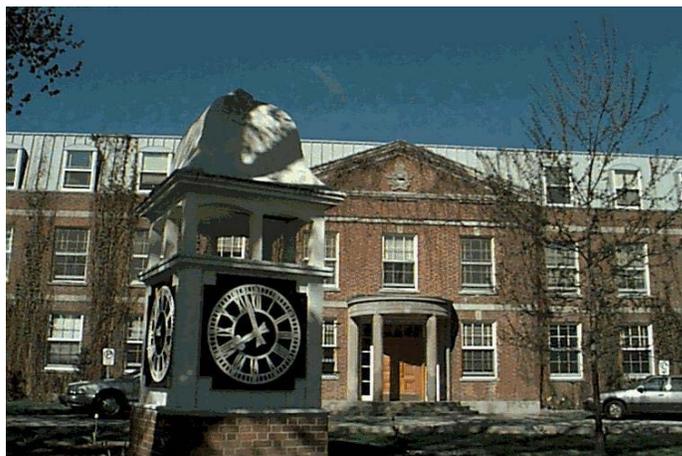


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The Efficacy of CARICOM's Intelligence Management Framework and its Ability to Support the Management of the Crime and Security across the Caribbean Region

Major CS Millington, ED, pjsc

JCSP 40

Exercise Solo Flight

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SOLO FLIGHT

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By Maj CS Millington, ED, pjsc

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INTRODUCTION

“The transnational threats of narcotics trafficking, arms smuggling, terrorism and organized crime coupled with a lack of resources and antiquated laws is overwhelming the ability of individual nation states in CARICOM to adequately protect their citizens. These transnational threats pose a hazard not only to the citizens of CARICOM states but to the Caribbean Basin and the western hemisphere as well.

The latest statistics from CARICOM Member States (CMS)¹ as it relates to transnational crimes confirm that the region is being inundated by a spiralling wave of criminalities. Trends showed that narcotics trafficking, arms smuggling and organized crimes continue to negatively affect CMS unabated as indicated in the table below.

Year	Murder	Illegal Firearms Seized	Marijuana Seized Kg	Cocaine Seized Kg	Total Narcotics Seized Kg	Criminal Deportees
2006	2,193	1,949	294,006	2,677	296,683	4,435
2007	2,427 +	2,017 +	615,731 +	3,409 +	619,140 +	4,656 +
2008	2,649 +	2,213 +	13,633,655 +	3,437 +	13,637,092 +	4,405 -
2009	2,657 +	2,398 +	5,198,028 -	3,645 +	5,201,673 -	4,882 +
2010	2,442 -	1,914 -	704,665 -	8,246 +	712,911 -	4,412 -
2011	2,035 -	2,142 +	1,018,999 +	2,350 -	1,021,349 +	3,521 -
2012	2031 -	1644 -	957,651 -	1,580 -	959,231 -	2,999 -
Total	16,434	12,633	22,422,735	25,344	22,448,079	29,310

Table 1. CARICOM REGION CRIME STATISTICS AND TRENDS FOR THE PERIOD 2006 – 2012

¹ CARICOM Member States (CMS) include: Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, St. Kitts and Nevis, Saint Lucia, St. Vincent and the Grenadines, Suriname as well as Trinidad and Tobago. Haiti and Montserrat have been excluded because of unavailability of statistics.

The statistics shows that the CARICOM region experiences the serious crime of murders at a rate of 21 persons per 100,000² marking it as one of the most dangerous regions in the world³. The cumulative effect of these transnational crimes, is an increasing level of fear of crime by the public nationally, regionally and internationally and the imposition of travel advisories by countries external to the region. The responses to the crimes in the CARICOM region are having a deleterious effect on the fragile economies of CMS and demand deterrent action.

In 2007 in response to this crucial situation CARICOM implemented a regional security strategy with intelligence as the main component. It is evident by the statistics that the strategy has not been effective. Additionally there is no data to support the fact that intelligence efforts are having any deterrent effect on the threats. Therefore it is the opinion that enhanced intelligence sharing can improve the CMS ability to detect, deter and disrupt threats to the region.

The author's intent is to assess the existing intelligence mechanism in CARICOM, to identify shortcoming and using reviews of similar models, present best practices that creates an environment for sharing that will improve national and regional agencies ability to detect, deter and disrupt threats to CMS. It should be noted that the suggestions are not intended to be the panacea for the crime problem in the region; it is intended to be a catalyst for further research to improve the conduct of intelligence, cooperation and sharing amongst CMS in an attempt to reinforce crime and security efforts at both national and regional level.

