance. You have a very interesting comparison between the Haitian and the Chilean earthquakes. The Chilean earthquake was regarded as a purely humanitarian issue. Georgieva led the response without any other actors, let's say. Haiti was considered to be a more complex event, with more political components; the use of military assets; the role of the US at the time was particularly important; and there were diplomatic elements to it. The model that they worked out between them, which fitted into the little bit of doctrine we had already, was that Georgieva also continued in Haiti to lead on the humanitarian aspects; but the overall approach was for Ashton. This was worked out partly between themselves, partly as a result of Barroso's clear indications to them—because the Commission was in transition at that point—and partly because it was roughly what the existing doctrine was.

If we had a Haiti or Beirut again, you would find the same thing. Ashton, the High Rep has the opportunity to judge that this is a complex overseas disaster or event, and that therefore she needs to step in with a co-ordinating role, whilst leaving certain Commissioners—obviously Georgieva in particular—to run their particular parts of the dossier. That is a reasonable model, which leads to the question of where the SitCen fits into all this. Georgieva is going to reinforce the structure they have, the MIC—the monitoring information centre—which is the centre which has primarily dealt with civil protection assets and dialogue with the member states to co-ordinate their employment. The SitCen has never been interested in that—this is where the doctrinal background comes in. The SitCen took, let's say, the higher view, which was, “That's one component of the response. We are going to track the other components and serve this up to whoever is 'in

charge". We worked that through Haiti, so we were actually involved a little, as a small military cell, we did a little bit of co-ordination on the military aspects, we worked with the MIC, we had a lot of dealings with the Americans, and this was all packaged up as a tool for Ashton. Ashton has to decide on precisely how the service is going to be organised. You probably observed that she has recruited at a high level an interesting guy, a chap called Agostino Miozzo. He is going to be a managing director and a member of the corporate board of the EEAS. He has been the head of the Italian civil protection organisation for the past 10 years. He is a doctor and has enormous experience in responding to reasonably complex disasters. Baroness Ashton met him in Haiti, where he was co-ordinating some of the Italian response, which had military, civilian and police components to it. That is a pretty clear signal of intent that she wants to be interested in this broad aspect of disaster response. She is not going to do tents or water purification; that is for Georgieva and ECHO (European Commission Humanitarian Aid Office), but when it is a complex situation, she wants to be there, and Miozzo is the go-to guy for that.

**Q60 Baroness Eccles of Moulton:** Can I ask a related question? You mentioned Beirut, which is mixed with politics and disaster. That immediately makes one think of an ongoing disaster, which is Gaza. Presumably that is completely outside anything to do with SitCen.

**William Shapcott:** SitCen was very interested in being able to describe the situation in Gaza in a high degree of detail—who the main actors were, what their relationships were, how smuggling functioned and so on. Since then SitCen has been interested in Gaza and has provided that sort of information to Dr Solana, Baroness Ashton, their teams and the member states. We had a rather respectable picture of what was going on and how things worked. But we do not do the policy.

**Q61 Baroness Eccles of Moulton:** No, but it would be advantageous to both the High Representative and, and on the humanitarian side, to Georgieva.

**William Shapcott:** Yes.

**Q62 The Chairman:** Can I ask you about COSI? You say that it has got off to a slow start. That is certainly what we also heard from Commissioner Malmström. Do you think that the slowness of the start is due to it not having a clear enough remit, which needs clarifying? Or do you think that the wrong people are on it? Or do you think that there is not a very proper understanding of how COSI should mesh with other things? To what extent do you think that this needs to be remedied, or ought it to be more consciously involved in co-ordinating a lot of the other groups?

**William Shapcott:** I do not think that this is something that anyone in Brussels should be very proud of; and you have worked here. New committees often have a hard time, because the old committees are still around. Deciding the terms of reference of the new committee often also partially falls to the new committee. I saw this when the Political and Security Committee replaced the Political Committee, for example. Part of COSI's difficulty relates to that—that its parents or godparents are still around and want to keep some work for themselves. That is part of it. We have not had an external driving event, either, which would help. COSI has a broad range of subject competences, which does not help. Member states are represented by a wide variety of police, justice, customs, diplomats, Home Office officials and so on. And that is not within one delegation. There is one delegation and another. So that does not create cohesion. A lot of this could change with an external event, or with an individual who drives it, such as a particular commissioner, or if you have six months of a presidency which feels very passionately about this. Then you could get it going; but one of those things needs to come about.

**Q63 The Chairman:** By external event, you mean an event external to the Committee, not external to the European Union.

**William Shapcott:** I mean a real-world event.

**The Chairman:** It could be a Madrid or a London or whatever.

**Q64 Baroness Eccles of Moulton:** Otherwise could it fizzle out?

**William Shapcott:** No. That is another thing you learn; these things never fizzle out. I think the CATS, the Article 36 committee, will fizzle out naturally. I think that COSI will work, but it will take something to spark it into life.

**Q65 The Chairman:** So it is more a role in search of a committee, rather than a committee in search of a role.

**William Shapcott:** It is certainly not a committee in search of a role, at the moment.

**Q66 The Chairman:** Thank you for that. Can I ask you about the European arrest warrant? In your position at SitCen, in observing how counter-terrorism has developed and so on, what sort of role do you think the existence of the EAW has played in this area? Of course, it is not exclusively about counter-terrorism, but there have been very high-profile occasions. Do you think that the role of EAW has been important?

**William Shapcott:** I am conscious that it is a rather sensitive issue in the UK and maybe in one or two other places. In a concrete number of important cases it has been very useful—for example, where people have been suspected of involvement in a serious terrorist offence, have fled the jurisdiction, and have been successfully found and returned to be brought to justice. This has happened in a number of cases, and that is very positive. It is perhaps unfortunate that the EAW is getting slightly wider application than perhaps its original drafters had in mind, which creates a slight risk of devaluing the instrument, I think.

**The Chairman:** Do we have any more things before we go off script for a minute or two?

**Baroness Eccles of Moulton:** No, I think we've done pretty well, really.