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## **The Importance of (Counter)Intelligence: Is the EU Ready to Play the Big Game?**

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**Adapt** Long Read



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# THE IMPORTANCE OF (COUNTER)INTELLIGENCE: IS THE EU READY TO PLAY THE BIG GAME?

*Viliam Ostatník*

## SUMMARY AND RECOMMENDATIONS

- The EU has very limited and fragmented intelligence capacities and capabilities and remains dependent on individual member states. Moreover, the EU has practically no capacities in the area of counterintelligence.
- Furthermore, to counter foreign espionage in Brussels, the EU, in practice, fully relies on Belgian state authorities - which are, however, hardly up for such a complex and resource-consuming task.
- In the new international security and geopolitical environment, the EU - collectively, and its member states - should acknowledge new needs in the area of (counter)intelligence, focusing not only on capabilities of producing high-quality intel, analyses and predictions but also on countering espionage efforts by the third states.
- If undue influence of the third states over the EU policies is possible (as the recent "Qatargate" illustrates) the EU should focus more on monitoring and countering other states' influence over its policies; namely and mainly, Russian and Chinese ones over the EU industrial, trade, security and foreign matters.
- Also, to deliver on its strategic ambitions (put forward in the Strategic Compass), the EU will need closer cooperation in the area of (counter)intelligence.
- The EU could move forward through the establishment of a body of national envoys similar to the EU permanent representatives (meeting within Coreper 2 format) or national ambassadors to the Political and Security Committee, that would address collective (counter)intelligence.
- Alternatively, a body similar either to Europol (an umbrella organization tasked with coordinating national capacities and authorities) or the European Public Prosecutor's Office (as a form of enhanced cooperation) could be set up.

- Additionally, the EU could strengthen already existing bodies such as SIAC and/or Intelligence College in Europe, provide more resources to produce more structure, capacity, independence, and attract talent, having in mind that such EU capacities should not constitute an unnecessary duplication to NATO's activities already established in this area, but should supplement them.

## INTRODUCTION

As the world enters a new era of superpower competition, (counter)intelligence – both military and civilian – once again becomes an ever more important element of security and defence. February 2022 invasion of Ukraine by Russia, the subsequent war but also the months preceding it, clearly demonstrate the importance of accurate and real-time intelligence. Is the EU ready to play the big game of (counter)intelligence<sup>1</sup>?

This policy brief tries to explore the situation the EU finds itself in regarding the topic, and also highlights some possible ways forward. Further research and analysis into the topic to identify future possibilities in more detail or to capture individual EU member states' policy preferences as well as capacities in this regard are called upon.

## MILITARY INTEL AS AN ENABLER – AND A SAVER

On June 6, 1944, thousands of soldiers trying to break through the German defences do not know exactly how much they owe to a long deception campaign preceding the invasion<sup>2</sup>.

The fighting on the Normandy beaches on that day was bloody and heavy as it was heroic, no doubt. But it could have, perhaps, been much heavier and bloodier were it not for the German high command believing the Allies were planning to invade occupied Europe in the area known as Pas-de-Calais, not in Normandy.

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<sup>1</sup> For the purpose of this brief, I look at instances of both state intelligence and state counterintelligence; gradually, however, I put more emphasis on the counterintelligence.

<sup>2</sup> See, for example, Phipps 2012.

World War 2 offers many examples of how intelligence served Allied victory. We could name project Ultra, the so-called XX System, many operations such as Bodyguard, Fortitude or Cockade, and so on. After that war ended in Europe, operation Paperclip might serve as an example of how intelligence can offer a significant long-term strategic advantage to a country (one could make an argument about Americans landing on the Moon mainly thanks to Wernher von Braun and his colleagues working on German rocketry during the war).

Further historical examples, where sound and high-quality intelligence and analysis secured a strategic victory or possibly even saved the world, would include Cuban Missile Crisis<sup>3</sup> or the lesser-known crisis concerning Able Archer 83 NATO military exercise in 1983<sup>4</sup>.

