



ASSESSMENT OF SPOILER THREATS

2020 LL BRANCH - SUMMARY REPORT



At the [NATO SP COE](#) in Vicenza, Italy,
from November 2019 to May 2020.



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FOREWORD FROM THE DIRECTOR

I am pleased to present this summary report based on the outcomes of the first NATO Stability Policing (SP) Lessons Learned (LL) Conference, and the subsequent third SP LL Workshop (WS), both organised and hosted by the NATO SP Centre of Excellence (SP COE) from 8 to 10 October 2019.

Under the auspices of NATO Supreme Allied Command Transformation (SACT), the primary customer of the relevant deliverables, the '*Assessment of Spoiler Threats - A Shared Requirement*' was the theme of both the Conference and the ensuing Workshop.



During the one-day conference on the 8th of October, eight key-note speakers, ranging from the United Nations (UN), the North Atlantic Treaty Organization (NATO), the European Union (EU) and the African Union (AU), to the US Special Inspector General for Afghanistan Reconstruction (SIGAR), and academia, enlightened an audience of more than 100 attendees and 240 YouTube® followers.

Following the Conference, the WS, with Subject Matter Experts and practitioners from different military, police, civilian, national and international organizations, took place building on the conclusions of the previous day's convention. The results of their analysis, discussion and supporting material on *Spoiler Threats*, I am delighted to present through this report.

Key findings from which include that:

- The lack of a specific methodology to assess spoiler threats undermines peace processes and, in the past, has caused failures in missions (several of which have returned to conflict within only a few years);
- Stability Policing can play an important role in the early assessment and identification of spoilers, by virtue of its intelligence-led policing capabilities.

This document will in turn form the basis for developing a common and sharable methodology aimed at assessing spoiler threats, by crafting a standard tool for use by planners in destabilized scenarios across the full spectrum of operations. As a consequence, an associated training curriculum, hopefully still under ACT's auspices, will be created.

Finally, echoing the recommendations of those, who brilliantly contributed to this piece of work (and to whom I wish to convey my heartfelt gratitude and praise), I draw your attention to the requirement to influence decision makers of the need to carry out a 'spoiler threat assessment' *prior* to intervening in any conflict or crisis response operation. Only by doing so, will we be able to set an effective and sustainable exit strategy from the very outset of any mission, thus helping to ensure long-term peace and development.

Giuseppe De Magistris
Colonel, Italian Carabinieri
NATO SP COE DIRECTOR

A handwritten signature in blue ink, appearing to read 'G. De Magistris', written over the printed name and title.

The Report is the result of a joint effort between the NATO Stability Policing Centre of Excellence and external experts, namely:

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At the NATO SP COE in Vicenza, Italy, from November 2019 to May 2020

EXECUTIVE SUMMARY

1. INTRODUCTION

Global developments and the ever-changing security environment that we are witnessing require NATO and the entire International Community to continuously transform and adapt.

As it did since its creation in December 2015, the NATO Stability Policing (SP) Centre of Excellence (COE) continues to monitor some of the International Community's gaps that partially or wholly affect the international missions' end-states and mandates.

Having identified the vulnerabilities that have resulted from the failure to assess the possibilities of spoilers prior to any intervention (i.e. the high likelihood that conflict will resume in five years after a peace agreement¹), it is incumbent upon the International Community to follow up with a process to develop a methodology to assess spoiler threats in order to maximize prospects for successful and expeditious stabilization in future interventions.



Vicenza (Italy), 2019 NATO SP LL conference
NATO SP COE PHOTO

Of course, every International Organisation (IO) can attempt to do this in isolation, considering the experience of its missions and contributors, but in our opinion and experience this needs to operate within the realm of a Comprehensive Approach (CA) owing to the frequency of hybrid missions with the aim of mutual benefit in terms of interoperability and achievements during mandate implementation.

Therefore, mandates should endow missions with the capabilities and authorities able to implement viable spoiler management strategies, but first we must have in place, test and exercise a tool for pre-mission spoiler assessment.

With all this in mind, the NATO SP COE, supported by NATO's HQ SACT as Customer, successfully conducted a high-level conference involving the main IOs responsible for providing security (UN, NATO, EU and AU), in close collaboration with other experts with relevant expertise on assessing spoiler threats, drawn from academia, the media or national organizations such as the US Special Inspector General for Afghan Reconstruction (SIGAR). The Conference's purpose, entitled "Assessment of Spoiler Threats: A Shared Requirement", was aimed at bringing together UN, NATO, EU and AU practitioners in order to discuss the assessment processes (including tools) that can be used from the earliest phases of the planning process by these IOs to identify potential spoiler threats that can impact an operation. Its main conclusion was the recognition and mutual agreement of the requirement to develop a coordinated process for assessing spoiler threats affecting the end-states of any international mission.

The Workshop (WS) that followed the Conference was intended to capture and analyse specific observations, best practices and lessons from the topics addressed during the Conference, in order to integrate them within this report. Its main result was the identification of the need and of a solution for

¹ See UN Secretary General Kofi Annan, *In Larger Freedom: Towards Development, Security and Human Rights for All*, March 2005, 3: "Currently, half the countries emerging from violent conflict revert to conflict within five years."

how the UN, NATO, EU, and AU can work toward a coordinated process or at least a common framework for assessing spoiler threats that impact on an international mission.

Therefore, the report will enable the COE to develop a doctrinal study aimed to produce a Conceptual Framework addressing how to assess the spoiler threats. In parallel, the Report's findings, conclusions and recommendations will be shared among NATO bodies and the participated International Organisations, to be further considered and used during the upcoming doctrinal meeting.

2. METHODOLOGY OF THE REPORT

Based on the initial outcomes of both the Conference and WS, the Project Team (PT) expanded its research on spoiler behaviours, facets and their possible impact on operations, including existing spoiler assessment tools. As a first step, the PT conducted a documentary research on the three assessment tools presented during the Conference:

- *Center of Power Analysis* by Mr. Oscar Vera;
- *A Systemic Analysis of the Structure of Corruption* by Ms. Sarah Chayes;
- *Assessment of Spoiler Threats in Somalia* by Brigadier General Robert Kabage (retired), AU Senior Monitoring and Evaluation Officer.

In parallel, other threat assessment methodologies relevant for an international mission have been evaluated in order to identify possible opportunities to be used for future spoiler threat assessments.

Additionally, a review of policies and directives belonging to NATO and other IOs involved in policing, such as the UN, the EU, the AU and the Organization for Security and Co-operation in Europe (OSCE) has been conducted.

The output of this work is this report, to be presented for further consideration and implementation to NATO's Headquarters Supreme Allied Commander Transformation (NATO HQ SACT), the promotor/sponsor of the Conference and the customer of its outcomes. A new experts' meeting will follow in order to set the scene to develop "*the NATO tool*" to assess spoiler threats.

This entails committing resources, appointing and tasking one or more Action Bodies (AB), for the tracking of transformational activity from lessons identified to lessons learned, and the latter's exploitation within the future doctrinal Conceptual Framework, in cooperation and coordination with other relevant NATO Bodies and IOs.

3. PURPOSE OF THE REPORT

The purpose of this report is to stimulate action by NATO and its likely future partners in stabilization missions to rectify this critical capability gap and to significantly improve upon the historical record of a high probability of return to conflict after five years.² The objective of this lessons learned activity is therefore to set in motion a process to develop an effective methodology for identifying prospective spoilers prior to future international interventions. Moreover, the report is aimed at providing NATO and its partners with a professional overview on the spoilers' issue, which will help understanding the way this problem can be robustly and comprehensively solved in the near future. Additionally, the findings may benefit those NATO Bodies involved in planning and conducting operations and exercises, and those organizations of NATO nations and partners having a role and interest in assessing spoiler threats.

² *Ibid.*

4. STRUCTURE OF THE REPORT

The following chapters provide an overview of the key selected topics and are not meant to be exhaustive from an analytical point. For a better understanding of the context, the supporting annexes should also be carefully noted.

In this regard, six relevant topics linked to spoiler's threats are structured and reflected within the relevant chapters of the present report and supporting annexes, referring to:

- *Chapter 1: State of play*, which offers a brief summary of the subject and existing spoiler definitions.
- *Chapter 2: Rationale for assessing spoilers*, which also provides the rationale for having a spoiler assessment methodology and the role of Stability Policing in assessing spoilers.
- *Chapter 3: Characteristics of Spoilers*, where a working definition of spoilers and their facets are presented.
- *Chapter 4: Current methodologies used in assessing spoiler's threats*, in which the three existing methodologies presented during the Conference are clearly described with attributes, strengths and weaknesses.
- *Chapter 5: Technical considerations of the methodologies used in assessing spoilers*, where we discuss who should be the operational and technical authority for any assessment tool and the custodian of any assessment process; the possible need of interoperability with other national and international assessment tools and resources; and finally about the possible custodian of the methodology, the required training of analysts in the use of this tool, and the future development of doctrine for its use.
- *Chapter 6: Other threats assessments relevant for an international mission*, which lists some useful assessment tools and procedures adopted by different IOs and countries to identify other potential threats than spoilers, particularly from serious organized crime. The chapter also provides some common features which may present opportunities for standardization and the sharing of best practices.

5. KEY JUDGMENTS

This section summarizes Key Judgments developed by analysing main conclusions and recommendations from the whole report.

Each chapter consists of specific conclusions and recommendations.

MAIN CONCLUSIONS	KEY RECOMMENDATIONS
History shows that soon after the signature of a peace agreement and the deployment of NATO and/or other International Organisations, spoilers have very often been able to disrupt or undermine the peace process. ³	There is the need for the International Community to develop a methodology to assess spoiler threats bearing in mind that the lack of this capability may undermine the peace process.
A lack of methodology to assess spoiler threats undermines the peace process and, in the past, has caused failures in missions and more than half return to conflict after few years. An assessment of spoiler threats is necessary to better understand the potential for spoilers well in advance of a mandate. If not, the mission is either at risk of failure or becoming mired in an intractable conflict.	The methodology for assessing spoiler threats, as a living instrument, should start during the planning process and continue during and after the so-called 'golden hour' ⁴ throughout the spectrum of activities which range from reaching a peace agreement to its implementation.
From the outcomes of the conference and workshop, it is unclear whether the EU, UN, or NATO have a specific methodology to assess spoilers. There is therefore a need for International Organisations to improve their capacities for strategically assessing the implementation environment, particularly the motives, intentions, and capabilities of peace parties and spoilers, by conducting a proper spoiler assessment prior to any decision to intervene and by including the results of the assessment appropriately in the mission mandate.	IOs should improve their capacities for strategically assessing the implementation environment, particularly the motives, intentions, and capabilities of peace parties and spoilers, by conducting a proper spoiler assessment prior to any decision to intervene and by including the results of the assessment appropriately in the mission mandate. NATO should develop its own, specific and technical methodology for spoiler assessments and exercise it to guide implementation of its operational mandate.
There is a need for NATO or other International Organisations to implement a tool for assessing spoiler threats in Afghanistan in the event of a peace agreement, saving lives and financial resources and paving the way to consolidate stabilization of the country.	NATO should implement a Spoiler Assessment Methodology in Afghanistan to support a prospective peace agreement, paving the way to consolidate stabilization of this country.
There is merit to assess the existing definitions of spoilers by considering whether other (i.e. non-violent) means of spoiling should be recognized or at least permitted within the definition.	The existing definitions of spoilers should be reconsidered to include whether other (i.e. non-violent) means of spoiling should be recognized or at least permitted as spoiler threats.
Stability Policing can play an important role in the early spoiler assessment and identification phase and in putting in place effective mitigating measures against them, especially if the spoilers belong to categories such as Criminalised Power Structures.	Stability Policing capabilities should be involved in the early identification and assessment phase for spoilers, considering that intelligence-led policing operations are essential for spoiler management.
The three Spoiler Assessment Methodologies (SAMs) presented in this report represent a concrete source of inspiration for the future NATO Methodology for assessing spoiler threats, considering the following empirical evidence presented during the Conference and Workshop:	The strengths of the three SAMs presented during the conference and any other methodologies that might exist should be incorporated into a SAM for use by NATO prior to future hybrid international missions in which it is a participant.

³ See Stedman, S.J. *Spoiler Problems in Peace Processes*, International Security, Vol. 22, No. 2, Autumn 1997.

⁴ The term "golden hour" is derived from medical science and is defined as "the hour immediately following traumatic injury in which medical treatment to prevent irreversible internal damage and optimize the chance of survival is most effective" (see Merriam Webster Dictionary).

<p>I. <i>The Center of Power Analysis Methodology</i> identifies the centre of gravity (COG) of spoiler networks and their vulnerability to disruption, and it has been successfully employed by NATO in Bosnia Herzegovina to identify a previously unrecognized but existential threat to the mission (i.e., the Third Entity Movement), demonstrating the ability to anticipate spoiler threats and implement a strategy to eliminate them.</p> <p>II. <i>The Systemic Analysis of the Structure of Corruption Methodology</i> emphasizes the structures that perpetuate corruption in governance which is directly relevant to identifying the predominant source of spoiling: Criminalized Power Structures. Moreover, this methodology overlaps extensively with the <i>Center of Power Analysis methodology</i> mentioned above.</p> <p>III. <i>Assessment of Spoiler Threats in Somalia belonging to AU is explicitly designed to lead to the development of a strategy and provides some relevant aspects to be considered for assessing spoilers like their motivations (e.g. whether they are motivated by greed, grievance, or ideology) and their capabilities, specifically assessment of the organizational cohesion of threat actors and identification of any internal schisms that can be exploited, their sources of illicit financing, the level of public support they enjoy, and linkages with international networks.</i></p>	
<p>It is incumbent upon HQ SACT, as customer of this report, with the support of the NATO SP COE, to follow up on the October 2019 conference with a process to develop a SAM that maximizes the prospect for collaboration with its most likely international partners in future interventions.</p>	<p>NATO HQ SACT, as customer of this report, with the support of the NATO SP COE, should follow up on the October 2019 Conference with a process to develop a SAM that maximizes the prospect for collaboration with its most likely international partners in future interventions.</p>
<p>Once the NATO SAM is in place, the next step will be to develop a dedicated course that will be used to train a team of NATO analysts in its use.</p>	<p>After developing the SAM, NATO HQ SACT, with the support of the NATO SP COE, should develop a dedicated course to train a team of NATO analysts on its use. The objectives and learning outcomes of this course should be to train a multi-domain group of stability policing practitioners in the art of conducting a mission critical assessment of the potential spoilers of the peace process and the most effective way of defeating and mitigating their opposition in order to achieve the desired strategic outcome.</p>
<p>The final step will be to develop a doctrinal framework within NATO for the use of its SAM and to test it in the context of an existing peace negotiation process involving NATO.</p>	<p>NATO HQ SACT, with the support of the NATO SP COE, should develop a doctrinal framework within NATO for the use of its Spoiler Assessment Methodology and to test it in the context of an existing peace negotiation process involving the Alliance.</p>

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CHAPTER 1

State of Play

1.1 Brief summary of the subject

The primary lesson to be learned is that if spoilers are expected, mandates should endow missions with the capabilities and authorities required to implement viable spoiler management strategies during the ‘Golden Hour’ when prospects for success are at their peak. The latter has been referred to by Dobbins, Watts, Chandler, Eaton & Pezard, in their report “*Seizing the Golden Hour [...]*”⁵. The term “golden hour” is derived from medical science and is defined as “*the hour immediately following traumatic injury in which medical treatment to prevent irreversible internal damage and optimize the chance of survival is most effective*”. The authors used the concept of “Golden Hour” as a “*metaphor which imperfectly captures the realities of early steps to seize momentum and set post-conflict countries on a path to sustainable peace*”. They also noted how the concept “*highlights the centrality and urgency of such efforts. Despite the apparent consensus among civilians and military officers alike about the importance of the initial phases of stabilization, both the concept of golden hours and their operational implications remain remarkably underdeveloped*”.

“Neither the UN, EU, nor NATO have a specific methodology to assess spoilers.” This gap is critical, keeping in mind the historical record of a 50% return to conflict after five years due to spoilers’ actions”.

Back to the central theme of this report, Stedman, who first identified the spoiler phenomenon, emphasized the requirement for spoiler assessment when he concluded in a report for the International Peace Academy in 2001 that:

*“The two most important environmental sources of failure are the **presence of spoilers** [...] and neighboring states that **oppose the peace agreement and assist the spoilers**.” Given the importance of these findings, the United Nations needs to improve its capacities for strategically assessing the implementation environment, particularly the **motives, intentions, and capabilities** of peace parties and **spoilers**”.*

(Emphasis in the original)⁶ Stedman also argues that:

“Throughout the 1990s, the signing of a peace agreement has been sufficient to trigger international involvement to implement that agreement, but nowhere near sufficient to ensure the international commitment to do the job right”⁷.

