ANALYSIS OF THE OPENNESS OF INTELLIGENCE SERVICES TOWARDS PUBLIC

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Abstract. This paper analyses the openness of intelligence services to the public, as a sensitive social and security area of their existence and activities. By selecting intelligence services from significantly different systems, respectively the countries of Switzerland, Germany, Montenegro and Croatia, as the subject of research, this paper comparatively analyses the content of certain forms of communication between the services and the public, and in particular the Annual Reports on the work and structure of the related Internet (web) pages, the aim is to judge and assess the openness, or the closedness of the intelligence services to the public. By extracting and analysing nine elements (characteristics) as variables of openness of services to the public, the relationship between secrecy and transparency is problematized. From the budget transparency, organizational structure and ways of communicating with the public through public procurement and employment systems to annual reports and forms of civic control, a form for evaluation and comparison is structured as a kind of standardization of characteristics that allows comparability. Despite the limitations due to the nature and structure of the analysed documents and data, and methodological imperfection, it can be assessed that the Swiss Federal Intelligence Service - FIS and the German Federal Office for the Protection of the Constitution – BfV (Bundesamt für Verfassungsschutz) are more open to the public than the Croatian Security Intelligence Agency - SOA (Sigurnosno-obavještajna agencija) and German Federal Intelligence Service – BND (Bundesnachrichtendienst). It can also be assessed that the Montenegrin National Security Agency – ANB (Agencija za nacionalnu bezbjednost) is more closed to the public compared to other analysed services.

Keywords: Intelligence services, NDB, BfV, BND, SOA, ANB, openness, public.

1. INTRODUCTION

Intelligence services, as state administration bodies and unavoidable mechanisms for achieving the national security of each state, are in the focus of the general public. Historically, this public interest has not always been so developed, and the intelligence services, with their superior status in security systems and importance for the constitutional order and national security (Taylor, 2010), have successfully and effortlessly resisted external influences and maintained their integrity. The momentum of democratic processes, the evolution of human rights and civil liberties, especially in transition countries, as a *conditio sine qua non* have raised questions of the social role and monopoly of intelligence services on the legitimate use of force (Gill, 2012; Chappuis, 2016), which are recognized as certain danger to democracy. Their transformation should guarantee that they no longer represent instruments of political violence (Akrap, 2009; Kričkić, 2009), and responsibility towards the community and trust of citizens should be balanced according to secrecy and other peculiarities of their activities, both domestically and in terms of international intelligence cooperation (Born, Leigh & Wills, 2015).

With the development of increasingly complex contemporary security challenges and threats such as terrorism, transnational organized crime, cyber threats, illegal migration and similar threats, the social and security role of intelligence as a certain production process (Badžim, 2013; Herman, 1996) is becoming even more relevant. However, despite their unquestionable security significance, intelligence services in modern times retain the attention of the public and the media (Babitsky, 2014; Tomić, 2008), especially because of their organizational and functional relationship with the highest political and governing bodies of the state. This relationship between leading, respectively ruling, positional political bodies and intelligence structures is the reason for the emphasized and legitimate interest of the public and the media (Lashmar, 2014). From this relationship, as a legacy of previous major abuses of intelligence and security services, arose today's dysfunction or contradiction of the role of intelligence services, which paradoxically, contrary to their fundamental purpose and aim to protect the constitutional order and national interests and achieve national security, they are often ignoring and violating precisely these constitutional values and principles. Thus, it is a question of the responsibility of intelligence services (Hastedt, 2010; Aldrich, & Richter, 2018) because they can also pose a threat to their own order and national security.

Of course, the problem lies in understanding and defining national security (Tatalović & Bilandžić, 2005; Miller, 2009; Johnson, 2010), which today, in a wide range from guaranteeing

national viability, territory, sovereignty and independence, through population security to social welfare and of all prosperity, inevitably includes the achieved, enviable level of human and civil rights and freedoms.

In the name of national security, as a legitimate goal of intelligence, the privacy of citizens is most often endangered, but also state secrets in relations between states, where ethical and legal issues of intelligence are imposed (Taylor, 2010). Numerous cases at the European Court of Human Rights have spawned a better understanding and definition of threats to national security. Espionage, terrorism, subversion of parliamentary democracy, separatist extremist organization, incitement to dissatisfaction in military service, etc., are accepted forms of threats as a basis for legitimate action of intelligence services (Born &Leigh, 2005; ECtHR, 2013, as cited in FRA, 2017).