The United States played a key role in the months preceding the Russian invasion of Ukraine in 2022. It decided to follow the strategy of openly communicating the possibilities and scenarios of Moscow deciding the launch the invasion, even putting forward the possible dates. This strategy seems to be the opposite of the one applied back in 2014, when the elites did not choose to communicate publicly the intel available to them regarding Russian intentions and capabilities. A different approach in 2022 illustrates learning from previous mistakes, exploring new strategies and generally, the importance of sound intel and its sharing<sup>5</sup>. There is also wide speculation on the involvement of intel gathering and sharing that enabled the Ukrainian army to strike and eventually sink Russian guided missile cruises and its Black Sea fleet flagship Moskva<sup>6</sup>.

The EU is not in the same position as the US, of course, mainly because it is not a sovereign state with its own, sovereign intelligence services and

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<sup>3</sup> See, for example, this crucial piece analyzing the role of US intelligence during the crisis and also identifying implications (for today): Cadell 2017.

<sup>4</sup> See, for example, Barrass 2016.

<sup>5</sup> Although the European services did not do much about it.

<sup>6</sup> See, for example, Ohanes 2022 or Ankel 2022.

agencies<sup>7</sup>. Additionally, the examples above concern mostly military intel, which usually is the most sensitive as well as secretive.

But even if we turn our attention to the civilian one, or, even more specifically, to the counterintelligence, the EU seems to be ill-suited to the world of 2022 and beyond – a world of multiple, parallel crises in various domains and areas, a world largely defined by some resurrected and some new superpower tensions and competition.

### **EU CAPABILITIES: WHERE DO WE STAND?**

To facilitate intelligence sharing among the EU member states, the EU has been able to develop several institutions and agencies with the aim to collect, analyse and operationalise intelligence in view of key security threats (Pronk & Korteweg 2021).

The EU does not operate its own (counter)intelligence agency, as already mentioned. However, the EU has something called the European Union Military Staff Intelligence Directorate (EUMS INT)<sup>8</sup>, the European Union Intelligence and Situation Centre (IntCen)<sup>9</sup>, as well as the European Union Satellite Centre (SatCen)<sup>10</sup> at its disposal.

The European External Action Service (EEAS), the EU's quasi-ministry of foreign affairs encompassing other areas as well, operates a unit within its European Union Military Staff called EUMS INT, which aims to offer expertise on military intelligence. This concerns mainly the EU civilian

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<sup>7</sup> Indeed, it is not an EU competence, according to Article 4.2 of the Lisbon Treaty and like all matters concerning national security, it remains a full competence of the individual EU member states.

<sup>8</sup> The EUMS INT is the military intelligence unit of the EU. About 40 personnel in Brussels are tasked to provide military situation estimates to the Military Staff and the Military Committee of the EU in order to improve the decision-making and planning processes for both EU civilian missions and military operations.

<sup>9</sup> IntCen was established in 1999 along with the CSDP as an open-source intelligence analysis centre. Today, IntCen is a unit of the EEAS with approximately 100 personnel.

<sup>10</sup> SatCen was founded in 1991 in parallel with the Common Foreign and Security Policy (CFSP) of the European Union and is the largest quasi-intelligence agency at EU level.

missions and its military operations, not the “domestic” defence and security of the EU per se.

Then there is IntCen, which is to provide intel to all EU institutions but collects this information from whatever dossiers member countries decide to share - which, as the EU officials say, is often very little (Barigazzi & Momtaz 2020). In other words, this is not an independent and proactive organization or an agency, since all its work and products depend on the individual Member States and their willingness to share (selected) information. Additionally, IntCen tends to deal mostly with matters of internal security connected to (counter)terrorism. Analyses are suggesting a certain lack of transparency within this organization<sup>11</sup>.

IntCen and EUMS INT have been a part of the Single Intelligence Analysis Capacity (SIAC) since 2007. EU Global Strategy dating back to 2016 described SIAC as aiming to be the main European hub for strategic information, early warning, and comprehensive analysis.

SatCen, in addition, receives (under the supervision of the EEAS) its commissions from IntCen, the Military Staff and the individual member states. While it is true that it is regarded as the only EU body to generate original intelligence data, these are based on commercially available satellite images and serve mainly for the preparation of common (and rather general) situation estimates. It aims to support EU operations as part of the Common Security and Defence Policy (CSDP) and FRONTEX (Seyfried 2017).