The obvious solution would be to conduct a proper spoiler assessment prior to any decision to intervene and to include the results of the assessment appropriately in the mission mandate.

⁵ Cf Dobbins, J., Watts, S., Chandler, N., Eaton, D. & Pezard, S. (eds) *Seizing the Golden Hour: tasks, organization, and capabilities required for the earliest phase of stability operations*, RAND Corporation, Santa Monica 2020.

⁶ Stedman, S. J. *Implementing Peace Agreements in Civil Wars: Lessons and Recommendations for Policymakers*, International Peace Academy, May 2001, 2.

⁷ Stedman, S. J., Donald Rothchild and Elizabeth M. Cousens. *Ending Civil Wars: The Implementation of Peace Agreements*. Boulder, CO: Lynne Rienner Publishers, Inc., 2002.

Has Stedman's admonition been acted upon? The 2014 DPKO *Integrated Assessment and Planning Handbook* acknowledged that "...there is no agreed United Nations system-wide methodology for comprehensively assessing risks to the United Nations in post-conflict and conflict settings"⁸. The most salient conclusion from our October 8th, 2019 conference on "Spoiler Assessment: A Shared Requirement" was that "Neither the EU, UN, nor NATO have a specific spoiler assessment methodology"⁹.

1.2 Spoiler Definitions

Stedman originated the concept of spoilers in 1997 drawing on lessons from the UN's experience in Angola, Cambodia, Mozambique, and Rwanda. He defined spoilers as

*"Leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it"*¹⁰.

The UN has subsequently incorporated the spoiler concept into its guiding principles for peacekeeping, including in its capstone doctrine issued in 2008, which defined spoilers as "... individuals or parties who believe that the peace process threatens their power and interests and will therefore work to undermine it".¹¹ This definition omits the use of violence as a requirement to be considered spoiling activity. Subsequently, the 2015 report of the High-Level Independent Panel on UN Peace Operations defined spoilers as "those who lie outside and seek to undermine the peace process, including through violent means". By stating that spoiling "includes" violent means, this definition infers that non-violent means of spoiling can also be a threat to peace implementation.

There is consensus that spoiling involves leaders, individuals and parties who believe that peace emerging from negotiations threatens their power and interests and that they act to undermine a peace agreement. While this phraseology omits "worldview" as a motivation for spoiling, the term "interests" is sufficiently broad to embrace this.

These modifications by the UN to Stedman's definition, which at least implicitly incorporate non-violent means of spoiling into their definitions, are reinforced in a review of the literature on spoilers published by Nilsson and Soderberg Kovacs in 2011 who assert that "More research, however, ought to be devoted to the non-violent aspects of spoiling behavior, particularly by parties on the inside of the peace process, a phenomena we know only little about in spite of its widespread occurrence"¹².

A practitioner's perspective on the spoiler phenomenon is provided by Jock Covey, the Deputy High Representative in Bosnia and the Principal Deputy Special Representative of the Secretary General for the UN Interim Administration Mission in Kosovo, who concluded that

*"The disputants generally enter the peacekeeping phase with all their grievances and wartime goals intact. Each intends to achieve under cover of the peacekeeping process what they could not achieve in armed combat. They stand Clausewitz on his head: for them, peace is just the continuation of war by other means"*¹³.

⁸ United Nations Department of Peacekeeping Operations, *Integrated Assessment and Planning Handbook*, Dec 2013, 35. Available at <https://undg.org/wp-content/uploads/2016/10/2014-IAP-HandBook.pdf>.

⁹ NATO Stability Policing Centre of Excellence, *Outcomes of the Conference*, Oct 8, 2019, slide 4.

¹⁰ ANNEX A pag.2 Stedman, S. J. *Spoiler Problems in Peace Processes*, in *International Security*, 22:2, 1997, vol. 1, p. 5

¹¹ United Nations Peacekeeping Operations Principles and Guidelines 2008, also known as "UN Capstone Doctrine."

¹² See Nilsson, D. and Soöderberg Kovacs, M. *Revisiting an Elusive Concept: A Review of the Debate on Spoilers in Peace Processes*, *International Studies Review* 13 (2011): p 622.

¹³ Covey, J. *The Custodians of the Peace Process*, in Covey, J., Dziedzic, M. and Hawley, L. (eds), *The Quest for Viable*

Since war is conducted by violent means, if spoiling is frequently conducted by other means, the central definitional issue to be resolved, therefore, is whether other (i.e. non-violent) means of spoiling should be recognized or at least permitted within the definition.

One of our authors contacted Professor Stedman on September 30, 2019 just prior to our conference to ask whether he had revised his definition of spoilers to include non-violent activity. His response was as follows:

*"I have not changed my definition. Undoubtedly, it is important to study non-compliance or foot dragging, or undermining of agreements by political actors short of using violence. But I think at that point the subject matter becomes everything, which is to say that you are studying politics as usual amidst high uncertainty. I think there is still a value to focus on the role of violence - it is by far the most dangerous and explosive tactic in undermining an agreement. And when it happens the difficulties of dealing with non-violent non-compliance becomes hundreds of times more difficult. It is your call but I think there is a case for treating violence as a force unto itself"*¹⁴.

On the one hand, Stedman acknowledges that *"undoubtedly it is important to study non-compliance or foot dragging, or undermining of agreements by political actors short of using violence."* Most of NATO's joint operations with the UN (i.e., Bosnia, Afghanistan and Iraq) have been severely obstructed by non-violent spoiling behaviour. In Bosnia, espionage against the mission was a non-violent but clearly hostile act. This was conducted by the intelligence services of both Croatia and Herzeg-Bosnia in support of the Third Entity Movement which sought to create a separate Croat entity in Bosnia with the ultimate aim of integration with Croatia. The Movement posed an existential threat to the Dayton Peace Agreement since, if it had succeeded, Bosnia-Herzegovina would have been rendered an unviable rump state compelling it to return to conflict. After properly assessing this non-violent spoiler threat in 1998, NATO mounted a series of operations, the most decisive of which were Operation Westar in 1999 and the seizure of the Herzegovacka Bank in 2001. Operation Westar revealed that the intelligence services of Croatia and Herzeg-Bosnia were collaborating to gather intelligence on the NATO Stabilization Force, the UN International Police Task Force, International Criminal Tribunal for the former Yugoslavia, Office of the High Representative, and Organization for Security and Cooperation in Europe. This entailed placing *"...staff working for the International Community under surveillance, with the aim of recruiting them as sources against the IC."*¹⁵

Operation Westar and related operations revealed that the center of gravity for the Movement was some \$300 million of illicit revenue that Franjo Tudjman had diverted from privatization of socially owned enterprises in Croatia to advance his project of creating a Third Entity in Bosnia and ultimately incorporating it into Croatia. SFOR's Spoiler Assessment Methodology revealed that these funds were deposited in the Herzegovacka Bank leading to its seizure in a joint SFOR and Bosnian government operation in 2001, eliminating this spoiler threat and demonstrating that a proper spoiler assessment can lead to neutralization of the threat.¹⁶

In Afghanistan, grand corruption by *"criminal patronage networks"* (CPNs) affiliated with President Hamid Karzai was the overarching cause of the loss of legitimacy for the post 9-11 international

Peace: International Intervention and Strategies for Conflict Transformation, Washington D.C.: U.S. Institute of Peace, 2006

¹⁴ Email exchange between Michael Dzedzic and Stephen Stedman on September 30 and Oct 4, 2019.

¹⁵ ANNEX B pag.1. Peace Stabilisation Force Coalition Press Information, "Operation Westar Preliminary Results," Dec 17, 1999, 4. Referenced at <https://www.nato.int/sfor/sfor-at-work/opwestar/t991216a.htm>

¹⁶ Vera, O. and Fields, K., *Bosnia: The Third Entity Movement* in Dzedzic, M. (ed.), *Criminalized Power Structures: The Overlooked Enemies of Peace*, Lanham, Rowman and Littlefield, 2016, pp 27-52.

intervention by the US and NATO which was supported by the UN Assistance Mission in Afghanistan. This systemic corruption led to the re-emergence of the Taliban. The quintessential illustration of this was the Kabul Bank scandal involving Hamid Karzai's brother Mahmoud that resulted in the pilfering of almost \$1 billion which equated to 5-6% of the Afghan GNP.¹⁷

Finally, in Iraq efforts by the US to professionalize the Iraqi Army were spoiled non-violently by Nouri al-Maliki's politicization of the security forces by replacing competent commanders with his personal loyalists and securing their fealty by allowing them to siphon off the salaries of some 50,000 "ghost soldiers". This led to the collapse of Iraq's forces in Mosul and elsewhere when ISIS launched an offensive in 2014.¹⁸

The lesson to be drawn from these cases is that espionage against the mission, grand corruption, and politicization of the security sector are non-violent forms of spoiling that can cripple a mission. A closely related phenomenon is the undermining of the legal system so that impunity is guaranteed to those responsible for obstructing the peace process (See the discussion of the Kabul Bank and Salehi cases in the Afghanistan case study and the Leutar case in Bosnia in *Criminalized Power Structures: The Overlooked Enemies of Peace*)¹⁹.

Although Stedman acknowledged that "...it is important to study...undermining of agreements by political actors short of using violence", he was reluctant to do so for conceptual reasons. The distinction between violence and non-violence is clear and by allowing non-violent forms of spoiling his concern was that "...I think at that point the subject matter becomes everything, which is to say that you are studying politics as usual amidst high uncertainty". There is a solution to this conceptual challenge, and it is to be precise about what specific non-violent behaviour should be regarded as spoiling and to make certain that this is distinguishable from politics as usual, at least in states that are not highly susceptible to or actually immersed in internal conflict.

Additionally, it should be made explicit that disputes related to unresolved issues in the peace process are not spoiling. The non-violent spoiling behaviours, as discussed above, which should be specified as spoiling would be espionage against the mission, grand corruption (including theft of international assistance), politicization of the security sector, and manipulation of the legal system to grant immunity to those involved in both violent and non-violent spoiling activities.

Violence is indeed the most dangerous and explosive tactic in undermining a peace process, but it is not a force unto itself. It requires a source of funding since almost all spoilers derive their revenue from corrupt and criminalized sources.²⁰ In such regimes, the security sector, including the intelligence apparatus, is an integral part of the power structure and their ability to function is preserved through impunity from prosecution and the largesse that is made possible by exploitation of illicit financing schemes.²¹ A single-minded focus on violence would neglect these integral components of the CPS that are responsible for the vast majority of spoiling and, most salient for the purposes of this effort, would provide an inadequate basis for developing a SAM. (See Appendix to Annex A, pp. 3).

¹⁷ Foresburg, C. and Sullivan, T. *Afghanistan: Criminal Patronage Networks*, in Dziedzic, M. (ed.), *Criminalized Power Structures: The Overlooked Enemies of Peace*, Lanham, Rowman and Littlefield, 2016, pp 283-4,

¹⁸ Bisbee, D. *The Rise, Fall, and Persistence of the Maliki Regime*, in Dziedzic, M. (ed.), *Criminalized Power Structures: The Overlooked Enemies of Peace*, Lanham, Rowman and Littlefield, 2016, p 312.

¹⁹ See Vera, O. and Fields, K., *ibid*, pp 43-4 and Foresburg, C. and Sullivan, T. *ibid*, pp 288 and 290.

²⁰ Dziedzic, M. (ed.), *ibid*

²¹ Chayes, S. *Thieves of State: Why Corruption Threatens Global Security*, New York: W.W. Norton & Company, 2015.

1.3 CONCLUSIONS

- From the outcomes of the conference and workshop, it is unclear whether the EU, UN, or NATO have a specific methodology to assess spoilers. There is therefore a need for International Organisations to improve their capacities for strategically assessing the implementation environment, particularly the motives, intentions, and capabilities of peace parties and spoilers, by conducting a proper spoiler assessment prior to any decision to intervene and by including the results of the assessment appropriately in the mission mandate.
- There is merit in assessing existing spoiler definitions to consider whether non-violent means of spoiling should be recognized or at least permitted within the definition. Specific non-violent spoiling behaviours that should be included are espionage against the mission, grand corruption (including theft of international assistance), politicization of the security sector, and manipulation of the legal system to grant impunity to those involved in both violent and non-violent spoiling activities.

1.4 RECOMMENDATIONS

- IOs should improve their capacities for strategically assessing the implementation environment, particularly the motives, intentions, and capabilities of peace parties and spoilers, by conducting a proper spoiler assessment prior to any decision to intervene and by including the results of the assessment appropriately in the mission mandate.
- Existing definitions of spoilers should to recognize or at least permit non-violent means of spoiling to be included.

CHAPTER 2

2.1. Rationale for assessing spoilers

The rationale for assessing spoilers answers the question “*why is this important?*” and sets the scene for having in place a dedicated methodology. The business need is clear: history shows that, for example, soon after the signature of a peace agreement and the deployment of NATO and other IOs, spoilers have been able to disrupt or undermine the peace process. As highlighted in the summary of this report, mandates should endow missions with the capabilities and authorities required to implement viable spoiler management strategies, but clearly this is dependent on the anticipation of the latter.

As Stedman concluded in his analysis “[...], the signing of a peace agreement has been sufficient to trigger international involvement to implement that agreement, but nowhere near sufficient to ensure the international commitment to do the job right”.²²

As previously stated, the logical solution to solve this critical problem would be to conduct a proper spoiler assessment prior to any decision to intervene and to include the results of the assessment appropriately in the mission mandate. A lack of such methodology to assess the spoiler threats undermines the peace process and, in the past, has caused failures in missions and a 50% return to conflict after five years.

Even though “*there is no agreed United Nations system-wide methodology for comprehensively assessing risks to the United Nations in post-conflict and conflict settings*” and although neither the UN, EU, nor NATO have a SAM, there are other actors, subject matter experts (SMEs) or organizations that have developed a SAM from which some lessons can be learned.²³ An assessment of spoiler threats is necessary to better understand the potential for spoilers well in advance of a mandate otherwise the mission is likely to founder or fail. Moreover, a proper assessment could help the peace process and reduce the tendency to jump to conclusions or poor assumptions.

“Spoilers should be evaluated against a peace process rather than a peace agreement”.

2.2 Rationale for having a Spoiler Assessment Methodology

Best practice shows that whilst there is merit in having a methodology in place, the latter should be tailored to each situation and flexible in order to adapt to changes. For this reason, the methodology, should build on prior experience be capable of being employed at any stage, and should be a living tool. It should start during the planning process and continue after the so-called ‘Golden Hour’, throughout the entire spectrum of activities, which range from reaching a peace agreement, and its related implementation. Having a methodology in place is paramount, as spoilers which are not identified and addressed properly may have a negative impact on:

- the peace process;
- peace accords;
- the mandate of International Organisations (i.e. the content of a UN Security Council Resolution (UNSCR));

²² Stedman, S. J., Rothchild, D. and Cousens, E. M. (eds) *Ending Civil Wars: the implementation of peace agreements*, Boulder 2002.

²³ More details about such tools or methodologies are presented below in Chapter 4.

- the implementation of a peace agreement;
- the legitimacy of a government (purposefully, to prevent peace accomplishment).

Spoilers should be evaluated against a peace process rather than a peace agreement, the latter however needs to be taken into consideration, as well as any other relevant legal framework and mandate, bearing in mind that its content may influence spoiler behaviours.

Clearly, the business need for having a concrete spoiler assessment tool in place follows that of having a methodology. The tool should be ready for use throughout the entire spectrum of activities, such as:

- the planning phase;
- after implementation/deployment;
- periodical Assessment Mechanism;
- at critical events (including the emergence of new critical masses).

Having an effective tool in place could result in focussing mandates in order to tailor them to the needs of those working in the mission. In addition to identifying spoilers, the tool should measure their potential and likelihood to impact the peace emerging from a negotiation process: both are in fact benchmarks against which spoilers can be assessed. The tool should and could encompass various analysis tools such as PMESII (Political, Military, Economic, Social, Infrastructure, and Information Systems) and ASCOPE (Areas, Structures, Capabilities, Organizations, People and Events) for instance. When the adversary is a state, all of these systems are present, and mature, with many of them possessing tangible infrastructure that are easily identified and targeted by surveillance, reconnaissance and precision weaponry. Identifying the critical requirements of non-state actors leads to a more relevant construct: the latter in fact require four systems to remain viable. These systems are Funding, Recruitment, Information and Support (FRIS). The FRIS construct provides the same level of utility for the non-state actor as PMESII does for states²⁴.