Human and civic recognition as a category of national and international values, embodied a new, global, human - centric approach, or the concept of human security. With individual freedoms and man as the reference object of security philosophy and policy, security theory and practice, the concept significantly expands the field of security analysis, from territorial to human security (United Nations, 1994). This global shift in the understanding of national security has been a particular challenge for intelligence services (Bjeličić & Solomun, 2011). In practice, this meant accepting restrictions and reducing powers in dealing with citizens as objects of intelligence interest, in particular it meant accepting obligation and responsibility towards public, not only to the political vertical, but also the obligation to publicly present their activities. Understandably, this is a significant contrast to the secrecy and confidentiality that typically characterizes these services. Schedler (1999, as cited in Caparini, 2016) identifies that the mechanism of responsibility of intelligence services includes three levels, vertical and horizontal, and external influences of partner countries and international organizations (NATO, EU, European Court of Human Rights, etc.) as the so-called "third dimension" of managemental, controlling and other competencies over intelligence services. Thereat, the horizontal level means relations between equal institutions and public agencies of the system towards all levels of political power (legislative, executive and judicial), while the vertical level means hierarchical relations within organizations between directors and agents, characterized by unequal levels of power and subordination. Diamond et al. (1999) add citizens, media and civil society organizations to the vertical structure as a kind of guarantor of responsible action of institutions. This multitude of actors and levels requires precise and effective legal

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regulation, which is extremely important, but Lustgarten (as cited in Caparini, 2016) emphasizes that legislation is a secondary mechanism while more important is a system of fundamental political values such as respect for different ideas, human rights and privacy, the concept of national security in line with social interests, strict conditions for justifying interference with the rights and freedoms of citizens or withholding information from parliament and the public.

Since accountability does not come by itself, in the process of opening up intelligence, introducing transparency and civilization, supervision of intelligence services has become extremely important. Wills (2010) recognizes several types of oversight, from the internal management of the intelligence service, the executive authority, the judiciary, and parliament to expert supervision bodies. The usual forms and almost standardized three or four levels of institutionalized and precisely regulated supervision today are: parliamentary, expert (internal), civil and judicial supervision of intelligence services. So this, Born, Leg, & Wills (2015), and Born & Geisler Mesevage (2012) distinguish supervision from control for which they believe that represents ability of the executive authority or senior management of the intelligence service to manage, direct, and prioritize the services. As a separate dimension, it is important to highlight the role of judicial bodies which are not regularly recognized in the nomenclature of supervision. Although, special, highest judicial bodies, for example in the Republic of Croatia a certain judge of the Supreme Court, (as cited in the Law on Security - Intelligence System, 2006) must approve the application of certain secret data collection measures by its order in real time, respectively before and as a condition for service, and yet the Law does not recognize it. It can be said that the achieved levels of operationalization and efficiency of these forms of supervision are a reflection and an important measure of the democracy of a certain society.

Thus, the transparency and openness of intelligence services is recognized in their willingness and organization in communicating with the public. Approaches are different, but it can be said that most intelligence services use the technologies of the modern information age and achieve their transparency through Internet (web) sites where they present different information. It is clear that this communication is not balanced and two-way and that the public and citizens are more recipients than providers of information. However, since modern intelligence services are security institutions without repressive tools, forced to materialize their purpose with the skill and ability to gather important information relevant to political decision-

making at the highest levels, the question arises whether these institutions by strengthening the channel and direction of information from citizens, still have some benefits from the imposed transparency.

By selecting intelligence services from significantly different countries of Switzerland, Germany, Montenegro and Croatia, as the subject of research, this paper, comparatively, by analysing the content of certain forms of communication services with the public, and in particular the Report on the work and structure of related Internet sites, aims to judge and evaluate the openness or closedness of intelligence services to the public.

2. PUBLIC VS. SECRECY

Different interpretations of the term public indicate that there is no explicit agreement in its definition. As cited in Posavec (2004: 5), the public means something open, familiar, accessible to everyone, or at least something that everyone can get acquainted with. The word denotes a state or fact of openness. In the Romance and Anglo-Saxon language areas, the words *publicité* and *publicity* were used in the 18th century. In a state governed by the rule of law, the principle of publicity is ensured, and its goal is to make the activities of state bodies transparent. Power comes from the people, and it passes into public services that are subject to public control and they must always remain transparent. All services of a democratic constitutional state, as well as their holders, are under constant scrutiny by the public and public opinion because, ultimately, it is the only guarantor and control of the exercise of power that serves the public good (Posavec, 2004).

The existence and operation of intelligence services that we commonly call "secret services" is often criticized or even questioned in the media public precisely because of their secrecy. There seems to be more to this in the age of the global networked world than before. When the intelligence service of our country acts covertly in search of dangers to the constitutional order, then for our security we consider it justified. Doubt arises only when such services come into possession of our legitimate secrets (Pöttker, 2014). This raises a key question regarding the operation of intelligence services and secrecy. The greater the secrecy, the more difficult it is to determine the purpose, conditions and operation of such services. This issue contains conflicting interests, in order to successfully conduct covert operations, certain activities must be secret as well as intelligence agents and their sources. On the other hand, secrecy for democratic government is a fertile ground for abuse of power and illegal work. It

should be noted that excessive secrecy in the intelligence services leads to suspicion and fear, which also reduces public support for them (Nathan, 2012).