All in all, the EU has very limited and fragmented intelligence capacities and capabilities, which are dependent on individual member states and their willingness to share information. Moreover, the EU has practically no capacities in the area of counterintelligence. There are high levels of bureaucratic hurdles too (Korteweg 2022). Furthermore, the EU is not only dependent on its member states in the aforementioned respect; to counter foreign espionage in Brussels, the EU, in practice, fully relies on Belgian

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<sup>11</sup> See Jones 2013.

state authorities – which are, however, hardly up for such a complex and resource-consuming task<sup>12</sup>.

### **QATARGATE HINT**

The set-up and nature of the EU's intelligence services mentioned above suggest they have been created and used in an (international) environment not characterized by superpower competition and the need for comprehensive, complex defence of the EU. Rather, they have been functioning in the post-Cold War environment primarily focused on counter-terrorism operations and activities and expeditionary (military or civilian) missions<sup>13</sup>.

The world, however, has changed. And so did the EU, which is no longer “just” a peaceful, mainly economic integration project.

The EU – and indeed its member states – should understand these changes.

Essentially, it is a change from a primary expeditionary involvement to somewhat renewed domestic responsibilities and necessities – such as the security and defence of the EU in an environment of superpower competition and even outright hostility. In this new environment, distinctions between the state (public) and the private, (real) war and (formal) peace, and domestic and international are blurred (see Ostatník 2022). The EU institutions and member states should clearly understand the difference between intel sharing on domestic issues (mostly international terrorism-focused), and this new environment, which also entails better counterintelligence capabilities. Also, the EU is playing an increasingly (geo)political role, with an ever more active European Commission and

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<sup>12</sup> Whereas the US or Australia require people working for foreign interests to register (and thus are much easier to monitor), Belgium does not. Moreover, as Politico reported, in 2016, Belgian intelligence agency was only half as big as those of its EU peers. Politico (2022) quoted Kenneth Lasoen, an expert on Belgian intelligence at the Antwerp University, summing it up: “Let’s be honest: A hostile operating environment is Moscow with the FSB. It’s not Brussels with the Belgian State Security Service.” See Moens 2022.

<sup>13</sup> This, perhaps, is also true for individual intelligence services and agencies of the EU member states.

common policies ranging from sanctions on third states, through the domestic defence industry, to major trade deals.

Let us illustrate the importance of strengthening shared counterintelligence capabilities on the recent scandal involving Qatari and Moroccan influence on certain members of the European Parliament (MEPs)<sup>14</sup>. Certain MEPs are under investigation (some also charged) in regard to receiving money and other benefits to influence EU policies, essentially in the foreign interest. Parliament President R. Metsola framed it as European democracy being “under attack”, German Foreign Minister A. Baerbock said that because of that, the whole of the EU’s “credibility is at stake.” The problem, however, is much wider. The EU Parliament can easily be criticized for low integrity rules, almost no effective enforcement system, and little, if any, transparency concerning foreign state influence<sup>15</sup>. The whole issue had to be uncovered by Belgian state authorities.

The scandal can therefore be seen as an instance of EU institutions, bodies and agencies failing to detect serious corruption and foreign influence allegations. At the same time, it also shows that not only individual member states but also the EU institutions are not immune to (attempted) foreign influence and that they are not (always) able to take care of security matters regarding such undue influence, let alone counter foreign espionage or offer precise analyses and predictions<sup>16</sup>.

In the current security and geopolitical environment, largely defined by superpower competition, redesigning of key international supply chains, Russian revisionism and militarism, and Chinese spying<sup>17</sup>, the EU needs to

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<sup>14</sup> For little more details and context, see, for example, this video by Politico: <https://www.youtube.com/watch?v=jZRg5y6AQR0>.

<sup>15</sup> The scandal also puts Parliament’s top Bureau, an intransparent body that decides behind closed doors on everything from how Parliament’s budget is spent to who gets the top jobs in the administration, into spotlight. See Vela 2022.