A careful use of the tool in the planning phase, possibly including the assessment of spoilers in the Comprehensive Operations Planning Directive (COPD), could save the mission credibility, create unity of effort, save time and ultimately save unnecessary expenditures on behalf of the International Community. Eventually, a comprehensive spoiler threat assessment tool shall take into due consideration best attributes of all existing methodologies and mechanisms in order to complement them while avoiding duplication of effort.

The point on unnecessary expenditures merits expansion. Taking Afghanistan as an example of an on-going NATO mission, we may quote a SIGAR report which indicates that approximately \$132.49 billion has been appropriated for Afghan relief and reconstruction since 2002. These funds have been - and are still - used to build the Afghan National Security Forces (ANSF), to promote good governance, to conduct development assistance, and to engage in counter-narcotics and anti-corruption efforts²⁵. This figure is in itself a very significant sum; however, when contextualised it may cause an even bigger concern. A yearly breakdown of the expenditures in Afghanistan shows figures of approximately \$7.8 billion per year since 2002: considering Afghanistan has a GDP of approximately \$20.8 billion per year (2014 est.), this means relief and reconstruction funds total almost one third of the GDP of Afghanistan. Using an appropriate tool built on a solid methodology maybe would have enabled the International Community to anticipate spoilers, reducing the permanence in theatre, ultimately saving billions of USD

²⁴ Arnold, K. A. *PMESII and the Non-State Actor: Questioning the Relevance* Monograph United States Army - School of Advanced Military Studies US Army Command and General Staff College, Fort Leavenworth, Kansas 2006

²⁵ Referenced at <https://www.sigar.mil/about/index.aspx?SSR=1>

and enabling the Afghan Islamic Republic to rely less heavily on international financial support.

By reflecting on Afghanistan's situation, we can understand that different types of spoilers are acting against both a peace process and a peace agreement, using violent or non-violent means or actions. The natural questions are how can we properly identify them and how can we fight or at least mitigate their actions' impact on the peace process? If we manage to answer these questions, we are convinced we can reach peace agreement momentum, saving lives and financial resources and paving the way to consolidate stabilization of Afghanistan. One of our solutions to this end is a proper methodology to assess spoiler threats in Afghanistan to be used, implemented and exploited by NATO, as the main operational IO deployed in this theatre of operations, or by other international actors.

2.3 Spoilers and the Role of Stability Policing

Stability Policing is a NATO recognised term, which indicates *a set of police related activities intended to strengthen or temporarily substitute indigenous police in order to contribute to the restoration and/or upholding of public order and security, rule of law, and protection of human rights*²⁶. Crimes tackled by Stability Policing assets include assassination and intimidation of political rivals, human trafficking, facilitation of illegal migration, organised crime, terrorism, drug trafficking, and embezzlement of public funds. If spoilers belong to categories such as CPS, Stability Policing may play an important role in the early identification phase and in putting in place effective mitigating measures (e.g., crowd and riot control, close protection, and high-risk arrest). As an example, failure to assess the threat posed by CPS could have jeopardised the mission in Bosnia and Herzegovina: only the careful use of less-than-lethal force by Stability Policing contingents – Carabinieri-led Multinational Specialized Units (MSU) - avoided this²⁷.

Intelligence-led operations by the latter have also been reported as an important element to deprive CPS of access to illicit revenue. Pre-mission assessments should be designed to expose prospective spoilers. Intelligence-led operations by Stability Policing are essential for spoiler management. To defeat spoilers, the entire legal spectrum must be functional, and this is likely to require a substantial role for the International Community. NATO Force Commanders may not understand when and how to use Stability Policing assets. It is therefore essential to have a Stability Policing advisor in theatre who is well versed on the spoiler threat and may advise when to act against them²⁸.

2.4 CONCLUSIONS

- History shows that soon after the signature of a peace agreement and the deployment of NATO and other IOs, spoilers have been able to disrupt or undermine the peace process.
- A lack of methodology to assess spoiler threats undermines the peace process. An assessment of spoiler threats is necessary to better understand the potential for spoilers well in advance of a mandate otherwise the mission is likely to become intractable or to fail.
- There are other actors, SMEs or organizations that have developed a SAM from which some lessons can be learned.
- Having a methodology in place, during the planning process and continuing after the so-called 'Golden Hour' is paramount, as spoilers that are not identified and addressed properly may have

²⁶ NATO Allied Joint Publication (AJP) 3.22 – *Allied Joint Doctrine for Stability Policing*.

²⁷ Stingo, V., Dziedzic, M. J. & Barbu, B. (eds), *Stability Policing: a Tool to Project Stability*, (Norfolk, Visual Information Headquarters Supreme Allied Commander Transformation 2000); Hovens, H. *Stability Policing*, Militaire Spectator, referenced at <https://www.militairespectator.nl/thema/operaties-internationale-samenwerking/artikel/stability-policing>.

²⁸ Dziedzic, M. "NATO Should Promptly Implement Stability Policing: Why and How?" Militaire Spectator, 2-2020, February 18, 2020, 70-71. Hovens, H. "Stability Policing: Why is it taking root so slowly?" Militaire Spectator, 4-2020, April 21, 2020.

a negative impact on:

- the peace emerging from a negotiation process;
 - the mandate of International Organisations (i.e. the content of a UNSCR);
 - the implementation of a peace agreement.
 - the legitimacy of a government (purposefully, to prevent peace accomplishment).
- There is an imminent need to develop and implement a tool for assessing spoiler threats in Afghanistan in order to reach a peace agreement momentum, saving lives and financial resources and paving the way for consolidation of stabilization in this country.
 - Stability Policing may play an important role in the early identification phase of spoiler threats and in putting in place effective mitigating measures against them, especially if spoilers belong to categories such as CPS. Intelligence-led operations by Stability Policing are essential for spoiler management.

2.5 RECOMMENDATIONS

- There is an urgent need to develop a methodology to assess spoiler threats.
- A comprehensive spoiler threat assessment tool should rely on and incorporate the best attributes of other methodologies and mechanisms developed by other IOs, actors or SMEs in order to complement them while avoiding duplication of efforts.
- The SAM should start during the planning process and continue after the so-called 'Golden Hour', throughout the entire spectrum of activities, which range from culminating a peace agreement and its related implementation.
- The aforementioned tool should be ready for use throughout the entire spectrum of activities, such as:
 - the planning phase;
 - after implementation/deployment;
 - periodical Assessment Mechanism;
 - at critical events (including the emergence of new critical masses).
- The tool should measure the potential and likelihood for spoilers to impact the peace emerging from the negotiation process: both are in fact benchmarks against which spoilers can be assessed.
- The tool also should and could encompass various analysis tools such as PMESII and ASCOPE for instance.
- A careful use of the tool in the planning phase could save the mission credibility, create unity of effort, save time and ultimately save unnecessary expenditures and lives on behalf of the International Community.
- NATO or other International Actors should implement a tool for assessing spoiler threats in Afghanistan in order to reach a peace agreement momentum, saving lives and financial resources and paving the way for consolidating stabilization of this country.
- Stability Policing capabilities should be involved in the early identification and assessment phases of spoilers, considering that intelligence-led operations by Stability Police are essential for spoiler management.

CHAPTER 3

3.1 Characteristics of Spoilers - a working definition of spoilers

As result of the joint reflection on the assessment of spoiler threats, the following working definition has emerged which builds on the UN's definition published in its so called "Capstone Doctrine: *"spoilers are individuals or parties that by violent and non-violent means have a negative impact on the peace process in two ways, directly or indirectly."*²⁹ In other words, spoilers can be described as actors that hamper, threaten, slow down, and impede the peace process.

Their conduct can be characterized both by violent and non-violent methods. For example, widespread and continuing protests may have a bearing on the peace process, even if protesters do not resort to violent means, but rather generate a new critical mass. Similarly, the use of the information space (internet, television, radio, newspapers, social media, etc.) does not imply the use of violence. To the contrary, the use of violence represents a more visible example of spoiling behaviours, ranging, for example, from ethnic violence to terrorist attacks.

The dichotomy of violent/non-violent means was preferred over the alternative concept of legal/unlawful methods. Most multinational missions are meant to operate in countries where the Rule of Law is poor or lacking. As a consequence, the existing legal framework of the host country may not prove useful to measure the legality/lawfulness of an action in an unbiased manner. Moreover, the extraterritorial application of human rights and of the domestic law of troop contributing Nations is a vexed issue in multinational missions.³⁰

In sum, to identify the correct parameter of legality against which to measure spoiling behaviour may be a pointless effort in volatile scenarios. For these reasons, one of the Workshop' syndicates focused on the concepts of violent/non-violent means used by spoilers. This led us to consider that the level of violence utilized by a spoiler should guide practitioners in calibrating the level of force required to address a given spoiler threat. The notions "directly" and "indirectly" included in the working definition, underline the capability of spoilers to affect the peace process both willingly and unwillingly. For example, the Third Entity Movement in Bosnia Herzegovina resorted to widespread use of violent and non-violent means to deliberately derail the peace process in the 1990s.

Differently, other actors, as for example donors and even NGOs, can have a negative impact on the peace process without a specific intent to negatively affect the situation. This may happen, for

"The power of spoilers to negatively impact a peace process shall be considered as a minimum standard but also as a benchmark against which spoilers can be weighted".

²⁹ As highlighted in the previous chapters, some other definitions of spoilers have been elaborated by IOs and scholars, see Chapter 1, Section 1.2. This definition has been slightly adapted with the addition of "by violent and non-violent means", respectively of "directly or indirectly" from the United Nations Department of Peacekeeping Operations and Department of Field Support, United Nations Peacekeeping Operations: Principles and Guidelines, 2008, 42.

³⁰ *Ex pluribus*, Milanovic, M. *Extraterritorial Application of Human Rights Treaties*, OUP, 2011; Abrisketa, J. and Nagore Casas, M. *Extraterritorial Application of Human Rights Treaties*, OUP, 2016; Wallace, S. *The Application of the European Convention of Human Rights to Military Operations*, CUP, 2019; Branca, E. *The Progressive Extension of the "Legal Space" in the Application of the European Convention of Human Rights to Military Operations*, in Arcari, M. & Balmond, L. (eds) *La Gestion et la Recomposition des Espaces: aspects de droit International et de droit Européen*, Editoriale Scientifica, 2016, pp. 71-89.

example because their agenda clashes with the mission's tasks, or with the actual fulfilment of the international mandate. This should lead the multinational mission to consider whether spoilers are hampering the peace process in a direct or indirect manner, and to orientate their efforts accordingly, while rejecting a one-size-fits-all approach. Finally, as result of the joint reflection on the assessment of spoiler threats, the "peace process" could be understood as the "*entire spectrum of activities ranging from the reduction of violence, to the peace agreement, and its related implementation.*"

This includes the diplomatic process leading to the signature of a peace accord, the promulgation of an international mandate (e.g. by UN, EU, AU, etc.) and its implementation. Therefore, spoilers are individuals capable of affecting each one of these phases during the stabilization of the country under consideration.

To put it another way, according to the syndicate's findings, the assessment tool shall evaluate the spoiler threat against a peace emerging from a negotiation *process* rather than just a peace *agreement*. Moreover, one shall take into due consideration the content of the peace agreement and any other relevant legal framework, including the mandate of an IO. All these elements are useful to draw the context where spoilers emerge and that influence the spoiler's behaviour.

Building on the aforementioned working-definition, it can be suggested that the very scope of the "peace process" deserves further analysis in order to develop an accurate definition of spoilers. Namely, it would prove useful to clarify whether, and to what extent, the reduction of violence could be considered part of the "peace process".

3.2. The facets of spoilers

Against the background of the aforementioned working definition, our experts have identified five main facets of spoilers to be analysed in developing a spoiler threat assessment tool, namely i) the context; ii) the spoiler's drivers; iii) the spoiler's goals; iv) the spoiler's methods; and v) the spoiler's power.

The context consists in the sum of all the relevant elements characterizing the given scenario where spoilers emerge. It includes, but it is not limited to, the overall geo-political situation of the area, the nature of the conflict (e.g. international armed conflict (IAC), non-international armed conflict (NIAC), territorial disputes over a region, etc.), the root causes of the conflict (e.g. ethnic/religious divisions, tribal rivalries, control over natural resources, control of illicit revenues, including drugs and every other smuggling activity, etc.), the historical perspective of the conflict, and those political situations that have a bearing on the conflict (e.g. the influence of neighbouring countries, the influence of foreign colonial powers, wars by proxy, etc.), and the status of the Rule of Law in the country. The careful analysis of the context will guide practitioners in identifying the other facets of spoilers in the situation at hand.

The spoiler's drivers can be defined as the underlying pushes that determine the spoiling behaviours. Obviously, this element is relevant for "direct spoilers", namely those actors that have a negative impact on the peace process willingly; while it will prove of less relevance for "indirect spoilers".

As it emerged from the discussions, spoiler's drivers can be exemplified as follows:

- Mistrust in the political system;
- Ideological and religious motivations;
- Ethnicity;
- Exclusion of minorities or other groups;
- Vengeance;
- Fertile environment for criminal activities;
- Disregard of the Rule of Law;
- Legislation that fails to tackle spoiling behaviours;
- Grievance of the population;
- Traditional "legal" parallel culture as an excuse.

The identification of *the spoiler's goals* is needed to understand where spoilers are heading and it should guide the choice of the means to tackle them. Some authors have categorized spoilers precisely by looking at their goals. In the view of Stedman, for example, there are three types of spoilers according to the level of incompatibility of their goals with the peace process, namely “total”, “limited” and “greedy” spoilers.³¹

The syndicate has identified the following goals as very common among spoilers:

- Maintaining the status quo;
- Gaining (more) power;
- Extending or consolidating the area of influence;
- Securing economic benefits.

The methods utilized by spoilers to fulfil their goals, pursuant to their respective drivers, represent another facet to be considered during the assessment process. A main divide in the spoiler's methods has emerged, separating violent from non-violent methodologies. In alternative, the dichotomy between legal/illegal methods can be used; however, one shall bear in mind the considerations already expressed above on the poor or lacking Rule of Law situations in the country at hand.³² It shall be noted that the categories of violent/non-violent and legal/illegal do not fully overlap. A long list of possible spoiling behaviours has been produced by our experts, this includes:

VIOLENT	NON-VIOLENT
Terrorist attacks	Grand Corruption
Gangs methods	Abuse of power, including manipulation of the legal system to grant impunity
Blackmailing	Use of political leverage/Politicization of the security sector
Sabotage	Money laundering
Treat and use of violence	Use of the cyber domain
Ethnic violence	Use of the information space
Violent demonstrations ³³	Non-violent demonstrations or strikes
Illicit trafficking	Illicit trafficking
-	Espionage against the mission

The discussion of spoiler methods led the syndicate to emphasize that each spoiler is further characterized by the element of *power*. In order to be labelled as a spoiler, an actor shall have the power to unravel the peace process, willingly or unwillingly, throughout a series of methods. Workshop attendees in this syndicate determined that the power of spoilers to negatively impact a peace process

³¹ Stedman, S. J. *Spoiler Problems in Peace Processes*, in *International Security*, 22:2, 1997.

³² See supra p. 1.

³³ During the syndicate some frictions arose on the meaning of the term “civil disobedience” and on its possible classification as a spoiler's methodology. Moreover, the syndicate failed to agree on whether civil disobedience shall fall under the category of legal or non-legal behaviours. It was the opinion of the syndicate that the notion is not commonly understood in all countries and cultures, while it certainly derives from a specific political and philosophical environment of European and North American traditions. For these reasons, the syndicate opted for the terminology of demonstrations, that can be further characterized as violent or non-violent.

shall be considered as a minimum standard but also as a benchmark against which spoilers can be weighted. It follows that by analysing the power a spoiler possesses, practitioners could choose the best means to address the spoiler threat.

Several types of power can fuel spoilers, for example, economic, military, narrative power (e.g. of social media, newspapers, TV, radio, etc.), criminal, charismatic (e.g. of religious, tribal, military leaders, etc.) and political. The discussion on the political power of spoilers enabled the syndicate to delve into the issue of the role of political actors as possible spoilers. It has been highlighted that political actors, including political parties and recognized political leaders, can represent a difficult category of spoilers for the assessment process. For political actors can be heavily characterized by duplicity, namely by a non-transparent attitude towards the peace process. Openly, they may support negotiations or the peace accord while covertly they act – often by proxy organizations of criminal networks – against the peace process. Furthermore, political actors may change sides as negotiations go along, in order to gain or maintain the favour of their voters and sponsors. Eventually, political actors can be the most significant tool to inject corruption in the entire system of public administration.