Nathan (2012:51) specifies how the intelligence services deal with conventional and unconventional threats to national security, terrorist and criminal organizations, and the protection of classified state information. The nature of their function embodies secrecy as one of the basic characteristics, which gives them a certain advantage in dealing with the above issues while transparency would probably put them at a disadvantage. In doing so, secrecy should be considered *mutatis mutandis* as an exception, which in each case requires justification. Of course, this is in conflict with the perspective of the intelligence community, which consumes secrecy as a standard and a fact, with possible, certain exceptions. Powers are more likely to be abused and human rights violated in secrecy than in an open environment. Openness allows effective supervision by parliament and close monitoring by the media and the public, providing a basis for detecting illegalities and abuses (Nathan, 2012).

The only basis on which intelligence services operate in secret is the protection of national security. If state security is interpreted so broadly as to encompass all aspects of human security, then secrecy based on such broad grounds can lead to excessive and unjustified declarations of information as confidential. Even if it is slightly narrower defined, the state would often refer to it when it wanted to justify the introduction of new special measures that significantly violate human rights (Nathan, 2012). The public needs to know what the roles of the intelligence services are and what powers they have in carrying out their tasks. The public must also know when and under what conditions intelligence services have the right to restrict an individual's rights for national security purposes. However, by-laws that are not available to the public may be issued when it is believed that the provision of specific information to the public could jeopardize the work of intelligence services or national security in general. Acts that are not made public typically contain information about the operational methods of intelligence work, such as the use of certain devices or technologies (Wills, 2010).

Thus, from the perspective of intelligence services, we mostly find arguments on the side of secrecy, but facts in favour of the public are clear and justified, whose role is multiple but crucial in democratic disciplining of the service, respectively prevention of possible illegalities or abuses. In other words, the revealing interest of the media and the public often collides with the interest of the state (Nieter, 2015).

3. COMPARATIVE ANALYSIS OF THE OPENNESS OF THE INTELLIGENCE SERVICES OF GERMANY, SWITZERLAND, MONTENEGRO AND CROATIA

In this part, based on the outlined criteria, the civil intelligence services of Germany, Switzerland, Montenegro and Croatia are comparatively analysed in order to find similarities and differences as features and elements based on which one could conclude about their communication particularities, respectively the degree of openness of intelligence services to the public.

In addition to the elementary description and interpretation of the schematic structure of the intelligence system, the method of qualitative content analysis explores the content and information about these institutions as structured on their Internet (web) pages, or web addresses (World Wide Web). In particular, annual reports and similar documents (announcements, periodic reports, etc.) are analysed, which can be used to assess the level of openness or closedness of these intelligence services.

The subject of the analysis includes the German Federal Office for the Protection of the Constitution (Bundesamt für Verfassungsschutz - BfV), as an internal security service defined by the Law on the Protection of the Constitutional Order (*Bundesverfassungsschutzgesetz*)[1], with the web address www.verfassungsschutz.de and the corresponding annual report (*Verfassungsschutzbericht*), as well as the German Federal Intelligence Service (*Bundesnachrichtendienst - BND*) as a foreign intelligence service defined by the Federal Intelligence Service Act (*Gesetz über den Bundesnachrichtendienst*)[2], with the web address www.bnd.bund.de. and an analysis of their brochure because the BND has no publicly published annual reports. Swiss Federal Intelligence Service, as a civilian intelligence service (*Nachrichtendienst des Bundes - NDB*) defined by the Intelligence Service Act (*Nachrichtendienstgesetz*)[3], with the web address www.vbs.admin.ch/de/home.html and annual report (*Sicherheit Schweiz*). Montenegrin Service called the National Security Agency (*Agencija za nacionalnu bezbednost - ANB*), as a civilian intelligence service regulated by the National Security Agency Act (*Zakon o agenciji za nacionalnu bezbjednost*)[4], with the web address www.anb.me, without analyzed annual reports because they are marked as secret. Croatian intelligence service called the security intelligence agency (Sigurnosno-obavještajna

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[1] Retrieved from: https://www.gesetze-im-internet.de/bverfschg/ (12.03.2020.)
[2] Retrieved from: https://www.gesetze-im-internet.de/bndg/ (12.03.2020.)
[3] Retrieved from: https://www.admin.ch/opc/de/classified-compilation/20120872/index.html (12.03.2020.)
[4] Retrieved from: http://www.anb.gov.me/biblioteka (12.03.2020.)

agencija - *SOA*) which is defined by the Law on Security and Intelligence System of the Republic of Croatia[5], with the web address www.soa.hr and an annual report called the Public Report.