OVERVIEW OF CMS INTELLIGENCE FRAMEWORK

In support of Cricket World Cup 2007, CARICOM has implemented a framework for the management of intelligence with a menu of enablers in an attempt to ensure efficient

² UNODC Homicide Count and Rate, 2000 - 2012

³ Crime Trends in the Caribbean, United Nations Office on Drugs and Crime (2012)

information and intelligence sharing amongst key stakeholders. The enablers are as follows:

- A Memorandum of Understanding⁴ (MOU) for the Sharing of Intelligence amongst Member States of CARICOM
- A CARICOM Security Management Committee (CSMC) for administrative and policy oversight
- A Regional Standing Committee on Intelligence for operational oversight
- A Regional Intelligence Fusion Centre (RIFC) for the receipt, storage, processing and production of regional strategic intelligence
- A secure information and intelligence sharing platform
- A Regional Point of Contact (RPC) to facilitate information and intelligence sharing with third partners and key stakeholders;
- A national point of contact (NPC) designated in each Member State;
- A central authority for Professional Integrity Testing;
- A regional watch-list system designed to highlight persons of interest (POI's)
- Basic standard operating procedures

At the time of the implementation of the above apparatus, the impetus was “*the creation of a safe and secure environment for the hosting of the International Cricket Council (ICC), Cricket World Cup (CWC) 2007*”.⁵ While CWC ‘07 is ended the mechanism used for the management of intelligence remains unchanged.

Even though CARICOM’s intelligence management framework exists, information and intelligence sharing amongst Member States remains ineffective and dysfunctional⁶.

⁴ Memorandum of understanding⁴ (MOU) for the sharing of intelligence amongst Member States of the Caribbean community (CARICOM) signed by CARICOM heads of government on 6th July 2006, Basseterre, St Kitts and Nevis.

⁵ Agreement between the International Cricket Council (ICC) and CARICOM Heads of Government for the hosting of the Cricket World Cup (CWC) 07

The intelligence management framework established has improved sharing relationships within the Region but due to the absence of a persistent catalyst and formal culture, information and intelligence sharing remains ineffective.

ASSESSMENT

The primary reasons that CARICOM Member States have not shared their information or intelligence with each other or the Regional Intelligence Fusion Centre (RIFC) is as follows⁷:

- There is limited ability to produce intelligence (lack of training and experience in intelligence) in each CARICOM Member State.
- There is an unwillingness to share intelligence (Agencies still exist in pre 9/11 era where the culture negates sharing)
- There is a general lack of trust of individuals amongst sharing agencies due to the perception of corruption and political interference in each CARICOM Member State.
- There is an absence of national legislation, agencies' guidelines, policies and standard operating procedures (SOP's) to govern the conduct of intelligence in each CARICOM Member State.
- There are no set standards within CARICOM Member States with regards to levels of professional integrity testing.
- There are varying levels of information and communication technology (ICT) infrastructure in each CARICOM Member State to support information or intelligence sharing⁸.

⁶ Millington, C. Maj. RIFC Evaluation Report on Current Operations, CARICOM RIFC, Trinidad and Tobago, 2009

⁷ Ibid

⁸ See Table 2 for a snapshot assessment of each individual CMS

CMS Country Codes	Strategic Priority	Security Environs (Crisis)	Established Partnerships	Governance Model				Capabilities	Culture
				HR practices	Legal Regime	Oversight	Specific Funding		
AG	Crime	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Barbados	Crime	Yes	Yes	No	No	No	No	No	No
Bahamas	Crime	Yes	Yes	No	No	No	No	No	No
Belize	Crime	Yes	Yes	No	No	No	No	No	No
Dominica	Crime	Yes	Yes	No	No	No	No	No	No
Guyana	Crime	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Grenada	Crime	Yes	Yes	No	No	No	No	No	No
Jamaica	Crime	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
SKN	Crime	Yes	Yes	No	No	No	No	No	No
St Lucia	Crime	Yes	Yes	No	No	No	No	No	No
SVG	Crime	Yes	Yes	No	No	No	No	No	No
Suriname	Crime	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
TT	Crime	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Table 2. ASSESSMENT OF CARICOM MEMBER STATES INTELLIGENCE FRAMEWORK

OVERVIEW OF APPROACHES

In an attempt to find possible options, the paper will use approaches by the European Union (EU) and the International Crime Police Organization (INTERPOL) as test cases to identify lessons learnt that can be applied to CARICOM's intelligence management framework for intelligence. These organizations were chosen because they represent a conglomeration of states that came together (similar to CARICOM) to decrease the effects of international and transnational crime on its regions.