<sup>16</sup> French intelligence stands here as an example of how to fail to (correctly) anticipate Russian invasion of Ukraine in February 2022. And there seem to be more blunders, like failing to analyze and predict Australia’s decision to cancel a major submarine deal with France as well as failing to foresee a coup in Mali, both in 2021. See De La Baume 2022.

<sup>17</sup> Even back in 2019, a warning was issued to staff from the European External Action Service is to be believed – at the bars and restaurants near the European Commission’s

collectively up its game – and we are not talking about security offices on the level of the Commission, the Council or the European Parliament that are tasked to (physically) prevent spies from penetrating EU buildings and accessing some sensitive documents.

Thinking about the issue in light of Qatargate, but mostly the Russian and Chinese spying, an integrated intelligence service that would provide crucial security information to the national authorities and would even have some mandate on its own (specified in similar nature as in the case of EU prosecutor's office, for example) might be something the EU needs. Qatari or Moroccan influence on EU foreign policy might be seen as a relatively unimpactful case, or primarily (and correctly) as a case of intra-EU corruption since it concerned mainly members of the European Parliament. But if such intrusions are possible (and go without notice, until Belgian state authorities have to step in), then again: what about Russian influence on EU security and foreign policies? What about the Chinese influence? What about espionage efforts of these states, whether in matters of security, defence, technology or industry and economy?<sup>18</sup> And in principle, what about any other third state influence over EU policies?

### **RECOMMENDATIONS: EXPLORE AND EXPLOIT**

The EU has put forward some ambitious goals in the area of defence and security in its 2022 Strategic Compass, reflecting on the current state of international relations and security mainly characterized by the war in Ukraine and the (potentially intensifying) strategic competition with China. To deliver on these ambitions, the EU will need closer cooperation in the area of (counter)intelligence. The overall aim should be to protect the EU,

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headquarters nobody really knows just how many spies are operating in the EU capital. See Moens 2022 and also Schiltz 2019.

<sup>18</sup> Thanks to recent – uncompromising – raids against (suspected) Russian spies, operators and/or collaborators in Sweden, Norway, Germany and the Netherlands, and thanks to even longer history of uncovering Russian (and to lesser extent, Chinese) espionage in the three Baltic states (especially Estonia), perhaps these countries can be most instructive for the whole of the EU on how to do it. See Duxbury 2022 and Rinaldi 2022. Collective, joint efforts could also help those EU countries with weaker capacities (or will) to tackle corruption linked to espionage and the espionage itself.

its citizens, and its interests. This includes lives as well as livelihoods, and thus encompasses everything from hard security matters to economic espionage. In other words, the EU needs the capability and capacity to protect itself and its citizens; protect EU lives, freedoms, prosperity, and security.

With its current (inter)institutional setup, it cannot deliver on that promise. Not without more structured and deeper (counter)intelligence cooperation, sharing and integration<sup>19</sup>.

What could this mean in practice?

There are two main areas for possible integration – first, the EU’s joint counterintelligence capabilities and capacities, focusing (also) on monitoring EU institutions and their operation free of undue foreign influence and espionage. Second, joint EU intelligence capabilities and capacities, analysing foreign events, policies, trends, and dynamics, offering tailored information and advice regarding the EU’s foreign and security policies.

Former can move practically forward through the establishment of a body of national envoys perhaps similar to the EU permanent representatives/ambassadors (meeting within Coreper 2 format) or national ambassadors to the Political and Security Committee. Such bodies have a certain mandate, powers and responsibilities, and the frequency and informality of their meetings and working together alone brings (albeit gradually and mostly informally) more integration and effectiveness to the information-sharing as well as decision-making processes in given areas. Alternatively, the leaders of the EU (both institutions and states) could think about setting up a body similar either to Europol (an umbrella organization coordinating intelligence services across the bloc, with a similar mandate in scope and depth) or the European Public Prosecutor’s Office (as a form of

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<sup>19</sup> This entails taking account of the non-developed/non-integrated strategic culture and threat-perceptions by the individual EU member states. This can – and often does – translate into different risk-assessments and subsequently positions on concrete security and foreign policies and priorities (look, for example, on strategic assessments of Poland and Germany or France – they tend to be very different, especially in regard to Russian security threat). This reality ought to be considered in all the debates regarding the Common Foreign and Security Policy of the EU, as well as Common Security and Defense Policy, potential reform of voting procedures, etc.

enhanced cooperation, again with a similar mandate, but in the area of (counter)intelligence)<sup>20</sup>.