3.1. SECURITY INTELLIGENCE SYSTEM OF THE FEDERAL REPUBLIC OF GERMANY

The German intelligence system is defined by the Law on the Protection of the Constitutional Order (*Bundesverfassungsschutzgesetz*), and the Federal Intelligence Service Act (*Gesetz über den Bundesnachrichtendienst*), which includes three intelligence services and these are: Federal intelligence service (*Bundesnachrichtendienst - BND*), as a foreign intelligence service, Federal Office for the Protection of the Constitution (*Bundesamt für Verfassungsschutz - BfV*), as an internal security service, that in every state has offices for the protection of the constitution (*Landesämter für Verfassungsschutz - LfV*), and Military Counterintelligence Service (*Militärischer Abschirmdienst - MAD*).

3.1.1. FEDERAL OFFICE FOR THE PROTECTION OF THE CONSTITUTION (*BUNDESAMT FÜR VERFASSUNGSSCHUTZ -BFV*)

BfV is an internal intelligence service operating in the country and whose main task is to protect the constitutional order. In addition to the Cologne-based BfV and a department in Berlin, there are also state offices for constitutional protection (*Landesämter für Verfassungsschutz, LfV*), located in each state. The organization within the BfV is shown in Figure 1. Some of the main departments of this service are the department *Abteilung Z* which represents the headquarters, then the department *Abteilung IT*, which performs IT support, the department *Abteilung C* is in charge of cyber security, then the newly formed *Abteilung 2*, which deals with right-wing extremism, and the *Abteilung 6*, which is in charge of Islamism and Islamist terrorism. BfV is supervised by various institutions and they range from administrative supervision, parliamentary, judicial and public, i.e. civil supervision.

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[5] Retrieved from: https://narodne-novine.nn.hr/clanci/sluzbeni/2006_07_79_1912.html (12.03.2020.)

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Department TA	Technical Analysis (support)
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Department 3	Measures Pursuant to Article 10 of the Basic Law, Technical Information Collection
Department 4	Counterintelligence, Economic Security
Department 5	Extremism of Foreigners and Left-wing Extremism/Terrorism
Department 6	Islamist Extremism and Terrorism
AfV	Academy of the German Domestic Intelligence Services
ZNAF	Education and Training

Figure No. 1 – BfV organization[6]

3.1.2. ANALYSIS OF THE WEBSITE AND ANNUAL REPORTS OF THE FEDERAL OFFICE FOR THE PROTECTION OF THE CONSTITUTION (*BUNDESAMT FÜR VERFASSUNGSSCHUTZ, BFV)*

Analysing website www.verfassungsschutz.de it was found that the organizational structure of the service is divided into 12 departments and described all the forms of control over the service, and who enforces them. All forms of violence are listed in detail, and statistics on their size and number of members are offered for each radical organization that emerges in the Federal Republic of Germany. Annual reports from 2014 to 2017 are available, as well as numerous other publications that talk about security threats and menaces, such as the publication entitled "Our work with the public" (*Unsere Öffentlichkeitsarbeit*). Contact information about the spokesperson of the service is presented, as well as the dates of participation in various fairs, of which in 2018 there were 24 distributed throughout the country. The website offers various opportunities for education and training of staff and citizens, at various academic levels, and opportunities to apply for certain jobs. The most important is the possibility of direct contact with the public relations service and their spokesperson, which is generally a step towards opening the service to the public. Through public relations, information collected by the service about certain persons can be requested.

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[6] Retrieved from: https://www.verfassungsschutz.de/en/about-the-bfv/tasks/the-organisation-of-the-bfv-is-not-a-secret (28.11.2020.)

Analysis of the annual reports shows that since 2014 the BfV has been publishing annual reports (*Verfassungsschutzbericht*) containing between 260 and 360 pages, and summary reports for each year are also available. The content of the report mostly talks about security topics such as left and right extremism, Islamism, Islamist terrorism, espionage and other intelligence activities, Scientology organization and the like. For all this BfV gives opinion of the security situation and future forecasts which also represents their product. Although they seem to talk very little about themselves, it is clear from the reports what jobs the service does and how it gets its information. The report states that working with the public includes the publication of BfV and LfV annual reports as well as other publications. The report shows that BfV has 3,207 employees in 2017 and their total budget is 306,918,024 Euros. At the beginning of 2018, 2,135,800 safety inspections were performed, of which 1,734,321 due to inspections in accordance with the provisions of the Aviation Safety Act or the Atomic Energy Act.