3.3. CONCLUSIONS

- In light of all the above-mentioned considerations, one can suggest a more detailed definition of spoilers, to be considered as *“individuals that have the power to negatively impact the peace process both willingly and unwillingly. Spoiling behaviours include violent and non-violent methods”*. The “peace process” definition deserves further analysis in order to develop an accurate definition of spoilers.
- The plurality of elements stigmatized in the previous paragraphs may serve to create a taxonomy of spoilers that will serve as the starting point of the SAM.
- Each facet of spoilers highlighted above may be subjected to sudden, continuing, drastic and significant changes in the various phases of the peace process, especially in relation to specific events (e.g. demonstrations, riots, political elections, the emergence of a new critical mass, etc.). For these reasons, the SAM shall be a dynamic and flexible instrument, and it shall be rolling throughout the entire peace process.

3.4. RECOMMENDATIONS

- To consider the following proposed spoiler’s definition in the process for better defining the spoiler’s meaning: *“individuals that have the power to negatively impact the peace process both willingly and unwillingly. Spoiling behaviours include violent and non-violent methods”*. The scope of the “peace process” should be more analysed and considered while defining the spoilers.
- To consider the elements stigmatized in this chapter in the process to be followed for developing a methodology for assessing spoiler threats.

CHAPTER 4

4.1 Current Methodologies used in assessing spoiler threats

Three Spoiler Assessment Methodologies (SAMs) were presented during the Oct 8th 2019 conference:

- *Center of Power Analysis* by Mr. Oscar Vera;
- *A Systemic Analysis of the Structure of Corruption* by Ms. Sarah Chayes;
- *Assessment of Spoiler Threats in Somalia* by Robert Kabage (Brig. Gen. retired), African Union (AU) Senior Monitoring and Evaluation Officer.

The key findings are presented below. The workshop attendees that assessed these three methodologies began by establishing the caveat that “This syndicate lacks sufficient knowledge to be able to confirm the responses below” and recommended that “Research should be conducted...to confirm the discussion of strengths and weaknesses”³⁴.

Accordingly, this chapter has been supplemented by documentary research into published descriptions of the first two SAMs cited above³⁵ and by analysing the supplementary information regarding the AU threat assessment in Somalia.

The principal recommendations developed by this workshop’ attendees were the following:

- The strengths of these three SAMs and any other methodologies that might exist should be incorporated into a SAM for use by NATO prior to future hybrid international missions in which it is a participant.
- One practical step toward development of a NATO SAM would be to compile a common framework/set of questions that can be used to guide the assessment process along with the domains that should be incorporated into the analysis (e.g. Political, Military, Economic, etc.).
- To make it possible for NATO to share its spoiler assessments with other International Organizations, its SAM should be based on open source information.

“The strengths of the three SAMs presented during the conference and any other methodologies that might exist should be incorporated into a SAM for use by NATO prior to future hybrid international missions in which it is a participant”.

4.1.1 Center of Power Analysis Methodology

Main attributes and description

The core attribute of this SAM is the ability to identify the Political, Military, Economic and Institutional (e.g., legal system, civil society, etc.) centres of power in the context under analysis, including any external actors and sources of support. This methodology identifies power brokers who are likely sources of obstruction to a peace agreement process or stabilization mission (i.e. spoilers), the likely sources of support to the mission, and those who are undecided. The analysis is derived from a law enforcement orientation so the first step is to evaluate the prevailing legal code to identify any critical

³⁴ Workshop notes from NATO Stability Policing Centre of Excellence Stability Policing Doctrine Forum, 5.

³⁵ For a discussion of the employment of centre of power analysis by NATO in Bosnia and the impact on the peace process see Vera, O. and Fields, K., *ibid*, pp 27-52. For a discussion of systemic analysis of the structure of corruption, see Chayes, S. *The Structure of Corruption: A Systemic Analysis Using Eurasian Cases*, Washington, DC: Carnegie Endowment for International Peace, Publications Department 2016.

voids that would hamper efforts to use the legal system to combat spoilers (and to recommend revisions, which, if accomplished during the peace negotiation process, could be incorporated into the peace agreement). This analysis is also suitable for identifying the essential authorities that should be included in the mandate to permit effective implementation of a spoiler management strategy (e.g. use of hybrid courts to address crimes against the mandate). *Center of Power Analysis* also entails a criminal vulnerability assessment of key spoilers and their enablers so their liability for prosecution (in the mission area or internationally) can be identified and incorporated into the spoiler management strategy.

The centrepiece of this methodology is to identify the exchanges of power between the centres of power (e.g. fealty by the security forces/intelligence apparatus to political patrons in exchange for access to illicit revenue streams and impunity from prosecution). This tool is designed to identify the overlaps in these exchanges of power in order to reveal the centre of gravity of the spoiler network. By detecting the potential for spoilers, their exchanges of power, and the overlaps that reveal their centre of gravity, this SAM is designed to lead to the development of a strategy that attacks the most vulnerable nodes in the spoiler centre of gravity based on application of the law in the most appropriate venue. The analytical techniques that are incorporated into this methodology include social network analysis, human terrain mapping, anthropological studies, and analysis of key financial flows that support spoilers. The information required for this analysis is available from open sources, but it is supplemented by criminal intelligence and potentially verified by investigative techniques.

Strengths

- Provides comprehensive situational awareness by identifying those who support stability operations, ‘undecideds’ who can be encouraged to contribute, and spoilers that oppose the mission.
- Identifies the centre of gravity (COG) of spoiler networks and their vulnerability to disruption.
- Nests well with existing COG literature.
- Can be completed using open sources; however, the process also identifies missing essential elements of information that can be used to identify intelligence collection requirements.
- Has been successfully employed by NATO in Bosnia to identify a previously unrecognized but existential threat to the mission (i.e. the Third Entity Movement), demonstrating the ability to anticipate spoiler threats and implement a strategy to eliminate them.³⁶
- Is designed to develop multi-dimensional courses of action to undermine and defeat spoiler groups and their enabling networks by identifying their COG so that a strategy to disrupt them and bolster the coalition for peace can be implemented during the ‘Golden Hour’ at the inception of the mission.
- Results in a campaign plan that provides a sequence of actions that minimizes risk by identifying potential second, third, and fourth order effects of each action.³⁷
- This methodology also has the potential to be used for conflict prevention.
- A training programme has been developed and used to teach analysts how to apply this methodology.

³⁶ See Vera, O. and Fields, K., *ibid*, pp 38-45; see also “Operation WESTAR,” SFOR Informer Online, referenced at <https://www.nato.int/sfor/sfor-at-work/opwestar/indexsaw.htm>

³⁷ Vera, O. and Fields, K., *ibid*

Weaknesses

- It costs time and effort (roughly 60 to 90 days);
- The methodology has not been integrated into NATO doctrine;
- It is not the only SAM that could lead to success.

4.1.2 A Systemic Analysis of the Structure of Corruption (Sarah Chayes)

Attributes

This methodology is not primarily focused on "spoilers" but rather "on the corrupt structures that control the politics and economics of a country, the ruling structure."³⁸ The overlap, however, between such structures of corruption and spoilers is extensive. According to data presented in the conference briefing by Michael Dziedzic, "Since 1990, the UN has intervened in 24 internal conflicts. In 17 cases Criminalized Power Structures were a prominent spoiler. That's over 70%. When NATO has been involved, the figure is 100% (Bosnia, Kosovo, Afghanistan, and Iraq)."³⁹ This approach to assessment emphasizes money as the objective - and power as the means to that end (i.e. it addresses spoilers who are motivated by *greed* rather than *grievance*).

In an article describing her methodology, Sarah Chayes asserts: "In a striking number of countries, corruption represents the adaptive behaviour of sophisticated structures. These structures have deliberately bent or crippled key elements of state function in order to capture important revenue streams, ensure impunity for network members, and provide opportunities to secure and flaunt the gains".⁴⁰ The purpose of her analysis is to enhance anti-corruption strategies by providing: "...an intimate, on-the-ground understanding of the personnel and practices of the local kleptocratic networks and their international interlocutors...". Tailored remedies require an understanding of the way each kleptocratic network has harnessed elements of state function to its own purposes and has exploited its circumstances and those willing to enable its activities."⁴¹



Ms. Sarah Chayes
NATO SP COE photo

In concluding her analysis, Chayes accentuates the essential linkage between assessment and planning: "...given the significance and all-pervasive repercussions of corruption, it's hard to imagine a serious planning process taking place without this type of an understanding. To go into such a context blind to these realities would seem almost irresponsible."⁴² She also urges that "this type of rigorous analysis...should also include a parallel mapping of the networks—or, more likely, the isolated individuals—who are truly dedicated to more honest and responsive government and an economy providing more broadly accessible opportunities"⁴³. These are essential precursors to an effective spoiler management strategy.

³⁸ October 21 e-mail from Sarah Chayes to Michael Dziedzic.

³⁹ The 17 cases where UN interventions were obstructed by criminalized power structures are Afghanistan, Angola, Bosnia Herzegovina, Cambodia, Central African Republic, Darfur, Democratic Republic of the Congo, Guatemala, Haiti, Iraq, Kosovo, Liberia, Libya, Mali, Rwanda, Sierra Leone and Southern Sudan.

⁴⁰ Chayes, S. *ibid*, p 508.

⁴¹ Chayes, S. *ibid*, p 508-9.

⁴² Chayes, S. *ibid*, p 525.

⁴³ Chayes, S. *ibid*, p 523.

The emphasis on structures of power and the way state functions have been captured is analogous to the centres of power and exchanges of power that are at the heart of Oscar Vera's *Center of Power Analysis*. This suggests a substantial degree of compatibility between the two. Any future NATO SAM should focus on identifying kleptocratic networks that have captured the various elements of state power.

The analytical framework for this SAM is a common set of questions that is applied to each situation. The network structures and modes of operation should be ascertained and depicted in as much detail as possible, through answers to the questions below:⁴⁴

- Does a single network dominate?
- How dependent is the network's functioning on the person of the Chief of State? The mechanisms by which resilience is achieved should be carefully examined.
- How important is kinship to the network structures?
- To what extent does competition exist within the dominant network?
- Where one network does not dominate, how contentious is their rivalry? Kleptocratic competition itself may be a main cause of chronic conflict.
- What elements of state function have been deliberately bent or distorted by the networks with the aim of extracting resources and/or ensuring compliance?
- Which ministries or government agencies have become a set of instruments in the hands of kleptocratic networks, harnessed for the purpose of sustaining and maximizing their personal revenues and assuring their immunity? The judicial branch is almost always at least partially captured.
- What instruments of coercion or violence do the networks rely upon to enforce discipline, both on network members and on the population at large, especially activists or media? Careful analysis should be devoted to understanding the real connections between informal armed groups operating in civilian clothes and official security structures.
- What elements of state function have been deliberately crippled, allowed to languish or else cannibalized for the revenue streams they provide? (e.g. the kleptocratic pillaging of the Iraqi and Nigerian militaries in 2014, which made them incapable of countering the Islamic State and Boko Haram, respectively).
- What is the most important revenue stream the networks concentrate their efforts on capturing?
- What are the illicit funds used for?
- How much is directed back downward within the country, either as payments for the loyalty of network members or to finance electoral campaigns (often including vote-rigging or vote-buying)? Answers to lifestyle questions may provide insight on a topic particularly relevant to would-be reformers: the key vulnerabilities that potentially weaken the networks.
- How vertically integrated are the kleptocratic networks? Typically, this integration takes the form of payments by subordinate echelons to their superiors either of a percentage of the bribes or kickbacks they extort or of a lump sum to obtain the government positions they hold. The usual recompense for such payments is protection from any repercussions for corrupt and other criminal practices.

How horizontally integrated are the networks?

- Does horizontal integration extend to outright criminals?
- Does the network incorporate terrorists or other violent insurgents?

44 These questions have been extracted from Chayes, S. *ibid*, pp 510-25.

- Does the horizontal integration include ostensibly charitable institutions?
- Do the networks extend across national boundaries? Kleptocratic networks should be understood as fully transnational organizations.

What are the key enablers for the kleptocratic networks, especially outside the country?

On one end of the scale, an individual or business that provides tailored services to members of a single kleptocratic network might almost be considered a full network member. If, however, the entity is a business that provides such services to all comers, with no particular preference for, or entanglement with, a specific kleptocratic network, it might better be considered an active facilitator than a network member. Examination should be devoted to providers of other services, such as air transport or logistics, contract negotiations, and forged documents.

Strengths

- The emphasis on identifying structures that perpetuate corruption in governance is directly relevant to identifying the predominant source of spoiling: criminalized power structures;
- This methodology overlaps extensively with Center of Power Analysis. Any future NATO SAM should incorporate the best attributes of both.

Weaknesses

- This methodology is not designed to identify potential spoilers and has never been used for this purpose;
- It is not designed to lead to the development of a strategic plan.

4.1.3 African Union Risk Assessment Methodology

The methodology developed by the African Union, which might more properly be called a risk assessment rather than a spoiler assessment since there is no peace process or peace agreement in Somalia, is worthy of consideration and evaluation since it contains valuable components that should be integrated into a prospective NATO SAM.

Attributes

The assessment methodology employed by the African Union entails four stages:

- I. Identification of the threat;
- II. inquiry into their motivations;
- III. analysis of their capabilities;
- IV. development of a strategy to manage their impact on operations.

Stage 1 - Identification of the threat. The AU identified the threat as Al Shabaab militants and other terrorist fighter groups who wage attacks by employing asymmetric warfare in the form of suicide bombs and Interim explosive devices. They also detected threats from the clans, Federal Member States of Jubaland, Somaliland and Puntland that are in constant wrangles with the Federal Government of Somalia (FGS) to retain their authority, members of the local business community, warlords, and religious/quasi-religious groups.

Stage 2 - Inquiry into their motivations. The motivations for continued conflict included Ideological fundamentalism by Al-Shabaab who wage *jihad* against "enemies of Islam", clan dynamics to protect clan members and acquire power and resources, fear of prosecution after a peace agreement by those culpable for atrocities, and corruption that limits access to resources to a few people who use

it to buy loyalty causing the majority to feel marginalized.

Stage 3 - Analysis of their capabilities. This step is based on intelligence analysis, and the results are shared with other stakeholders with the aim of developing a coordinated response (This is similar to NATO's intent). Components of this analysis include:

- An assessment of the organizational cohesion of threat actors and identification of any internal schisms that can be exploited;
- The *modus operandi* of each threat actor including weapons used, tactics, and sources of weapons;
- The level of public support they enjoy and measures needed to win back support for the FGS. Most threat actors have strong support among the local population because they project themselves as alternative service providers where there is no government presence and also use coercive means to obtain obedience from the people;
- The sources of illicit financing for threat actors including revenue from international sympathizers, the Diaspora, and the local population through extortion and illegal taxation -- with the intent of curtailing it;
- Linkages with international terrorist networks. Terrorist groups like Al-Shabaab have the ability to project themselves internationally as waging a just war which appeals to other terrorist groups worldwide like Al Qaeda and Boko-haram.

Stage 4 - Development of a strategy to manage the impact of threat actors on operations.

The preceding steps fed into the development of a strategy with the following lines of effort:

- Use of force including coercion and punishment. AMISOM forces and police continuously conduct offensive operations in order to deny militants the freedom of action and movement within the Area of Responsibility (AoR).
- Enhance Somali National Security Force and Police Force capacity. AMISOM is striving to strengthen the capacity of the Somali National Security Force and Somali Police Force so they can provide security after AMISOM's exit.
- De-radicalization and preventive counter-terrorism measures aimed at those with extreme and violent religious or political ideologies aiming to persuade them to adopt more moderate and non-violent views.
- Exploitation of ideological rifts to reduce cohesion. Al-Shabaab is believed to be hostile to Sufi traditions and clashes with the Sufi militant group Ahlu-Sunna-Wajiamaa.
- Target senior terrorist leaders. In 2014, drones from one partner killed one terror group's senior commander, Ahmed Abdi Godane. This was hailed as a major symbolic and operational success which weakened the group.
- International effort. Encourage the International Community to bring their efforts to bear on the Al Shabaab menace in Somalia, as it is also a threat to international peace and security.
- Deny revenue sources. FGS encouraged to monitor and control financial support channelled to the terrorist groups from internal sources.
- Amnesty: FGS to grant amnesty from prosecution to encourage threat actors to defect/surrender.
- Dialogue. Encourage FGS dialogue with threat actors and address their fears and concerns.
- Discredit campaigns. FGS advised to conduct campaigns to discredit violent opponents and undermine their efforts to generate local support.
- Humanitarian support. Provide humanitarian support to displaced populations in Somalia that look to Al-Shabaab and other threat actors as alternatives to government service providers.