Each model will be evaluated using the following components. There are:

- Governance – The environment that provides guidance and direction to influence sharing.
- Capabilities – The physical infrastructure and innate abilities of individuals that enables sharing
- Culture – The will to share
- Partnerships – The foundation for sharing amongst Member States

Intelligence Sharing: European Police Office Model 1

Europol is a regional supranational body with its aim being to improve the effectiveness and co-operation between the competent authorities of the member states primarily by sharing and pooling intelligence to prevent and combat serious international organized crime⁹.

Governance – the Europol's intelligence coordination is centralized. Funding is constant and approved annually. Europol gets its oversight through the Justice and Home Affairs Council via the Europol Management Board. The Directorate of Europol is appointed by the Council of the European Union (Ministers for Justice and Home

⁹ Europol Convention Articles 3.1 and 3.2 <http://www.europol.europa.eu/> accessed 8 May 2014

Affairs)¹⁰. Recruitment to Europol is through secondment from Member states as Liaison Officers¹¹. International best practices are adhered to for employment at any one of Europol sub centres. A system of initial and maintenance training is emplaced to ensure adequate skill levels. Based on this governance system, there is a significant amount of sharing amongst EU Member States due to confidence in the systems emplaced.

Capabilities – Europol has a sophisticated and secure technical solution developed to facilitate intelligence sharing amongst Member States. Additionally, Europol has a cadre of over one hundred (100) skilled law enforcement officials with analytical expertise that can contribute to decision making by the Member States. Further, Europol has a robust analytic function that supports current investigations¹². The capabilities developed by virtue of the physical and human resources contribute significantly to three levels of cooperation at the Europol. The first level is technical cooperation; the second level is strategic cooperation and the third level is top level cooperation. The three levels extend across a spectrum that facilitates training, trend analysis and general information exchanges.

Culture – The culture of Europol is one created by the amalgam of diverse personnel from law enforcement agencies affording a multi-lingual and multi-cultural approach that encourages swift and efficient exchange of information amongst Member States of Europol. This professional approach, supported by legislation, engenders a level of confidence across Member States that creates an environment for sharing. Based on this professional outlook of Europol, there is favourable acceptance of the apparatus by Member States and as such national organizations are more likely to share.

Partnerships – Due to the fact that law enforcement personnel are seconded to Europol from Member States, there exists established relationships that engender trust

¹⁰ <http://www.europol.europa.eu/>

¹¹ Europol Constitution. Last accessed 8 May 2014. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:121:0037:0066:EN:PDF>

¹² <http://www.europol.europa.eu/>

amongst participating countries. These national relationships because they are institutionalized stimulate confidence and as a result participating countries are more willing to share. Additionally, these formal alliances enhance communication amongst Member States thereby increasing the opportunities for sharing.

Intelligence Sharing: Internal Criminal Police Organization Model 2

INTERPOL is an intergovernmental organization that is independent and facilitates global crime intelligence cooperation amongst 190 countries¹³.

Governance – The General Assembly and Executive Committee form the Organization's governance. General Assembly – INTERPOL's supreme governing body - is comprised of delegates appointed by each Member State. It meets annually to take all important decisions related to policy, resources, working methods, finances, activities and programmes. Executive Committee – Elected by the General Assembly, the Executive Committee is headed by the President of the Organization. It provides guidance and direction to the Organization and oversees the implementation of decisions made at the annual General Assembly¹⁴. Oversight is provided by Advisers and a Commission for the Control of INTERPOL files. Majority funding for INTERPOL comes from the subscription of Member States and a small portion comes from external sources (project and commercial enterprise). Members of INTERPOL are recruited from serving law enforcement personnel and civilians with professional expertise.

Capabilities – INTERPOL is equipped with a high tech infrastructure offering technical and operational support in many areas such as Training and capacity building, forensic identification, major event support, analytical expertise, border management, operations coordination, data exchange and access to the world's largest database on

¹³ INTERPOL, Last accessed 11 May 2014. www.interpol.int

¹⁴ Ibid.,

crime and criminality¹⁵. All these services are primarily to enhance Member States' ability to respond to crime and to disseminate intelligence where needed. The aforementioned services offer a lot to Member States and as a result there is mass participation. In this instance there are tangible goods being offered at all levels and this has created strong incentives for Member States to participate and share intelligence accordingly. INTERPOL is the second largest intergovernmental organization in the world based on its membership. It appears that because there is instant benefit that Member States participate and contribute consistently.