3.1.3. FEDERAL INTELLIGENCE SERVICE (*BUNDESNACHRICHTENDIENST, BND*)

BND is a foreign intelligence service operating abroad and is defined by the Federal Intelligence Service Act (*Gesetz über den Bundesnachrichtendienst*). BND is headquartered in Pullach near Munich and has two other headquarters in Berlin-Mitte and Berlin-Lichterfelde. It has a president and three vice presidents. The BND is directly subordinate to the head of the Office of the Federal Chancellor.[7] They are organizationally divided into departments shown in Figure 2. The *Länder Region* A and B regional departments prepare country, economic and military policy reports for specific countries, which are submitted to the federal government. The *Proliferation* Department, *ABC-Waffen* takes care of the international arms trade, ABC weapons and defense technology. The *Technische aufklärung* department is the technical service responsible for technical reconnaissance. The *Gesamtlage/FIZ und Unterstützende Fachdienste* department controls and coordinates production processes. The *Informationstechnik* department ensures the reliable communication required for the operation of the service. The *Innerer Dienst* department is the central headquarters of the BND. The *Zentralabteilung* department is a service of legal material and human resources.[8]

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[7] Retrieved from: https://www.bnd.bund.de/DE/Der_BND/Standorte/standorte_node.html (10.03.2020.)
[8] Retrieved from: https://www.bnd.bund.de/DE/Der_BND/Abteilungen/abteilungen_node.html (12.03.2020.)
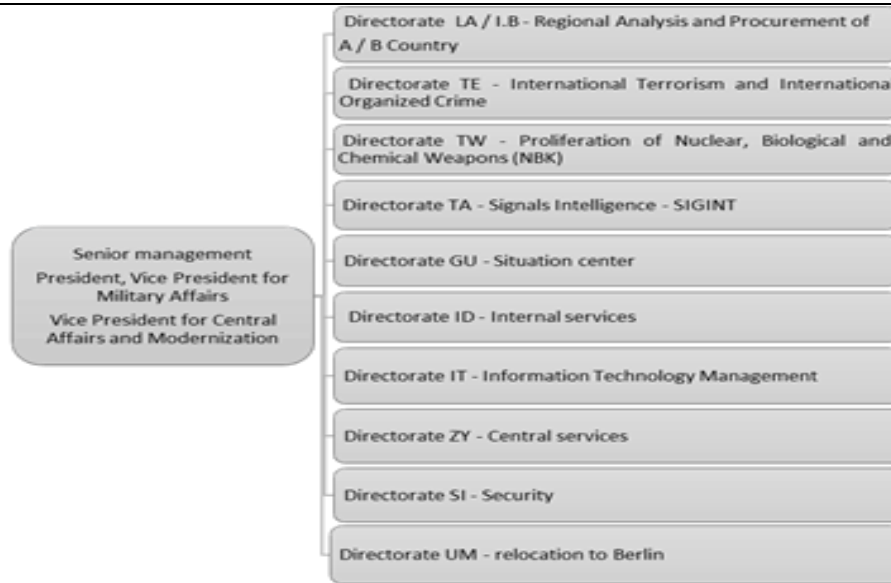
Figure No. 2. Organization and departments within BND. Translated and adjusted[9]

3.1.4. ANALYSIS OF THE WEBSITE AND ANNUAL REPORTS OF THE FEDERAL INTELLIGENCE SERVICE (*BUNDESNACHRICHTENDIENST*, *BND*)

An analysis of the website www.bnd.bund.de found that the service has 11 departments and that around 6,500 people work for the BND. While the headquarters in Berlin-Mitte employs about 3,200 people, which is 60% of the total staff. It is stated that from April 2019, citizens can apply for sightseeing at the Visitor Centre located in Berlin-Mitte. The BND produces about 400 reports per month and responds to about 750 Government inquiries. In addition, BND employees meet about 150 times a month for briefings. The BND website offers the possibility of direct contact with the public relations service and their spokespersons, which proves that this service does not fail to respond to public inquiries. It is also possible to request access to information collected by the service about a particular person. BND is controlled by various institutions and they range from administrative supervision, parliamentary, G10 commission and annual budget review, but there is no established form of civilian supervision, so the budget of the service is secret information. Vacancies for open jobs are available on the website and are available to citizens. BND, as a foreign intelligence service, does not publish annual reports or any publication on its work, but a brochure[10], was published in 2016, to inform the public. The analysis of the brochure shows that it contains 64 pages describing the legal

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9 Retrieved from: https://www.bnd.bund.de/DE/Der_BND/Abteilungen/abteilungen_node.html (28.11.2020.)
10 Retrieved from: https://www.dienstzeitende.de/site/dze/files/anbieter_dateien/701/bnd-broschuere.pdf (10.03.2020.)

tasks, tasks of the service, their products in the form of reports and recommendations, organizational structure, supervision and control of the service, and a brief history of this service. The brochure also announces that they employ about 6,500 people, of which 4,200 are men and 2,300 are women. They state that their employment structure is about 200 people in the simple service, about 2,750 people in the middle service, about 2,250 people in the higher service and about 1,250 people in the high service. They also have about 90 people in training, and their average age of employees in the service is about 45 years.