The latter could be more about strengthening bodies already in existence, such as SIAC and/or Intelligence College in Europe (Emanuel Macron's 2019 initiative). Both would need more resources to gain more structure, capacity, independence and attract talent. It is important to note, however, that such EU capacities should not be an unnecessary duplication to NATO's activities already established in this area (e.g., its Counter Intelligence or Human Intelligence centres of excellence, located in Poland and Romania, respectively), but should instead strive to complement them, also through sharing best practices and possibly infusing cooperation at the EU level with elements from NATO's Intelligence Warning System (see Pronk & Korteweg 2021 and Korteweg 2022).

The changing international as well as domestic (EU) security environment offers momentum to move towards more cooperation in this area.

## CONCLUSION

In the current security environment, the EU needs to become a less reactive and more proactive global actor. It also needs to be able to protect its citizens and interests. Besides other capabilities necessary to fulfil these tasks, it also needs to invest in joint (counter)intelligence capacities.

Collecting data is not enough, since raw data can mean a lot of different things. The EU needs to support and build the capacity to analyse, connect the dots, understand, and then make conclusions and recommendations systematically, jointly, and collectively.

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<sup>20</sup> Establishing a body similar to Coreper 2 or PSC, or strengthening IntCen to more resemble Europol, member states would still retain ultimate control yet allow for more convergence, information sharing and effective cooperation, even decision-making through more institutionalized informality and socialization (for that, also see Llorente-Saquer, Malherbe & Bouton 2015, who explain the feature of having constructive abstention mechanism available in the decision-making process and how it enhances information aggregation yet retains veto power). In case of a body similar to EPPO, member states would have to allow for delegation of certain powers to such supranational institution, giving it a clearly defined mandate - but for the benefit of having a body that itself can pursue specific counterintelligence policies through enforcement mechanisms.

Good analysis can bring a better and sharper understanding of the world around us, which is a key building block for good strategy and policy. The EU needs informed political decisions, it needs sound defence, industrial and trade strategies, it needs to aggregate top-quality information and analyses on current and future trends and events and understand them in complexity. Top leaders of the EU should be presented with various scenarios and possibilities to stay atop of things, not be surprised by outside developments and then simply scramble to react.

The EU is up for the task only if it allocates more funding to collective (counter)intelligence capacities, tries to defragment the current (inter)institutional setup, streamlines and de-bureaucratizes, avoids duplications, and builds on its strengths (EU has a history of interdisciplinary and multidomain institutions, such as the EEAS<sup>21</sup>).

In a fierce “fight for funds”, the abovementioned reasons should help answer the question of why is this important and how can it make a difference. Better information on who operates in the EU (Brussels) for foreign and at times even outright hostile interests (especially from the countries that are adversaries and/or competitors to the EU), better foreign and defence policies, more informed decisions on who, what and how to sanction, independent analysis on foreign powers and international relations, capacity to predict and plan – all that would benefit from better collective (counter)intelligence capacities.

Of course, it is the issue of political will and mostly trust – as is the case with most, if not all, EU policies. Integration and cooperation require trust. Crucially, one could argue, an integration in such a sensitive area as (counter)intelligence also requires a shared strategic culture, which is something the EU did not develop even after decades of intense cooperation.

That, however, is something institutions and politics can nurture or facilitate (although cannot guarantee). And a more functioning, effective integration of intelligence and counterintelligence services in the EU might nudge member states to produce – finally, and also under outside pressure – common strategic culture, doing so through understanding and gradually

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<sup>21</sup> For more on this topic, see, for example, Bátorá 2021

solidifying trust. But, most importantly, such effective (counter)intelligence integration might help provide crucial and accurate information for EU institutions and agencies (co)creating vital policies for the whole bloc. It might help turn EU policy from being reactive to proactive, to anticipate, shape and influence world events and dynamics. And ultimately, it might help secure peace, stability, and prosperity for the EU citizens in the new unstable, competitive international environment. And after all, what else matters?

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