We have been using the term methodology primarily with reference to a reliable and repeatable practice to analyse whether future hybrid missions involving NATO and other IOs are likely to face a threat from spoilers. There is another sense in which the term methodology is highly relevant, however, and that is the methodology for gathering data required for evaluating and monitoring the spoiler threat(s). The AU has provided a valuable itemization of sources of information about prospective spoilers. Most of these sources of information, however, are only relevant after the mission has been deployed in the field. These are:

- Defectors.
- Community policing/ support from local population.
- Stop & search.
- Police investigations.
- Surveillance.
- Use of drones.
- Intelligence analysis.

The sources of information that could be developed to support a pre-mission SAM are:

- Exploitation of social media.
- AI/technology.

Strengths

- The AU methodology is explicitly designed to lead the development of a strategy.
- The AU has provided a valuable itemization of sources of information that should be available about prospective spoilers after the mission is fielded that should be exploited.
- Among the elements that would be particularly relevant for spoiler assessment in the wake of a peace agreement are inquiry into their motivations (e.g. whether they are motivated by greed, grievance, or ideology) and analysis of their capabilities, specifically assessment of the organizational cohesion of threat actors and identification of any internal schisms that can be exploited, their sources of illicit financing, the level of public support they enjoy, and linkages with international networks.

Weaknesses

- This methodology relies almost exclusively on sources of information that are only available after the mission has deployed. Thus, it would not support a pre-mission spoiler assessment that could be used to inform the mandate.
- The analysis of capabilities is based exclusively or at least predominantly on intelligence which could hamper the ability to share assessments with other International Organizations.

4.2 Common Framework

One practical step toward development of a NATO SAM would be to compile a common framework/set of questions that can be used to guide the assessment process along with the domains that should be incorporated into the analysis (e.g. political, military, economic, etc.). This recommendation is developed below by identifying the questions that are central to each of the methodologies discussed above (i.e. Center of Power Analysis is referred to as *COPA*, a Systemic Analysis of the Structure of Corruption by Sarah Chayes referred to as *Chayes*, and the African Union methodology referred to as *AU*).

I. **The essential spoiler assessment questions from COPA are the following:**

- What is the true nature of the conflict (i.e. what are the drivers of conflict)?

- From the perspective of money and power which parties are profiting or would profit from continued conflict?
- Are there parties or States outside of the conflict area that support the conflict, directly or indirectly? (also shared with Chayes and AU);
- What is the desired strategic outcome of the intervention or stability policing mission?
- Which group, parties or States would oppose the implementation of the strategic objective?
- Who would support the process internal to the conflict zone and beyond the borders?
- What is the legal environment in the area of intervention (i.e. Are the police, legal system, armed forces, and intelligence apparatus part of the problem or part of the solution?) What are the required legal authorities for the future mission?
- What are the *informal* as well as the *formal* structures of power?
- Are these power structures dependent on illicit revenue streams? What are they? (also in Chayes and AU)
- Are these power structures linked to organized crime, terrorist organizations, and/or regional clients? (also in Chayes and AU)
- What are the vulnerable nodes in the spoiler power structure and where can they be prosecuted?

II. The essential spoiler assessment questions from Chayes are the following:

- Does a single network dominate? How dependent is the network's functioning on the person of the chief of state? To what extent does competition exist within the dominant network? Where one network does not dominate, how contentious is their rivalry? (Similar to AU);
- Is kleptocratic competition a main cause of chronic conflict? (Similar to COPA and AU);
- What elements of state function have been deliberately bent or distorted by the networks with the aim of extracting resources and/or ensuring compliance? (Similar to COPA);
- Which ministries or government agencies have become a set of instruments in the hands of kleptocratic networks, harnessed for the purpose of sustaining and maximizing their personal revenues and assuring their impunity? The judicial branch is almost always at least partially captured. (Similar to COPA);
- What instruments of coercion or violence do the networks rely upon to enforce discipline, both on network members and on the population at large, especially activists or media? Careful analysis should be devoted to understanding the real connections between informal armed groups operating in civilian clothes and official security structures. (Similar to COPA);
- What elements of state function have been deliberately crippled, allowed to languish or else cannibalized for the revenue streams they provide? (Similar to COPA);
- What are the most important revenue streams the networks concentrate their efforts on capturing? What are the illicit funds used for? (Similar to COPA and AU);
- How much is directed back downward within the country, either as payments for the loyalty of network members or to finance electoral campaigns (often including vote-rigging or vote-buying)? Answers to lifestyle questions may provide insight on a topic particularly relevant to would-be reformers: the key vulnerabilities that potentially weaken the networks. (Similar to COPA);
- How vertically integrated are the kleptocratic networks? Typically, this integration takes the form of payments by subordinate echelons to their superiors either of a percentage of the bribes or kickbacks they extort or of a lump sum to obtain the government positions they hold. The usual recompense for such payments is protection from any repercussions for corrupt and other criminal practices. (This is an exchange of power at the core of the COPA methodology);

- How horizontally integrated are the networks? Does horizontal integration extend to outright criminals? Does the network incorporate terrorists or other violent insurgents? Does the horizontal integration include ostensibly charitable institutions? (This is an exchange of power at the core of the COPA methodology);
- Do the networks extend across national boundaries? What are the key enablers for the kleptocratic networks, especially outside the country? (This is an exchange of power at the core of the COPA methodology and similar to the AU methodology).

III. The spoiler assessment questions from the AU methodology are the following:

- Inquiry into their motivations: Ideological fundamentalism; clan dynamics to protect clan members and acquire power and resources, fear of prosecution after a peace agreement by those culpable for atrocities, and corruption that limits access to resources to a few people who use it to buy loyalty causing the majority to feel marginalized.
- An assessment of the organizational cohesion of threat actors and identification of any internal schisms that can be exploited. (similar to Chayes)
- The level of public support they enjoy.
- The sources of illicit financing for threat actors including revenue from international sympathizers, Diaspora, and the local population through extortion and illegal taxation with the intent of curtailing it. (Similar to COPA and Chayes)
- Linkages with international terrorist networks. (Similar to COPA and Chayes)

4.3 CONCLUSIONS

The three methodologies described above represent a concrete source of inspiration for the future NATO SAM.

- The Center of Power Analysis Methodology identifies the centre of gravity of spoiler networks and their vulnerability to disruption, and it has been successfully employed by NATO in Bosnia to identify a previously unrecognized but existential threat to the mission (i.e., the Third Entity Movement), demonstrating the ability to anticipate spoiler threats and implement a strategy to eliminate them.
- The Systemic Analysis of the Structure of Corruption Methodology emphasizes the structures that perpetuate corruption in governance which is directly relevant to identifying the predominant source of spoiling: criminalized power structures. Moreover, this methodology overlaps extensively with the Center of Power Analysis methodology mentioned above.
- Assessment of Spoiler Threats in Somalia belonging to AU is explicitly designed to lead the development of a strategy and includes relevant aspects to be considered for assessing spoilers like their motivations (e.g. whether they are motivated by greed, grievance, or ideology) and their capabilities, specifically assessment of the organizational cohesion of threat actors and identification of any internal schisms that can be exploited, their sources of illicit financing, the level of public support they enjoy, and linkages with international networks.

4.4 RECOMMENDATIONS

As noted in the introduction to this section, there were three prominent recommendations deriving from the 2019 Oct 9-10 workshop:

- The strengths of the three SAMs presented during the conference and any other methodologies that might exist should be incorporated into a SAM for use by NATO prior to future hybrid international missions in which it is a participant. This issue will be the focus of the follow-on workshop in 2020.
- To make it possible for NATO to share its spoiler assessments with other IOs, its SAM should be based on open source information. This recommendation will guide the development of a NATO SAM.
- One practical step toward development of a NATO SAM would be to compile a common framework/set of questions that can be used to guide the assessment process along with the domains that should be incorporated into the analysis (e.g. political, military, economic, etc.). This recommendation is developed below by identifying the questions that are central to each of the methodologies discussed above (i.e. Center of Power Analysis referred to below as COPA), a Systemic Analysis of the Structure of Corruption by Sarah Chayes referred to as Chayes, and the African Union methodology referred to as AU.

The essential spoiler assessment questions from COPA are the following:

- What is the true nature of the conflict (i.e. what are the drivers of conflict)?
- From the perspective of money and power which parties are profiting or would profit from continued conflict?
- Are there parties or States outside of the conflict area that support the conflict, directly or indirectly? (also in Chayes and AU)
- What is the desired strategic outcome of the intervention or stability policing mission?
- Which group, parties or States would oppose the implementation of the strategic objective?
- Who would support the process internal to the conflict zone and beyond the borders?
- What is the legal environment in the area of intervention (i.e., Are the police, legal system, armed forces, and intelligence apparatus part of the problem or part of the solution?) What are the REQUIRED legal authorities for the future mission?
- What are the *informal* as well as the *formal* structures of power?
- Are these power structures dependent on illicit revenue streams? What are they? (also in Chayes and AU)
- Are these power structures linked to organized crime, terrorist organizations, and/or regional clients? (also in Chayes and AU)
- What are the vulnerable nodes in the spoiler power structure and where can they be prosecuted?

The essential spoiler assessment questions from Chayes are the following:

- Does a single network dominate? How dependent is the network's functioning on the person of the chief of state? To what extent does competition exist within the dominant network? Where one network does not dominate, how contentious is their rivalry? (Similar to AU);
- Is kleptocratic competition a main cause of chronic conflict? (Similar to COPA and AU);

- What elements of state function have been deliberately bent or distorted by the networks with the aim of extracting resources and/or ensuring compliance? (Similar to COPA);
- Which ministries or government agencies have become a set of instruments in the hands of kleptocratic networks, harnessed for the purpose of sustaining and maximizing their personal revenues and assuring their impunity? The judicial branch is almost always at least partially captured. (Similar to COPA);
- What instruments of coercion or violence do the networks rely upon to enforce discipline, both on network members and on the population at large, especially activists or media? Careful analysis should be devoted to understanding the real connections between informal armed groups operating in civilian clothes and official security structures. (Similar to COPA);
- What elements of state function have been deliberately crippled, allowed to languish or else cannibalized for the revenue streams they provide? (Similar to COPA);
- What are the most important revenue streams the networks concentrate their efforts on capturing? What are the illicit funds used for? (Similar to COPA and AU);
- How much is directed back downward within the country, either as payments for the loyalty of network members or to finance electoral campaigns (often including vote-rigging or vote-buying)? Answers to lifestyle questions may provide insight on a topic particularly relevant to would-be reformers: the key vulnerabilities that potentially weaken the networks. (Similar to COPA);
- How vertically integrated are the kleptocratic networks? Typically, this integration takes the form of payments by subordinate echelons to their superiors either of a percentage of the bribes or kickbacks they extort or of a lump sum to obtain the government positions they hold. The usual recompense for such payments is protection from any repercussions for corrupt and other criminal practices. (This is an exchange of power at the core of the COPA methodology);
- How horizontally integrated are the networks? Does horizontal integration extend to outright criminals? Does the network incorporate terrorists or other violent insurgents? Does the horizontal integration include ostensibly charitable institutions? (This is an exchange of power at the core of the COPA methodology);
- Do the networks extend across national boundaries? What are the key enablers for the kleptocratic networks, especially outside the country? (This is an exchange of power at the core of the COPA methodology and similar to the AU methodology).

The spoiler assessment questions from the AU methodology are the following:

- Inquiry into their motivations: Ideological fundamentalism; clan dynamics to protect clan members and acquire power and resources, fear of prosecution after a peace agreement by those culpable for atrocities, and corruption that limits access to resources to a few people who use it to buy loyalty causing the majority to feel marginalized.
 - An assessment of the organizational cohesion of threat actors and identification of any internal schisms that can be exploited (similarly to Chayes).
 - The level of public support they enjoy.
 - The sources of illicit financing for threat actors including revenue from international sympathizers, Diaspora, and the local population through extortion and illegal taxation with the intent of curtailing it (similarly to COPA and Chayes).
 - Linkages with international terrorist networks (similarly to COPA and Chayes).
- The domains that should be incorporated into the analysis are political, military, economic and performance of institutions such as the legal system and civil society.

CHAPTER 5

5.1 Technical considerations of the methodologies used in assessing spoilers

Who will be the operational/technical authority for any assessment tool and the custodian of any assessment process?

One assumption guiding this project is that NATO's SAM will only be used in hybrid missions under a mandate from an IO like the UN, EU or AU. The mandating authority is at the strategic or policy level and also deploys a field mission with authorities and capabilities to carry out the mandate. Thus the head of mission (the Special Representative of the Secretary General in the case of the UN) will be the operational authority for implementation of the mandate and the custodian of the peace process.

One of the central outcomes from the conference was that “Assessment of spoiler threats prior to drafting a mandate will dramatically enhance mission success”. Conversely, the failure of a mandating authority to recognize that spoilers are a likely threat to the mission will have profound operational consequences: critical authorities and capabilities will be lacking, the mission's ability to respond effectively to spoiler threats will be diminished, and the ‘Golden Hour’ will be squandered. Owing to the debilitating impact on mission accomplishment that failing to assess the prospect for spoilers will have, it behoves NATO—and its prospective international partners - to ensure that spoiler assessments are conducted at the earliest possible time for any prospective hybrid missions they might be engaged in. Ideally, this should take place as the likely contours of a peace process are crystalizing, so that essential authorities (e.g. a hybrid domestic/international court to adjudicate crimes against the agreement and mandate) can be considered by the parties as an agreement is emerging. That is to say, a spoiler assessment ideally should be accomplished in advance of both a mandate and the designation of the head/commander of mission, who will ultimately become the operational authority and custodian of the peace process.

NATO will need to develop a shared methodology for spoiler assessments and exercise it to guide implementation of its operational portion of the mandate. Thus, NATO has both technical and operational authority for spoiler assessment—for its specified responsibilities under the mandate and subject to the oversight of the custodian of the peace process. It is especially critical that NATO perform a spoiler assessment if its prospective IO partners do not. NATO can promote the proper assessment of spoilers by its prospective international partners by sharing the results of its assessment with them in a timely manner. As discussed below, this should be done in a way that maximizes interoperability.⁴⁵

“NATO needs to develop its own technical methodology for spoiler assessments and exercise it to guide the implementation of its operational portion of the mandate”.



Ms. Sarah Chayes - NATO SP COE photo

⁴⁵ For instance, an organization with a defined task and resources which can, under an IO umbrella and by consensus with humanitarian organisations, HNs, etc., lead a SAM process from the earliest stages.

Should the tool strive to be interoperable with other national and international assessment tools and resources?

Another of the basic outcomes of the conference was that “*We should strive to develop a shareable assessment methodology based primarily on open sources*”. In this context, the most critical aspect of interoperability is whether the results of the spoiler assessment can be shared with prospective international partners. Clearly, interoperability will be maximized if the assessment methodology is based

on exploitation of open sources (rather than intelligence sources), so that the results can be readily shared with international partners. Another aspect of interoperability would be to identify essential elements of information that could not be obtained through open sources along with processes that would enable NATO’s prospective future IO partners to share such sensitive information with each other. Conference and workshop participants also considered one ultimate dimension of interoperability: developing a common SAM among NATO’s prospective international partners. Although this might be possible, it was not considered to be likely or essential. Although participants did not rule this out, priority should be given to developing a shareable (i.e., open source) SAM.



2019 NATO SP LL Conference
NATO SP COE photo

As mentioned before, probably the only operational experience with sharing a NATO spoiler assessment process among international partners took place in Bosnia Herzegovina when Mr Oscar Vera, one of the conference speakers, used his methodology to identify that the Third Entity Movement represented a threat to the Dayton peace process. The Peace Implementation Council (PIC) set the policy and overall mandate for Office of the High representative (OHR), including granting the “Bonn Powers” to remove those obstructing the implementation of the accords and to decree essential legislation. Thus, the PIC was the executive authority for peace implementation along with the UN and NATO. In this case, the OHR had the operational authority for the Dayton annexes that were designated by the PIC mandate. SFOR and the UN had operational authority for their specific annexes (i.e. Annex 1A for IFOR/SFOR, and Annex 11 for the UN Mission in Bosnia and Herzegovina).⁴⁶

Working directly for Gen Wesley Clark, the NATO Supreme Allied Commander for Europe (SACEUR) and US Presidential Envoy Robert Gelbard, Mr. Vera had operational authority for advising and coordinating police operations, with SFOR in support. He also had complete technical authority over the assessment and strategic planning products that were used to develop and execute the campaign plan. In future scenarios NATO would have the technical authority for their work product and the operation authority to plan and execute missions as required to achieve the strategic outcome that should be delineated in the NATO mandate.