3.2. SECURITY INTELLIGENCE SYSTEM OF THE SWISS CONFEDERATION

The Swiss intelligence system is defined by the Intelligence Service Act (*Nachrichtendienstgesetz*), which includes two intelligence services: The Federal Intelligence Service, as the civilian intelligence service (*Nachrichtendienst des Bundes - NDB),* and the military intelligence service (*Militärischer Nachrichtendienst - MND*). The NDB is part of the Ministry of Defense, Civil Protection and Sports (*Eidgenössisches Departement für Verteidigung, Bevölkerungsschutz und Sport, VBS*) based in Bern and reports directly to their minister, as shown in Figure 3.
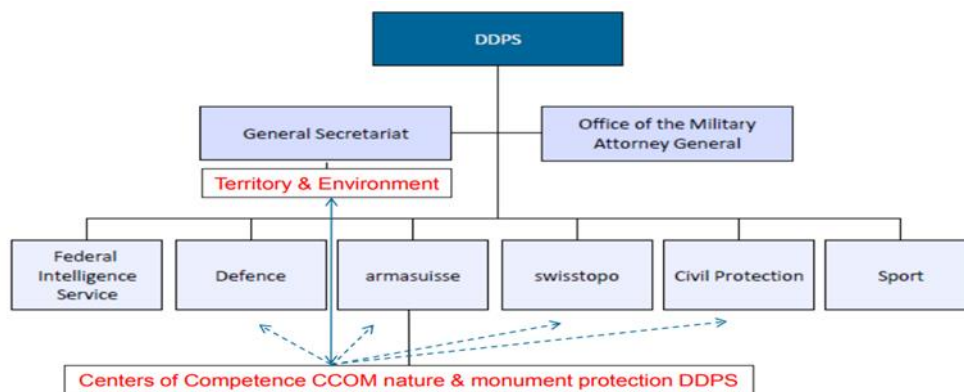

Figure No. 3. Organizational structure of the Swiss Ministry of Defense, Civil Protection and Sports, which includes the FIS (NDB)[11]

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[11] Retrieved from:
http://putniadazos.lv/sites/default/files/kcfinder/files/David_Four_strategies_of_habitat%26species_management_in_Swiss_military_training_aereas.pdf (28.11.2020.)

3.2.1. THE FEDERAL INTELLIGENCE SERVICE (*NACHRICHTENDIENST DES BUNDES, NDB*)

The NDB is a civilian integrated intelligence service that has an external and internal determinant, which means that it operates on its own territory and abroad. The service is supervised from parliamentary, independent, financial to civilian supervision. The organization, ie the departments of the NDB are shown in Figure 4. The *Stab* Department conducts political affairs, coordinates international relations with partner services abroad, is responsible for cooperative management and conducts internal and external communication. The *Beschaffung* department collects information. The *Informationsmanagement* department is responsible for incoming processing, archiving and forwarding of incoming dana. The *Auswertung* department analyses the collected data and converts it into intelligence reports.[12]
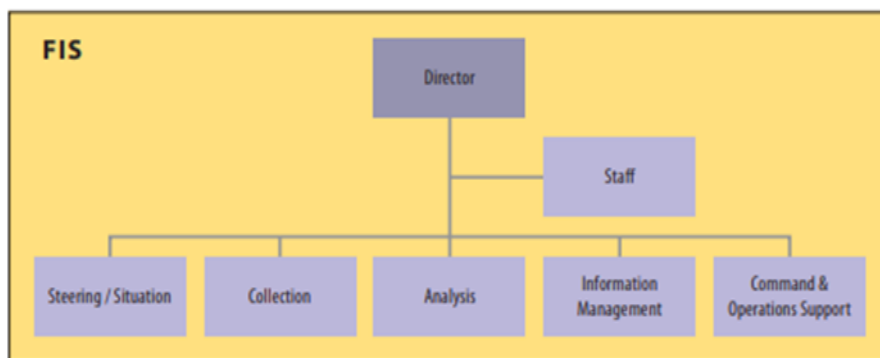

Figure No. 4. FIS (NDB) review[13]

3.2.2. ANALYSIS OF THE WEBSITE AND ANNUAL REPORTS OF THE FEDERAL INTELLIGENCE SERVICE (*NACHRICHTENDIENST DES BUNDES, NDB*)

The NDB does not have its own website but is part of the website of the Ministry of Defense, Civil Protection and Sports (www.vbs.admin.ch/de/home.html). The NDB on the site offers a brief description of their jobs and tasks, legal basis, supervision of the service, and access to vacancies in the service. Contact details of the public relations service and their spokesperson are provided, as well as numerous publications on topics such as economic espionage, jihadist movements, violent extremism. Annual reports (*Sicherheit Schweiz*) from

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[12] Retrieved from: https://ub.unibas.ch/digi/a125/sachdok/2014/BAU_1_6208714.pdf (14.03.2020.)
[13] Retrieved from:
https://www.bundespublikationen.admin.ch/cshop_mimes_bbl/00/0024817F68691EE29FE65419866EA197.pdf
(28.11.2020.)