Culture – The culture of INTERPOL is one created by the amalgam of diverse personnel from law enforcement and security agencies affording a multi-lingual and multi-cultural approach that encourages swift and efficient exchange of information amongst Member States. This professional approach supported by legislation engenders a level of confidence across Member States that creates an environment for sharing. Based on this professional outlook of INTERPOL there is favourable acceptance of the apparatus by Member State and as such national organizations are more likely to share.

Partnerships – INTERPOL as an institution has formal agreements with at least fifteen (15) international and regional organizations, as well as with all one hundred and ninety (190) Member States, with the sole purpose and focus of dealing with international and transnational crimes¹⁶. These agreements provide a robust and almost global network for intelligence cooperation. These agreements are again seen as offering immediate benefit to Member States and consequently participation and sharing is optimum. Based on the robust reach and infrastructure INTERPOL also serves as a platform for coordination of global joint operations. There is great confidence and trust in INTERPOL as an organization and this enhances the environment for sharing hence most Member States utilizes the service. Overall, INTERPOL provides a unique forum for building

¹⁵ Ibid.,

¹⁶ INTERPOL, Last accessed 11 May 2014. www.interpol.int

relationships, sharing information and working together to find joint solutions to common challenges.

ANALYSIS OF MODELS

EU

The Europol is an organization utilizing an ethics based intelligence-led approach as the basis for existence. It offers centralized coordinated intelligence services to its stakeholders as the vehicle for support of all operation nationally and regionally. Based on availability of the framework, an increasing common threat to internal and external security and economic convergence, Member States engage in intelligence cooperation.

The concept of Europol as a solution to EU Member States' need for intelligence sharing is an excellent one, as it mandates standardization at the national level. The shortcoming of this solution is that it is a centralized, highly technical solution for a dilemma that is disparate and manmade. Additionally, the solution remains a voluntary one without any mechanism to monitor and enforce effective sharing. The expectation with this arrangement is that Member States will share voluntarily and truthfully with their allies. The lack of a punitive mechanism in an ethics based system encourages selective and narcissistic sharing which is not in the best interest of a positive sharing environment¹⁷. The insistence by Member states that the solution remain a voluntary one further introduces the real issue of trust or mistrust in an intelligence environment that thrives on confidence. Trust is the key ingredient in an effective intelligence sharing environment¹⁸. If Member states do not have a high degree of trust in each other, they will not share truthfully.

Besides the obvious flaw the Europol system of governance and the capabilities it delivers is an exception one that can be modelled. The mandate for congruence of

¹⁷ James Walsh, *Intelligence Sharing in the European Union: Institutions are not enough*. pp 628. 2006.

¹⁸ *Ibid*.

standards at the national level is also critical because this gives confidence to Member States that partners have the ability to protect and deal with intelligence in accordance with international best practices.

How might Europol fix the fatal flaw in its system? An option may lie in allowing key allies to form sub groups within Europol and then leverage the confidence and trust within these group to enhance sharing. Another option could be to increase the independent powers of Europol so that it can supervise and monitor intelligence collection, analysis and sharing amongst Member States, but it is believed that this will be met with scepticism.

This model offers many lessons that CARICOM can acknowledge and learn from in a possible review of its intelligence management framework. In the opinion of the author the necessity for standards at the national level engenders confidence, a critical ingredient for sharing in the intelligence field. Another critical lesson is the issue of stimulating trust in the intelligence sharing environment. Voluntary systems are prone to manipulations and politicization and hence have no place in an effective intelligence sharing environment.

INTERPOL

INTERPOL is an international organization whose priorities lie in public safety and terrorism, criminal organizations, drug-related crimes, financial and high-tech crime, human, and fugitive investigation support. In its execution of this mandate, the organization facilitates and coordinates a wide range of policing activities, maintains a global communications network, operates a variety of police databases, and disseminates a variety of police “alerts” or notices. It also organizes training courses and dispatches Incidence Response Teams, which assist its members in security or disaster matters¹⁹.

¹⁹ INTERPOL’s homepage at www.interpol.int

INTERPOL's menu of services to Member States serves as incentives for sharing and consequently, there is significant participation by countries. Additionally, the services offered by INTERPOL resonate directly in Member States and reside at the tactical and operational levels whereas Europol's services reside at the operational and strategic level.