Custodians of the Development of a Spoiler Assessment Methodology, Training of Analysts in the Use of this Tool, and Development of Doctrine for its Use.

Considering all the above mentioned aspects concerning the critical impact of the lack of a relevant methodology for assessing spoiler, it is incumbent upon the NATO HQ SACT, as customer of this report, with the support of the NATO SP COE to follow up on the October 2019 conference with a

⁴⁶ The General Framework Agreement for Peace, signed in Paris on Dec 14, 2005. Available at <https://www.osce.org/bih/126173?download=true>.

process to develop a SAM that maximizes the prospect for collaboration with its most likely international partners in future interventions. The initial step to accomplish this will be taken in the fall of 2020 when the NATO SP COE organizes a workshop with the UN, EU, and AU and subject matter experts to gain feedback and prospective support for its proposed way ahead.

Once the Alliance has developed a SAM, the next step will be to develop a dedicated course that will be used to train a team of NATO analysts in its use. The objectives and learning outcomes of this course should be to train a multi-domain group of Stability Policing practitioners in the art of conducting a mission critical assessment of the potential spoilers of the peace process and the most effective way of addressing and mitigating their opposition in order to achieve the desired strategic outcome. The expected topics to be addressed in the syllabus will be collection and analysis of all source intelligence and information needed to identify key actors in the political, economic, military and public institutions sectors in both the area of intervention and external state and non-state actors that would oppose the implementation of the stability mandate. The most suitable candidates for training will be intelligence analysts, law enforcement operators, legal practitioners, intelligence collectors, operational mission planners and, IOs contributors and consumers. All team members should be trained and function together to do the initial assessment, identify intelligence and information gaps, target collection efforts, plan and re-assess the campaign against spoilers. In that way a comprehensive campaign plan can be crafted to defeat spoiler threats and their supporting infrastructure that everyone understands.

As a training requirement, each spoiler assessment team member should bring the skills and knowledge of their respective area of experience to form a cohesive group that will perform cross-functional collection and analysis of information and intelligence required for the production a campaign plan to disrupt and defeat the potential spoilers of the peace process.

The final function that should be performed by HQ SACT with the support of the NATO SP COE is the development of doctrine for the use of its SAM. This can be augmented and enhanced by capturing lessons from initial instances of use of NATO's SAM and by analogy in comparing previous iterations of similar tools (see Chapter 6). One option for doing this would be to collaborate with NATO's prospective international partners (i.e., the UN, EU, and or AU) to apply NATO's SAM in one of their existing missions to determine if the methodology contributed to their stabilization process. The most relevant way to test the impact of NATO's prospective SAM, however, would be to apply it in the context of an existing peace negotiation process involving NATO so the prospects for spoilers could be identified up front and a strategy to mitigate their spoiling behaviour could be implemented. The most immediate and compelling opportunity to do this is in Afghanistan owing to the ongoing process to negotiate a peace agreement with the Taliban. To maximize prospects for success in Afghanistan, NATO should build on the lessons from implementation of its successful spoiler management strategy against the Third Entity Movement in Bosnia.

5.2 CONCLUSIONS

- Assessment of spoiler threats prior to drafting a mandate will enhance mission success.
- The failure of a mandating authority to recognize that spoilers are a likely threat to the mission will have significant operational consequences: critical authorities and capabilities will be lacking, the mission's ability to respond effectively to spoiler threats will be crippled, and the "Golden Hour" will be squandered.
- NATO needs to develop its own technical methodology for spoiler assessments and exercise it to guide implementation of its operational portion of the mandate. Thus, NATO has both technical and operational authority for spoiler assessment—for its specified responsibilities under the mandate and subject to the oversight of the custodian of the peace process.

- In future scenarios NATO would have the technical authority for their work product and the operational authority to plan and execute missions as required to achieve the strategic outcome that should be delineated in the NATO mandate.
- The next step is to develop a dedicated course that will be used to train a team of NATO analysts in its use.
- The final function is to develop a Doctrine framework within NATO for the use of its SAM and to test it in the context of an existing peace negotiation process involving NATO.

5.3 RECOMMENDATIONS

- A spoiler assessment ideally should be accomplished in advance of both a mandate and the designation of the head/commander of the mission, who will ultimately become the operational authority and custodian of the peace process.
- NATO should develop its own technical methodology for spoiler assessments and exercise it to guide the implementation of its operational portion of the mandate.
- NATO should have the technical authority for their work product and the operational authority to plan and execute missions aimed to assess spoiler threats.
- NATO HQ SACT, as customer of this report, with the support of the NATO SP COE, should follow up on the October 2019 conference with a process to develop a SAM that maximizes the prospect for collaboration with its most likely international partners in future interventions.
- After developing the SAM, NATO HQ SACT, with the support of the NATO SP COE, should develop a dedicated course to train a team of NATO analysts on its use. The objectives and learning outcomes of this course should be to train a multi-domain group of stability policing practitioners in the art of conducting a mission critical assessment of the potential spoilers of the peace process and the most effective way of defeating and mitigating their opposition in order to achieve the desired strategic outcome.
- Subsequently, HQ SACT, with the support of the NATO SP COE, should develop a doctrinal framework within NATO for the use of its Spoiler Assessment Methodology and to test it in the context of an existing peace negotiation process involving the Alliance.

CHAPTER 6

6.1 Other threats assessments relevant for an international mission - Introduction

This chapter focuses on threats assessments considered relevant for an international mission but not specifically mentioned or further discussed during the Spoiler Threats Conference and Workshop.

Naturally there is a wide array of assessment methodologies which partly touch up on the assessment of spoilers, reflecting the array of stakeholders working, often in stove-piped isolation both nationally and internationally, on similar issues, including crisis response, military tactical estimates, law enforcement agencies' analysis, and NGO humanitarian needs assessments.

Perspectives and methods arise from military, police, domestic and foreign affairs organizations, NGOs, IOs, humanitarian and charitable organizations, think-tanks and academia which can both cloud a subject area, but also have potential to provide considerable synergy and collective benefit if coordinated and, to as feasible a degree as possible, standardized (See Annex C).

The sample presented in this chapter is not intended to be exhaustive and relies on open-source information. Inclusion is not an indication of endorsement by the HQ SACT, but an indicator of the variations of agencies and methods used in assessing situations and forming courses of action that can be considered by our Centre of Excellence during future developments.

“Perspectives and methods arise from military, police, domestic and foreign affairs organizations, NGOs, IOs, humanitarian and charitable organizations, think-tanks and academia which can both cloud a subject area, but also have potential to provide considerable synergy and collective benefit if coordinated and, to as feasible a degree as possible, standardized [...]”.

Context

Cockayne and Pfister⁴⁷ analyse the impact of organized crime on the post-conflict phase, and find that the 'spoiler management' approach has the advantage of defining parameters for action, and providing an achievable goal for institutions. The objective is to reduce the negative impact of organized crime on the process, rather than to propose direct combat or the extermination of organized crime.

The implementation of such an approach requires an understanding of regional dynamics and of the relationships between actors involved in the process, and in criminal economies. With this objective, some analytical models that use methodology to assess possible relationships and their level of risk to the process, are examined.

As we said before, the UN Department of Peace Keeping Operation *Integrated Assessment and Planning Handbook*, promulgated in 2014, acknowledged that “there is no agreed United Nations system-wide methodology for comprehensively assessing risks to the United Nations in post-conflict and conflict settings”⁴⁸.

Moreover, the outcomes of the NATO SP COE Spoilers Threat Conference and workshop confirmed the lack of a unique common methodology used for comprehensively assessing risks for IOs

⁴⁷ Cockayne, J. and Pfister, D. R., *Peace Operations and Organised Crime*, April 2008. Referenced at SSRN: <https://ssrn.com/abstract=1127871> or <http://dx.doi.org/10.2139/ssrn.1127871>

⁴⁸ UN Department of Peacekeeping Operations, *Integrated Assessment and Planning Handbook*, January 2014, p 32. Available at <https://unsdg.un.org/resources/integrated-assessment-and-planning-handbook>

in post-conflict and conflict settings.

Experiences from different international crisis scenarios have revealed that IOs and countries adopted different approaches in assessing and contrasting potential spoilers' activities.

In this chapter, we list some useful assessments adopted by different IOs and countries to identify potential threats, particularly from the serious organized crime. In the same light, we try to identify some common features which may present opportunities for standardization and the sharing of Best Practices.

6.2 The SOCTA⁴⁹ Model and the Intelligence-led policing (ILP) approach⁵⁰

UN, EU and OSCE adopted a model of threat assessment called SOCTA, based on Intelligence-led policing (ILP) concept.

The SOCTA model of inspiration is the ILP which is a modern approach to law enforcement.

First introduced in the United Kingdom in the 1990s, ILP has primarily been used in countering serious and organized crime. ILP focuses on systematic gathering and evaluation of data and information, through a defined analysis process, turning it into strategic and operational analysis products, which serve as basis for improved, informed and evidence-based decision-making.

“Intelligence-led policing emphasizes analysis and intelligence as pivotal to an objective, decision-making framework that prioritizes crime hotspots, repeat victims, prolific offenders and criminal groups. It facilitates crime and harm reduction, disruption and prevention through strategic and tactical management, deployment and enforcement.”

Ratcliffe (2016: p 66).

The ILP model addresses these challenges by emphasizing and providing for intelligence-based prioritization followed by tasking and allocation of available resources in line with defined priorities.

“Intelligence-led policing is crime fighting that is guided by effective intelligence gathering and analysis – and it has the potential to be the most important law enforcement innovation of the 21st century.”

Kelling and Bratton (2006: p 5).

The 4-i model (*Intent, Interpret, Influence and Impact*) is helpful in explaining the roles and the relationship between key actors of the ILP concept: the criminal environment, the criminal intelligence analyst and the police decision-maker.

All four “i” components must be in place and function properly if ILP is to work to its potential. The model places emphasis on the relationship between the criminal analysis and the decision-makers.

The decision-makers (managers) task, direct, advice and guide the criminal intelligence analysts. First, the decision-makers should ensure that their intentions are explained and understood. Second, the analysts interpret the criminal environment, and third, influence the decision-makers with the analysis findings. Based on these findings, the decision-makers (fourth) impact on the criminal environment through strategic management, action plans, investigations and operations.

Criminal intelligence analysis is given more significance in ILP than other contemporary policing models. This calls for enhanced and sometimes new analytical skills and competencies within the law enforcement.

⁴⁹ Serious Organised Crime Threat Assessment.

⁵⁰ www.osce.org/chairmanship.

The proactive, forward-looking focus of ILP also relies on law enforcement managers to know how to work with analysts and make use of analytical products in their decision-making and planning. Thus, in adopting and implementing ILP, there must be specific focus on preparing and training high- and middle-level leadership and management within the law enforcement.

6.3 The United Nations UNDOC SOCTA Handbook⁵¹

UNDOC published the Serious Organized Crime threat assessment (SOCTA) handbook in 2010. The assessment process establishes a better understanding of the picture of potential threats in a country and how it may develop in the future. This includes understanding the impact within the country, for example, of serious and organized crime activity occurring or initiating outside the country. It covers the whole range of serious and organized crime activity, not just a particular commodity⁵².

It is about various criminal markets and sectors—the activities of serious and organized crime—and about the membership and structure of criminal groups involved in such activities. It is about using and interpreting both quantitative and qualitative data to describe serious and organized crime activities, and to assess their threat to the country, the extent of the risk they pose and the level of harm they cause both now and potentially in the future.

This is the “big picture” and is forward looking. It will, of course, draw upon information identified in operational reports but will not usually go into the detail of individual suspects (a SOCTA is usually described as a *strategic* product, rather than a *tactical* product).

The methodology promulgated is a synthesis and simplification of several broadly similar methodologies used within law enforcement woven into the “intelligence cycle”. According to the SOCTA Handbook, the Methodology used in developing a threat assessment should be flexible enough to cope with the many different needs.

The traditional intelligence cycle has six stages which are used as the basis for the step-by-step approach for constructing a SOCTA. The intelligence cycle is not a static sequence of six steps, but rather a dynamic process, where different phases are closely interlinked and feed into one another, making it necessary for analysts to go back and forth within the intelligence cycle. The criminal intelligence cycle is described in Annex 2 of the document.

- **Phase 1 Planning and Tasking**
 - Step 1—Brainstorming
 - Step 2—Defining the task
 - Step 3—Agreeing on the Terms of Reference
- **Phase 2 Collection**
 - Step 4—Data collection plan
- **Phase 3. Processing and Evaluation**
 - Step 5—Information management
- **Phase 4. Analysis**
 - Step 6—Environmental scanning
- **Phase 5. Production (“and now the SOCTA”)**
 - Step 7—SWOT analysis

⁵¹ Referenced at www.unodc.org/documents/organized-crime/SOCTA_Handbook.pdf

⁵² It should be noted that although the intention is to have one national assessment of the total organized crime environment this process can be used to address particular organized crime issues including markets, sectors and groups. These assessments could still support the production of the national SOCTA.

- Step 8—Risk analysis⁵³
- Step 9—Recommendation writing
- **Phase 6. Dissemination and feedback**
- Step 10—Disseminating the results
- Step 11—Feedback

6.4 EUROPOL SOCTA⁵⁴

EUROPOL developed in the last years the Serious Organized Crime Threat Assessment (SOCTA) based on the Intelligence Led Police methodology, similarly to the already mentioned UNDOC SOCTA.

The EU SOCTA is a strategic assessment and, as such, is the cornerstone of the European Multidisciplinary Platform against Criminal Threats (EMPACT) policy cycle, which was established by the EU in 2010.

From the formulation of strategic priorities to operational actions, the multi-annual policy cycle ensures that an intelligence-led approach is taken to tackling the major criminal threats facing the EU. The EMPACT cycle also seeks to ensure continuity in the fight against serious international and organised crime through cooperation among national law enforcement agencies, EU institutions and agencies, and other relevant partners.

The EU formally endorsed ILP in 2005. Since then, common EU Strategic Planning and Operational Action Plans to tackle organized crime have been developed with the ILP approach. In 2010, the EU adopted the EU Policy Cycle for Serious and Organized Crime, which is presented here as an example of good practice for addressing transnational organized crime in line with the principles of ILP.

The SOCTA is developed and published by Europol in cooperation with the SOCTA Advisory Group (composed of EU member states, EU Agencies, European Commission and Council General Secretariat), with support from Europol's third partner countries and organizations. Since the methodology is endorsed by the EU Council of Justice and Home Affairs Ministers, it has a clear legal framework and a strong political back-up.

“From strategic priorities through to operational action, [SOCTA] will ensure that an intelligence-led approach is at the heart of tackling the major criminal threats facing the EU.”

– Europol (2010).

Europol's SOCTA process includes:

- Preparation and endorsement of detailed customer requirements;
- Preparation and endorsement of the methodology;
- Identification of intelligence requirements;
- Data collection;
- Analysis of data;
- Drafting of the SOCTA report, including a list of key threats and risks; and presentation of the results and recommended priorities.

⁵³ Although not strictly part of a threat assessment, risk analysis allows the threats identified through the SOCTA process to be prioritized and it assists in the recommendation writing phase. As such it was decided to include risk analysis within the Handbook.

⁵⁴ Referenced at <https://www.europol.europa.eu/socta-report>

6.5 OSCE ILP model⁵⁵

ILP is a top-down managerial and decision-making framework. It provides a structure, methodology and multiple processes for a systematic gathering, sharing and analysis of relevant information, which serves as basis for informed planning and decision-making in law enforcement management. ILP has been called a law enforcement business model, i.e. a methodology guiding the conduct and management of policing.

The 4-i conceptual model highlights the relationship between the three key actors within ILP: the criminal environment, the criminal intelligence analysts and the decision-makers. The 4-i model shows that the decision-makers task and direct the analysts by explaining their *intentions*. The analysts *interpret* the criminal environment through their analysis and *influence* the decision-makers with the findings. Based on the analysis products, the decision-makers *impact* the criminal environment through law enforcement actions.

The OSCE intelligence-led policing model

The ILP model includes the following main steps and components:

- Tasking
- Analysis Within the Criminal Intelligence Process
- Criminal Intelligence Products
- Decision-Making
- Operational Activities
- Data and information flow
- Feedback and evaluation
- Monitoring and quality control

It has to be underlined that all the components of the model are interactive and feed into one another, making it often necessary for previous steps to be revisited.

6.6 The Sleipnir Organized Crime Assessment Tool⁵⁶

Canada has adopted an intelligence led, integrated methodology to maximize resources. The tools such as Sleipnir and the Harm Prioritization Scale helps to determine the priority organized crime groups to investigate.