2014 to 2019 are available on the website, as well as data on the average number of employees and the total budget of the service. It is shown that in 2017, a new Intelligence Service Act came into force in Switzerland with its new provisions giving greater powers to the intelligence service. The new law makes it possible to monitor the telephone, mail and Internet activities of individuals, if necessary, it is possible to use monitoring equipment or monitor the Internet network. It is also stated that the new Act established the "Independent Supervision Body for Intelligence Activities" (*Unabhängige Aufsichtsbehörde über die nachrichtendienstlichen Tätigkeiten*), which annually publishes a report on its work to the public. The said Act with new extended measures and powers was passed by referendum (Geiser, 2016) which means that the people of Switzerland directly approved such a Act. This is an interesting and rare example where the public has great confidence in its intelligence service and control mechanisms, especially in the newly established independent supervision body.

The analysis of annual reports shows that since 2014 the NDB has been publishing annual reports (*Sicherheit Schweiz*) containing 80 to 90 pages of text. The report mainly analyses the security situation in Switzerland and the security forecasts of the NDB. Topics covered in the report relate to threats such as right and left extremism, terrorism, proliferation, illicit intelligence activities and the like. At the end of 2018, the NDB employed 343 people. They state that their costs for services in the cantons were 12.4 million Swiss francs, staff costs amounted to 53,178,643 Swiss francs and 19,392,156 Swiss francs for material and operational costs. The report states that the NDB receives about 12,500 reports from foreign partner services each year, while the NDB sends 6,000 reports a year to foreign partner services. In 2017, the NDB published a publication entitled „The Federal Intelligence Service of the NDB, briefly explained" (*Der Nachrichtendienst des Bundes NDB kurz erklärt*) on two pages, in which they briefly described themselves and their work. Although this short publication says nothing more about what jobs the NDB does, how they collect information, who supervises it, and what their legal powers are, it says enough that the service intends to be more open to the public.

3.3. SECURITY INTELLIGENCE SYSTEM OF THE REPUBLIC OF MONTENEGRO

The security intelligence system of Montenegro is regulated by the Law on the National Security Agency (*Zakon o agenciji za nacionalnu bezbjednost*) and is shown in Figure 5, where there is one service called the National Security Agency (*Agencija za nacionalnu bezbednost*,

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abbreviation ANB), as a civilian intelligence service that performs security intelligence. There is no military intelligence service in Montenegro, but an organizational unit of the Ministry of Defense, which deals with intelligence activities within the scope of defense work called the "Department for Military Security Affairs" (*„Odeljenje za vojno bezbednosne poslove“*) (Stefanović, 2016).
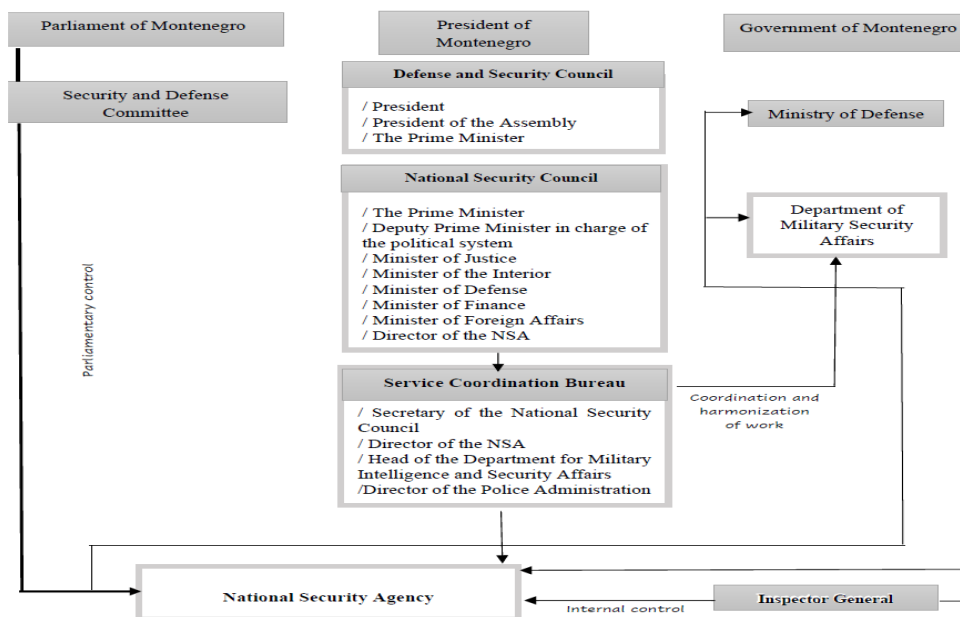