Although INTERPOL delivers what are essentially quality law enforcement services that encourage sharing and cooperation of intelligence for a common purpose, there is great concern about the neutrality of INTERPOL's efforts.

The main concern with INTERPOL has nothing to do with its technical solution or directly with the services it delivers. The issue with INTERPOL appears to be in the execution of its mandate. Allegations are that INTERPOL gets directly involved with national issues as oppose to providing support for national issues. Through the years of INTERPOL's existence this allegation has constantly affected its credibility and independence. The conflict appears to originate with Article 3 of INTERPOL's constitution that "*prohibits the organization from getting involved in any intervention or activities of a political, military, religious or racial character*"²⁰. Of note is the fact that subsequent amendments to INTERPOL's constitution in 1994 varied this prohibition so that the organization and its members could cooperate in "*serious violations of international humanitarian law*".²¹ It appears that the variation to the constitution and its interpretations are not in alignment hence the dissonance.

Overall there are numerous benefits that can be adopted from this model to assist CARICOM with it eventual framework. Of note is the driver for incentive type approach that encourages participation and sharing. Additionally, the fact that the services offered by INTERPOL resonates directly at the tactical levels speaks to the utility that state's benefit have on the success of intelligence sharing. Further, the confidence stimulated by

²⁰ INTERPOL's Constitution Article 3

²¹ Ibid

global partnerships cannot be overlooked. It is clear that the potential for global reach encourages participation and eventually sharing.

CONCLUSION

The main objective of the paper was to identify ways to improve intelligence cooperation amongst CMS in combatting transnational crimes. The paper reviewed two models to identify best practices which could be used to benchmark solutions to improve sharing.

The most important feature of Europol was the centrally coordinated approach to dealing with common threats across borders. This joint capacity approach allowed enhancement to the efforts of law enforcement and stimulated intelligence sharing. The identified shortcoming with this model was the fact that the ethics based approach to sharing appeared to provoked mistrust.

INTERPOL's model demonstrated international level cooperation in intelligence that is unrivalled globally. Its technical and highly advanced solutions stimulated the intelligence sharing environment by devolving incentives and tangible benefits directly to the Member States. It was evident by the levels of participation and cooperation by INTERPOL's Member States that there is trust and confidence in the framework and mechanisms offered. The independence and credibility of INTERPOL is seen as its 'Achilles heel'. INTERPOL struggles to maintain its credibility in the face of allegations and a less than ideal understanding of its roles but high impact results from its framework and mechanism enhances probability of continued success and confidence.

Generally, the two models provided significant experiences that CARICOM can use to incorporate into its intelligence management framework.

RECOMMENDATIONS

It is noted from CARICOM's intelligence management framework assessment (in particular Table 2) that individual Member States have significant gaps in governance and capabilities in addition to the absence of an appropriate intelligence culture to generate effective intelligence sharing in the Region. In an attempt to improve CARICOM existing management framework, the author offers the following recommendations:

The underpinning assumption of these recommendations is that there is the political will based on shared interests and threats to CMS.

- Governance – like both models, a governance model that considers the dynamics of each individual country must be instituted. The governance model should include the reorganization of each country's intelligence community (IC), its direction and vision; HR considerations; how the IC interacts with other government agencies; and what legal regimes exist for the conduct of intelligence, its oversight and funding;
- Capabilities – CARICOM must rigidly improve its existing intelligence infrastructure and analytical capabilities and bring it in alignment with international standards both at the national and regional levels taking into consideration national legislation and institutional differences; Further CARICOM need to amend the Treaty of Chaguaramas to include the conduct of intelligence in support of the crime and security agenda; Funding is an issue and the recommendation is that a ten (10) dollar border security tax be implemented to fund the intelligence and security agenda.
- Partnership – Similar to the two models CARICOM must focus on extending its agreement to share intelligence regionally and internationally. In particular CARICOM must renew the MOU for intelligence sharing amongst CMS and generate bilateral and multilateral agreements with key entities in the region and affected countries in North, Central and South America.
- Culture – Similar to both models CARICOM must also generate efforts geared at impacting how its key stakeholders and public feel about it intelligence agencies

and attendant activities. These efforts must consider how to overcome the existing sovereignty issues and the maintenance of relationships at all levels. Additionally, in the creation of the intelligence sharing environment CARICOM must ensure tangible benefits are passed to its Member States. The old adage of '*value for money*' will stimulate trust and confidence in CARICOM's intelligence management framework thereby increasing the probability of replicating the successes with intelligence sharing at INTERPOL.

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