Sleipnir is a threat-measurement technique developed by the Royal Canadian Mounted Police (RCMP), which uses a rank-ordered set of attributes to compare organized groups of criminals. Sleipnir provides a threat measurement technique for strategic intelligence analysis and enables analysts to assess the relative threat posed by organized criminal groups to Canadian society. The RCMP designated the project name Sleipnir in reference to the eight-legged horse belonging to Odin in Old Norse mythology.

Reporting to government on investigative effectiveness is critical to maintaining resources. The Disruption Attributes Tool (DAT) measures policing efforts on organized crime investigations.

A DAT is submitted for each disruption that has occurred on any organized crime project (immediately after the disruption has taken place). The lead investigator of each organized crime project is responsible for completing and submitting the DAT form to the Divisional CrOps Reviewer for review and analysis. Once review and analysis are complete, the CrOps Reviewer submits the completed form to HQ.

⁵⁵ Referenced at <https://www.osce.org/chairmanship/327476>

⁵⁶ *Ibidem*.

The information is then compiled to provide a national comprehensive picture of the impact on targeted organized crime groups and quarterly reported to all Divisions and Officers. Finally, education and awareness on organized crime is an investment in reducing the impact of organized crime on Canadians.

The Sleipnir technique was developed to improve strategic priority setting by providing a reliable, objective, expertise-based method in criminal intelligence analysis to assist in the ranking and comparison of the threat of organized crime groups as well as to identify intelligence gaps.

The Sleipnir technique provides intelligence analysts working on organized crime groups with a comprehensive and transparent method to develop and present recommendations and supporting intelligence in a concise manner. However, the resulting framework and matrix are not intended to stand in isolation, but should be fleshed out in the context of a strategic analytical assessment that explains the details and significance of the comparisons.⁵⁷

However, it should be understood that Sleipnir is a strategic tool used to assist in determining organizational priorities and is not designed to be used as a tactical intelligence tool. The Sleipnir technique is also grounded in certain assumptions that may not reflect the increasingly complex and sophisticated links between international organized crime groups, and between these groups and terrorist organizations.

This could lead to the development of strategic priorities that focus too much on large, sophisticated organizations while ignoring smaller and potentially more dangerous groups with links to foreign organized crime or terrorism. In addition, Sleipnir is based on assumptions that determine the greatest perceived threats to Canadian society, and the rank ordering of attributes may not necessarily reflect those relevant to other societies or jurisdictions.

6.7 The UK National Intelligence Model⁵⁸

The NIM is the implementation framework of ILP in the UK.⁵⁹ The intention behind the NIM is to provide focus to operational policing and to achieve a disproportionately greater impact from available resources.

The NIM is as much a management decision-making model as a description of intelligence processes and products. The critical factor in securing reduction in crime is the proactive role of law enforcement management.

The process is conducted at three levels: Level 1 (community/local level), Level 2 (inter-force/regional) and Level 3 (national/international). At each of these levels, the processes and nature of the intelligence products are essentially identical, although the detailed content of the products and the nature of the data to be accessed and processed will vary. This similarity throughout the model is deliberately highlighted to broaden understanding among professionals working at different levels.

The NIM works either as a stand-alone system for one level of activity, or as an integrated model whereby at each level it interacts with the others to best identify the problems and their potential solutions.

The model describes each intelligence unit within a level, setting its own local intelligence requirement. The standardization of intelligence products will provide the best basis for providing such intelligence, but it requires systems of access that enable each intelligence unit to benefit from the data

⁵⁷ Royal Canadian Mounted Police Criminal Intelligence. *Sleipnir Version 2.0, Organized Crime Groups Capability Measurement Matrix*, Royal Canadian Mounted Police, Ottawa, 2011.

⁵⁸ <http://www.intelligenceanalysis.net/National%20Intelligence%20Model.pdf>

⁵⁹ This sub-chapter is drafted on the basis of two documents: (i) *The National Intelligence Model of the Criminal Intelligence Service (NCIS)* (NCIS Corporate Communications, 2000); and (ii) the *Code of Practice – National Intelligence Model of the National Centre for Policing Excellence*, London Home Office, CENTREX, 2005.

held by its colleagues.

The pivotal product at Level 3 is the UK Annual Threat Assessment, more precisely titled The National Strategic Assessment of Serious and Organised Crime (NSA). It is produced by the UK National Crime Agency (NCA) drawing on data provided by the police forces, HM Customs and Excise, the intelligence and security agencies, and other law enforcement bodies.

The NSA provides a comprehensive picture of the risk posed to the UK and its interests by serious and organize crime. It provides the national response with information on what the priorities are and what action will be taken the expected results and how success will be measured.

Tasking and Co-ordination Groups, which meet on all three levels, are at the heart of the NIM. Meetings of these groups are divided into Strategic Tasking and Co-ordination Meetings and Tactical Tasking and Co-ordination Meetings. The purpose of these meetings is to agree on a Control Strategy that establishes the intelligence requirement and sets the agenda for intelligence, prevention and enforcement priorities, aiming at a maximum impact.

To this end, law enforcement managers must have a good understanding of the true nature of the problems they face and a mechanism for decision-making that identifies priorities, the resources required and which can commission action. The tasking and co-ordination process is that mechanism.

a. Strategic Tasking

The objectives of the Strategic Tasking and Co-ordination Meetings are to set up or amend the control strategy and to make the principal resource commitments in line with set priorities. The Strategic Tasking and Co-ordination Group therefore meets quarterly or half-yearly and aligns its cycle to the business planning round.

The Group's work is carried out on the basis of the problems and issues identified by the Strategic Assessment (NSA), which, having been considered in light of the governmental and local objectives, is used to determine and set the priorities for intelligence, enforcement and prevention. Its work is completed by the allocation of resources and setting of policies needed to deliver the control strategy.

b. Tactical Tasking

The Tactical Tasking and Co-ordination Group meets weekly or every second week. It has three main roles: to commission and apply the tactical menu to the Control Strategy; to respond to new needs; and to check that agreed plans and enforcement work are still on course to meet objectives.

A Tactical Assessment Report is the key intelligence product that drives the tactical decision-making.

The tactical aims comprise four elements:

- Targeting of offenders in line with the priorities of the Control Strategy;
- The management of crime and disorder hotspots;
- The investigation of crimes and incidents which can be shown to be linked into 'series';
- The application of the range of "preventative measures" such as CCTV and lighting schemes or community action initiatives.

Monitoring the progress and encouraging work in the four boxes of the tactical menu is the heart of the agenda for the Tactical Tasking and Co-ordination Meeting. The intelligence-led strategic and tactical tasking and co-ordination processes are based on four main intelligence reports briefly explained below.

c. Strategic Assessments

The main purpose of the strategic assessment report is to provide the Tasking and Co-ordination Group with an accurate picture of the situation in its area of responsibility and with an outlook on how this

picture is changing and may change in the future.

It is by definition a longer-term, high-level look at the law enforcement issues and will therefore not only consider current activities but will also try to provide a forecast of likely developments.

A locally produced strategic assessment will assist planning and policymaking in the area and contribute to the bigger picture of patterns and trends in the region and nationally.

d. Tactical Assessments

The tactical assessment forms the basis for the work of the Tactical Tasking and Co-ordination Group. The assessment will allow to identify emerging patterns and trends requiring attention, including further analysis. Progress in investigations or preventive initiatives can be addressed as can immediate needs for changes in resourcing tactical options.

e. Target Profiles

A target profile is person-specific and contains enough detail to initiate a target investigation/operation or support an ongoing operation against an individual or networked group of individuals. It shows links to other investigations (at all levels of the model) and may include risk profiles of potentially dangerous offenders. Based on the intelligence revealed, the target profile includes an interpretation of the best course of action and proposals to fill the gaps in the intelligence picture.

f. Problem Profile

A problem profile identifies established and emerging crime or incident series. It also identifies established and emerging crime and incident 'hotspots' together with the opportunities for preventive work revealed by the intelligence. In the case of crime series identification where methods are confirmed and links to potential offenders established, the profile supports targeting and reactive investigation, as well as preventive initiatives.

g. Intelligence Units – prioritization of intelligence work

An effective and secure intelligence unit needs four main assets briefly described below: adequate sources of information, appropriately organized and skilled staff, access to the range of knowledge products and system products.

h. Sources of Information

The sources that intelligence staff need to access are wide-ranging, such as victims, witnesses, prisoners, informants and surveillance products. A soundly equipped intelligence regime will be able to access a wide range of existing data as well as undertake proactive source recruitment and deployments to fill identified intelligence gaps.

i. Staff

The second asset required is people. It is vital that an intelligence manager of appropriate status be appointed to head the unit to ensure that meaning and significance are added to the analytical techniques and products before they are presented to the tasking and co-ordination group.

It is equally important that intelligence as a discipline be adequately represented in management discussions about financial and human resources. Intelligence units need to be equipped not just to handle data and information that is already known, but also to gather information through proactive or covert means. Gaps in intelligence will often be identified that cannot be filled by analysis and collation of available material.

Intelligence units must have the skills and capability to handle live sources, as well as opportunities for technical surveillance operations. Trained analysts are required if the standards inherent in the model

are to be reached. The analytical techniques and products are part of a standard range that underpins the national vocational training arrangements for law enforcement analysts.

j. Knowledge Products

The model asserts that the intelligence discipline should be learned. Staff need access to the knowledge products that provide quality assurance to the model. These knowledge products, national and local, define the rules of conduct of the business or the best practice by which skilled processes are completed, and the conditions in which work between agencies may take place. Access to the knowledge products makes staff fit for their roles. Therefore, the term “knowledge products” describes a variety of local, regional or national rules and information that an organization’s intelligence strategy may need to embrace.

k. System Products

System products are enabling facilities for the collection, reception, recording, storage and use of information. They provide the means by which data is held, retrieved and analysed. According to the NIM, effective intelligence units need access to a number of national data systems, local police force case files, crime and intelligence records and the wide variety of open source information.

l. Security

The integrity of the NIM requires adequate standards of physical, environmental, technical and personnel security. The Government Security Classifications policy sets out common standards for the protection of sensitive documents and other material across all government agencies. Its principles also extend to data held on computer and electronic recording systems.

m. Data Protection

Chief Officers are responsible for the development and implementation of appropriate procedures and systems to ensure that personal information on individuals is held in accordance with the requirements of the UK Data Protection Act 1998 and any other relevant legislation. The management of information must be in accordance with the Code of Practice on Management of Police Information.

6.8 North Rhine-Westphalia, Germany: Policy-Making and Strategic Planning⁶⁰

The State Police of North Rhine-Westphalia in Germany applies ILP, including in policy-making and strategic planning.

The strategy management and controlling system is based on four pillars representing the State Police force’s core tasks:

- Danger prevention and emergency response (DE)
- Combat crime (Investigations)
- Combat traffic accidents (Traffic)
- Administrative services (AS).

Regional Police Authorities (RPAs) in North Rhine-Westphalia (NRW), although different in size, have an identical organizational structure, which consists of four directorates corresponding to the core tasks and an additional staff, supporting the head of the police authority.

As a strategic base, the Ministry of the Interior (MoI) identifies state-wide priorities in each field of the four above-mentioned pillars (field strategies). They are generated, periodically evaluated, and

⁶⁰ Referenced at <https://www.osce.org/chairmanship/327476>.

adjusted by analysis of information and data, collated and cross-checked by two state agencies. This process also determines a load-related resource allocation and budgeting for the RPA.

6.9 Financial Action Task Force (FATF) Terrorist Financing Risk Assessment Guidance July 2019⁶¹

a. Methodology

This report incorporates inputs from a number of delegations within the FATF Global Network that have carried out extensive work on assessing TF risk. Over 35 FATF and FATF Style Regional Body (FSRB) members have submitted information and case studies on their experience in assessing TF risk at the sectoral, national and regional levels, as a means to identify best practice and common challenges⁶².

The challenges and good approaches for assessing TF risk identified in this report also draw partly on a horizontal review of completed Fourth Round FATF and FSRB Mutual Evaluations (MEs).

An experts' workshop hosted jointly by the FATF and the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) was held in Tel Aviv, Israel in March 2019 to gather inputs for the report. The project team also held a targeted consultation with civil society representatives on the side-lines of the FATF Private Sector Consultative Forum in May 2019.

b. Key Concepts and Terms Relevant to Assessing Terrorist Financing Risk

In discussing TF risk assessments, it is necessary to have a common understanding of the key concepts. For the purpose of assessing TF risk (whether as part of an NRA or otherwise), this guidance uses the following key terms⁶³:

- A TF **risk** can be seen as a function of three factors: threat, vulnerability and consequence. It involves the risk that funds or other assets intended for a terrorist⁶⁴ or terrorist organisation are being raised, moved, stored or used in or through a jurisdiction, in the form of legitimate or illegitimate funds or other assets.
- TF **threat** is a person or group of people⁶⁵ with the potential to cause harm by raising, moving, storing or using funds and other assets (whether from legitimate or illegitimate sources) for terrorist purposes. TF threats may include domestic or international terrorist organisations and their facilitators, their funds, as well as past, present and future TF activities, and individuals and populations sympathetic to terrorist organisations.

The concept of TF vulnerability comprises those things that can be exploited by the threat or that may support or facilitate its activities. Vulnerabilities may include features of a particular sector, a financial

⁶¹ Referenced at www.fatf-gafi.org › fatf › documents › reports

⁶² FATF: Argentina, Australia, Belgium, Canada, China, Germany, Hong Kong China, Italy, Ireland, Israel, Malaysia, Mexico, the Netherlands, Norway, Russia, Singapore, Sweden, U.S., U.K; APG: Brunei Darussalam, Macao, China; Papa New Guinea, The Philippines, Vanuatu; EAG: Kyrgyzstan; GAFILAT: Costa Rica, Colombia, Guatemala, Nicaragua, Peru, Paraguay; GIABA: Nigeria; Ghana; MONEYVAL: Armenia; Monaco, Ukraine; MENAFATF: Lebanon.

⁶³ These terms draw on the definitions provided in the FATF 2013 Guidance on National ML and TF Risk Assessments

⁶⁴ The term *terrorist* refers to any natural person who: (i) commits, or attempts to commit, terrorist acts by any means, directly or indirectly, unlawfully and wilfully; (ii) participates as an accomplice in terrorist acts; (iii) organises or directs others to commit terrorist acts; or (iv) contributes to the commission of terrorist acts by a group of persons acting with a common purpose where the contribution is made intentionally and with the aim of furthering the terrorist act or with the knowledge of the intention of the group to commit a terrorist act.

⁶⁵ This may include both natural and legal persons.

product or type of service that makes them attractive for TF. Vulnerabilities may also include weaknesses in measures designed specifically for CFT⁶⁶, or more broadly in AML/CFT systems or controls, or contextual features of a jurisdiction that may impact opportunities for terrorist financiers to raise or move funds or other assets (e.g. large informal economy, porous borders etc.). There may be some overlap in the vulnerabilities exploited for both ML and TF.

In the TF context, consequence refers to the impact or harm that a TF threat may cause if eventuated. This includes the effect of the underlying terrorist activity on domestic or institutional financial systems and institutions, as well as the economy and society more generally. Notably, consequences for TF are likely to be more severe than for ML or other types of financial crime (e.g. tax fraud etc.), which impacts how countries respond to identified threats.

Consequences of TF are also likely to differ between countries and between TF channels or sources, and may relate to specific communities or populations, the business environment, or national interests. Given the challenges in assessing consequences, countries need not take a scientific approach when considering consequences, and instead may want to start with the presumption that consequences of TF will be severe (whether domestic or elsewhere) and consider whether there are any factors that would alter that conclusion.

TF risk assessment is a product or process based on a methodology, agreed by those parties involved, that attempts to identify, analyse and understand TF risk and serves as a first step in addressing them. While assessments may take different forms, a TF risk assessment should generally cover all aspects of raising, moving, storing and using funds or other assets (including goods, vehicles, weapons etc.) to meet the needs of a terrorist or terrorist organisation.

This should go beyond the revenue raising aspects and address terrorist procurement and terrorist facilitation networks, including Foreign Terrorist Fighters (FTFs).

6.10 Kosovo Risk Assessment Report since Independence⁶⁷ (Kosovo Centre for Security Studies)

There is no single approach to estimating risks of possible acts of terror, since this involves large uncertainties and requires an in-depth treatment of every single threat incident that occurred or might have occurred under certain conditions. One way to go about estimating the level of threats in Kosovo is to use the already established approaches that examine the individual level characteristics of former foreign fighters or those suspected of being involved in any past threat incidents to derive predictive statements about their future behaviour⁶⁸. While such individual level approaches have many advantages, it is impossible to utilize them in our present assessment, because we would need to rely on in-depth personal information and histories regarding each individual's ideological development, psychological background, family and social backgrounds, personality developments – information that, except for some general personal characteristics, is not available for any of the Kosovo based suspects.

Another way to go about estimating the level of threat in Kosovo is to engage in a structural level of past threat incidents in terms of the type of threat, targets involved, vulnerabilities, and the consequences of threats. Such an approach has been proposed by RAND Center for Terrorism Risk

⁶⁶ In particular, FATF Recommendation 5 (R.5) and Recommendation 6 (R.6) set out in detail the specific requirements to criminalise TF and implement targeted financial sanctions on the basis of the International Convention for the Suppression of the Financing of Terrorism (1999) and relevant UN Security Council Resolutions (UNSCRs).

⁶⁷ Available at <http://www.qkss.org/en/Publications>

⁶⁸ Karl Roberts and John Horgan, *Risk Assessment and the Terrorist*, Perspectives on Terrorism 2, No. 6 (2008), <http://www.terrorismanalysts.com/pt/index.php/pot/article/view/38>; Schuurman, B. and Eijkman, Q. *Indicators of Terrorist Intent and Capability: Tools for Threat Assessment*, Dynamics of Asymmetric Conflict 8, No. 3 (September 2, 2015): pp 215–31; Available at <https://doi.org/10.1080/17467586.2015.1040426>

Management Policy which views terrorism risk as having three components: “the threat to a target, the target’s vulnerability to the threat, and the consequences should the target be successfully attacked⁶⁹.”

RAND’s terrorism risk assessment proposal is a predictive one, whereby indicators are derived for all three elements which are then used to make probabilistic claims of a possible risk emerging from a particular attack of a certain type with some expected damage of a certain type in the future.

6.11 Project against Economic Crime in Kosovo⁷⁰ (PECK II)

Assessment Report on compliance of Kosovo with international anti-money laundering and combating the financing of terrorism standards.

The joint EU/CoE Project against Economic Crime (PECK I) implemented during 2012-2015 for the first time in Kosovo introduced and structured assessments of the Anti-corruption (AC) and Anti-Money Laundering/Combating the Financing of Terrorism (AML/CFT) frameworks and measures vis-à-vis relevant international and European standards. However, there is a need to continue to support Kosovo institutions in carrying out comprehensive assessments and moreover provide assistance in implementing specific recommendations from the previous assessment cycles conducted within PECK I. In view of this PECK II will:

- build on the results and lessons learned from PECK I and aims to support reforms tailored to prevent and combat economic crime;
- assist Kosovo authorities with the implementation of specific recommendations issued within PECK I;
- carry out a second phased assessment of AC and AML/CFT frameworks vis-à-vis evolving international and European standards.

6.12 TESAT EUROPOL⁷¹ (Terrorism Situation and Trend Report Assessment).

The content of the TE-SAT is based on information supplied by EU Member States, some non-EU countries and the partner organisation EUROJUST, as well as information gained from open sources.

Methodology

Information supplied by EU members states, some non EU countries and the partner organization EUROJUST as open sources:

- qualitative and quantitative data on terrorist offence in EU;
- data on the number of court proceedings;
- number on convictions and acquittals;
- type of terrorism;
- gender of defendants;
- penalties imposed;
- type of verdicts;
- final or pending judicial remedial.

⁶⁹ Willis H. H. et al, *Estimating Terrorism Risk*, Product Page (RAND Center for Terrorism Risk Management Policy, 2005); available at <https://www.rand.org/pubs/monographs/Mg388.html>

⁷⁰ Available at <https://www.coe.int/en/web/corruption/projects/peck2>

⁷¹ Referenced at <https://www.europol.europa.eu/tesat-report>

6.13 IOCTA EUROPOL 2018 (Internet Organized Crime Threat Assessment)⁷²

The 2018 IOCTA was drafted by a team of Europol analysts and specialists drawing predominantly on contributions from Member States, the European Union Cybercrime Taskforce (EUCTF), Europol's Analysis Projects Cyborg, Terminal and Twins and EC3's Cyber Intelligence Team, via structured surveys and interviews.

This has been enhanced with open source research and input from the private sector, namely EC3's Advisory Groups on Financial Services, Internet Security and Communication Providers. These contributions have been essential to the production of the report.

Methodology

- Tasks forces gathering information:
- European Union Cybercrime Taskforce (EUCTF);
- Europol's Analysis Projects Cyborg;
- Terminal and Twins and EC3's Cyber Intelligence Team;
- Structured surveys and interviews;
- Open source research;
- Input from the private sector, namely EC3's Advisory Groups on Financial Services, Internet Security and Communication Providers;

6.14 NATO Comprehensive Operational Planning Directive⁷³

Assessment of conflict actors occurs continuously throughout NATO's Crisis Response Planning (CRP) and operational execution, including contributions to initial Indications and Warnings, Initial Situational Awareness, Strategic Assessment, the development of Response Options, Execution Assessment and preparations for Transition. The Allied Command Operations (ACO) Comprehensive Operations Planning Directive (COPD)⁷⁴ is the basic reference document for planning staffs within NATO.

COPD does not describe a threat assessment. Nevertheless, it addresses all aspects of an OPLAN, provides guidance on the conduct and methods of operational planning, as well as identifying the factors to be taken into consideration during the development of a plan.

During the Operational phase the Joint Headquarters (JHQ) develops the Comprehensive Preparation of the Operational Environment (CPOE) covering all PMESII domains, including associated potential threats and risks, for SACEUR's Strategic Assessment. This subsequently supports the planning and conduct of a campaign or operation.

The COPD's military approach acknowledges the involvement of various actors in an operational environment, including non-military forces using violence, amongst other means, to disrupt the rule of

“The COPD would benefit greatly from an inclusion of the definitions of spoilers as a very specific interest group type, from a description of an assessment methodology and also by including Stability Policing as a source or sensor for the Alliance assessment [...]”.

⁷² Referenced at <https://www.europol.europa.eu/internet-organised-crime-threat-assessment-2018>

⁷³ Referenced at <https://publicintelligence.net/nato-copd/>

⁷⁴ SHAPE, *Allied Command Operations Comprehensive Operations Planning Directive COPD Interim v2.0*, dated 04 October 2013, NATO UNCLASSIFIED.

law. However, the COPD makes no explicit reference to Stability Policing as a capability, relating only to host nation military or police forces; the latter only marginally.

The COPD would greatly benefit from the inclusion of the definitions of spoilers as a very specific interest group type, from the description of the relevant assessment methodology and also from considering Stability Policing as a source or sensor for the Alliance's assessment. The Rule of Law is a founding Measure of Effectiveness and therefore Stability Police present a good opportunity to frame and measure it as a metric for mission progress.

Functional planning guides provide planning guidance in specific functional areas. The following guides are to supplement the planning information available in the NATO Crisis Response System Manual, Military Committee documents, approved NATO joint doctrine and the COPD. The aim of the comprehensive operations planning (COP) is to provide the best military advice to strategic and political military decision makers by ensuring a holistic understanding of engagement space.

Unlike the conventional operational planning methodologies, comprehensive operations planning is not solely adversary- and terrain-centric but can be regarded as rather *population*-centric. The planning phases are listed below: Operations planning process (OPP) phases at Operational/ Component level.

- Initial situational awareness (Phase 1);
- Appreciation of the environment (Phase 2);
- Operational/ tactical estimate (Phase 3);
- OPLAN Development (Phase 4);
- Execution (Phase 5);
- Transition (Phase 6).

6.15 NATO CIMIC Handbook⁷⁵

The NATO CIMIC Field Handbook, published by the NATO Civil-Military Co-Operation Centre of Excellence, closely reflects the militarily-focused COPD. Naturally it also reflects recent non-Article Five operations in Afghanistan and requires reorientation to include potential Article Five operations with functioning Alliance Host Nation agencies as stakeholders.

Its assessment descriptions incorporate the Political, Military, Economic, Social, Infrastructure and Information (PMESII) framework against the Area, Structure, Capabilities, Organizations, People and Events (ASCOPE) criteria.

This provides a comprehensive picture of AoR conditions. In addition, the handbook furnishes guidance on Social Network and Stakeholder Analyses, within the conceptual constraints described above.

6.16 *Méthode de Raisonnement Tactique /Elaboration des Ordres*

The French Gendarmerie tactical reasoning method (MRT) is a decision-making process used in the military framework, and more generically and less formalized in other frameworks. The MRT is an intelligent and effective way to dissect a mission⁷⁶. It allows subordinates to prepare a mission, integrate the essential parameters and assess the coherence of its whole in view of a goal to be achieved.

It is a very simple but powerful tool, applicable to all types of missions where deliberate preparation is possible. As anticipation is always the preserve of effective teams, the MRT offers a holistic view of a situation to come in line with the objective to be achieved. But for a mission to be effective, it must be properly expressed. It has to be precise. Just understand a few basic rules to know how to use a powerful

⁷⁵ Available at <https://www.cimic-coe.org/wp-content/uploads/2014/06/CIMIC-Handbook.pdf>

⁷⁶ https://www.enderi.fr/La-methode-de-raisonnement-tactique_a301.html

military tool⁷⁷.

Another associated and effective MRT is Rodolphe Barkhausen's SMIEPP. It is the result of the military tactical reasoning method; a canvas that allows you to don't forget something. This method of tactical reasoning allows users to ask a list of questions designed to guide the reasoning. The developed structure of the SMIEPP:

- **Situation;**
- **Mission;**
- **Intention;**
- **Execution;**
- **Particular points;**
- **Chiefs Place (i.e. Commander's Intent).**

- *Attributes*

- The first step is to assess threats using common set of questions (What's this all about? Why? Who? With whom? Against whom? Where? When? How?) including starbursting, capabilities, constraints, requirements;
- The next step is to define the course of action for ourselves and the enemy;
- The intersection of this leads to identification of immediate action;
- It is designed to lead to a course of action.

This methodology is applicable to political, military, economic, police and other agencies.

- *Strengths*

- It is flexible and adaptable;
- This methodology is applicable from tactical to strategic levels.

- *Weaknesses*

- It does not include any questions specific to spoiler assessment.

Based on the information presented in this chapter, the spoiler assessment methodology may include:

- An origin in the Indicators and Warnings period of a crisis, or its equivalent, and a continuous maintenance of content throughout subsequent stages of crisis including transition to stability and pre-conflict conditions of Rule of Law;
- A process of fusing various sources of data and information, including those from open sources, and, where applicable, classified sources;
- A method to articulate, and track the development of, the characteristics of spoiler-type agencies in as rich detail as possible based on an agreed taxonomy;
- An assessment of spoiler-type agencies' historical, current and potential impact on a stated goal such as pre-conflict conditions of Rule of Law, or conditions defined in a peace agreement;
- An ability to capture vignettes of spoiling and precursor spoiling activity in order to enhance a taxonomy and database of spoilers, their methods and characteristics.

⁷⁷ Landry RICHARD - Head of Security ArcelorMittal – Author, dated 04 July 2017, <https://www.linkedin.com/pulse/vers-une-mrtat-méthode-de-raisonnement-tactique-landry-richard/>

In the Annex C, a matrix consisting on the main characteristics of the above-mentioned threat assessments is presented.

6.17 CONCLUSIONS

The techniques and procedures cited above demonstrate the existence of a wide array of tools with potential for idea-sharing, the sharing of best practice, and standardization. An area for potential positive development is the support to transition from combat to stability operations into post-conflict stabilization and capacity-building.

The tools described above operate in apparent isolation with little reference to precursor and subsequent activities. Each tool also approaches the situation as static, with actors conducting certain types of activity, demonstrating specific behaviours, and therefore falling into specific categories for management.

Spoilers, on the other hand, have demonstrated longevity, agility and adaptability: indeed, many reflect Darwinian principles of survivability and success in circumstances under which normal society struggles.

To this end, spoiler assessment tools should reflect a multi-agency continuum of effort in information-sharing and analysis, from early crisis intervention at political and strategic levels, through the crisis response phases to stability operations and normalization at the tactical and civilian law-enforcement levels.

6.18 RECOMMENDATIONS

It is clear that there is both a need for a common assessment methodology and also a large number of candidate examples providing inspiration and best practice. It remains for a central agency to champion a common methodology, or at least to propose a standard taxonomy.

As a leading IO with recent crisis response experience, NATO, and specifically its transformational Strategic Command HQ SACT is well placed to champion such an effort, in close association with the NATO Stability Policing Centre of Excellence.

Any assessment methodology, typology and database should be developed with reference to academia and the wide array of European and trans-Atlantic NGOs, think-tanks, government and non-government agencies including humanitarian agencies, churches and charities.

The agency leading a methodology development should consider the information-sharing necessities and implications for humanitarian organizations, which require an irrefutable reputation for impartiality and confidentiality which may preclude much or any involvement or cooperation, direct or indirect, with an assessment process.

ANNEXES

A	Overview Spoiler Threats
	APPENDIX A - Criminalized Power Structures
B	Case Studies from NATO's Bosnia Experience
C	Chapter VI Characteristics Different Assessment Techniques

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ACRONYMS LIST

Acronym	Meaning
4-i	Intent, interpret, influence and impact
AB	Action Body
ACO	Allied Command Operations
AMISOM	African Union Mission to Somalia
AML	Anti-Money Laundering
ANSF	Afghan National Security Forces
AoR	Area of Responsibility
AS	Administrative Services
ASCOPE	Areas, Structures, Capabilities, Organizations, People and Events
AU	African Union
CA	Comprehensive Approach
CCTV	Closed Circuit Television
CFT	Combating the Financing of Terrorism
CIMIC	Civil-Military Co-Operation
CNPs	Criminal Patronage Networks
COE	Centre of Excellence
COG	Centre of Gravity
COP	Comprehensive Operations Planning
COPA	Center of Power Analysis
COPD	Comprehensive Operations Planning Directive
CPOE	Comprehensive Preparation of the Operational Environment
CPS	Criminalised Power Structures
CrOPs	Criminal Operations
DAT	Disruption Attributes Tool
DE	Danger prevention and emergency response
DPKO	Department of Peacekeeping Operations
EC3	European Cybercrime Centre
EMPACT	European Multidisciplinary Platform against Criminal Threats
EU	European Union
EUCTF	European Union Cybercrime Taskforce
FATF	Financial Action Task Force
FGS	Federal Government of Somalia
FRIS	Funding, Recruitment, Information and Support
FSRB	FATF Style Regional Body
FTF	Foreign Terrorist Fighters
GNP	Gross National Product
HQ SACT	NATO Supreme Allied Commander Transformation
IAC	International Armed Conflict
IC	International Community
IFOR	Implementation Force
ILP	Intelligence-led policing
IO	International Organisation
IOCTA	Internet Organized Crime Threat Assessment
ISIS	Islamic State of Iraq and the Levant

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JHQ	Joint Headquarters
LL	Lessons Learned
MEs	Mutual Evaluations
MOI	Ministry of Interior
MONEYVAL	Anti-Money Laundering Measures
MRT	<i>Méthode de Raisonnement Tactique</i>
MSU	Multinational Specialized Unit
NATO	North Atlantic Treaty Organization
NCA	National Crime Agency
NGO	Non-Governmental Organisation
NIAC	Non-International Armed conflict
NIM	National Intelligence Model
NRW	North Rhine-Westphalia
NSA	National Strategic Assessment of Serious and Organised Crime
NSPCOE	NATO Stability Policing Centre of Excellence
OHR	Office of the High representative
OPLAN	Operation Plan
OPP	Operations Planning Process
OSCE	Organization for Security and Co-operation in Europe
PECK	Project against Economic Crime
PIC	Peace Implementation Council
PMESII	Political, Military, Economic, Social, Infrastructure, and Information
PT	Project Team
RCMP	Royal Canadian Mounted Police
RoL	Rule of Law
RPA	Regional Police Authorities
SACEUR	NATO Supreme Allied Commander for Europe
SAMs	Spoiler Assessment Methodologies
SFOR	Stabilisation Force
SIGAR	US Special Inspector General for Afghan Reconstruction
SME	Subject Matter Expert
SMIEPP	Situation, Mission, Intention, Execution, Particular points, chiefs Place
SOCTA	Serious Organised Crime Threat Assessment
SP	Stability Policing
TA	Tasking Authority
TESAT	Terrorism Situation and Trend Report Assessment
TF	Terrorist Financing
UN	United Nations
UNDOC	United Nations Office on Drugs and Crime
UNSCR	United Nations Security Council Resolution
US	United States
USD	United States Dollar
WS	Workshop

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Vicenza (Italy), 8th October 2019