Figure No. 5. Overview of the security intelligence system of Montenegro and the types of supervision (control). Translated and adjusted[14]

3.3.1. NATIONAL SECURITY AGENCY (*AGENCIJA ZA NACIONALNU BEZBJEDNOST*, ANB)

The work of the service is managed by the director, and he is responsible to the Government. The headquarters of the ANB is in Podgorica. Given that the organizational structure of this service is marked as classified information, it is not possible to analyse in more detail the organization of this service.

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[14]Retrieved from:
https://www.academia.edu/26653988/ZAKONSKA_URE%C4%90ENOST_SLU%C5%BDBI_BEZBEDNOSTI_NA_ZAPADNOM_BALKANU_BOSNA_I_HERCEGOVINA_CRNA_GORA_ALBANIJA_MAKEDONIJA_I_KOSOVO (10.03.2020.)

3.3.2. ANALYSIS OF THE WEBSITE AND ANNUAL REPORTS OF THE NATIONAL SECURITY AGENCY (*AGENCIJA ZA NACIONALNU BEZBJEDNOST*, ANB)

An analysis of the website www.anb.me found that three charts are offered providing information on the structure of employees, educational structure and gender structure. Information about the director of the service and his predecessors is available, as well as a brief history of the service. The site contains contracts for the procurement of various equipment, vehicles, office supplies, information on the outcome of public procurement, requests for submission of bids and the like, thus showing that certain public procurement and tenders for various goods and services are public and available to the public. There is also an information access guide that can be used to request access to the requested information, but there is no information on the number of approved requests. Although the website appears to provide a wealth of information, the fact is that this information is copied from the available ANB Act and other general information. Even the news and tidings about the ANB have not been updated, but the latest news is from February 5, 2018. It is possible to discuss whether the service deliberately neglects the public about its work or whether it is political will to label all information related to the work of the service as classified information. If we analyze the information available to the public on the basis of this website as well as the documents available in it, it is noticeable that the ANB does not have an established public relations service, and annual reports are classified as secret, which would represent a minimum of openness to the public. Also hiring is done non-public and this service does not have any form of civil supervision over the service.

3.4. SECURITY INTELLIGENCE SYSTEM OF THE REPUBLIC OF CROATIA

The security intelligence system in the Republic of Croatia, shown in Figure 6, is defined by the Security Intelligence System Act of the Republic of Croatia. The law established two security intelligence services, a civilian intelligence service called the Security Intelligence Agency (*Sigurnosno-obavještajna agencija*, SOA) and a military intelligence service called the Military Security Intelligence Agency (*Vojna sigurnosno-obavještajna agencija*, VSOA).
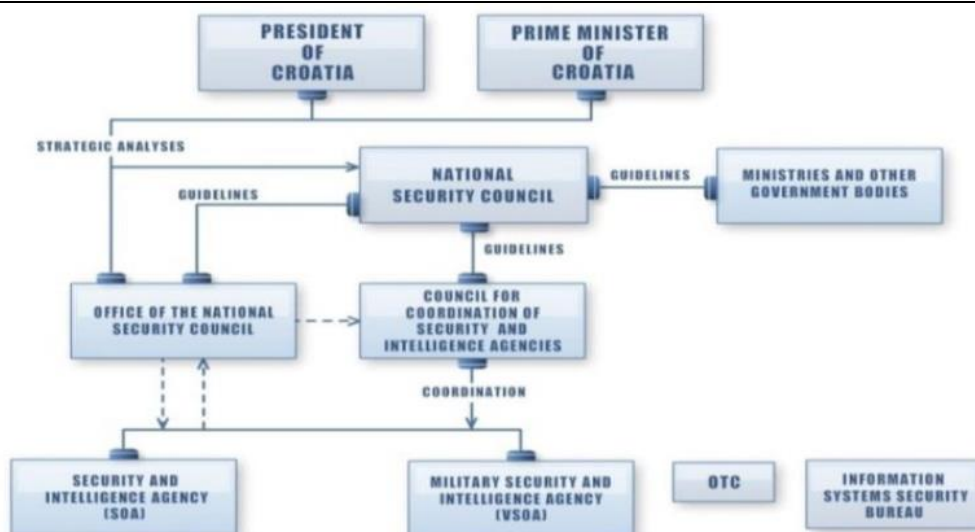
Figure No. 6. Schematic representation of the security intelligence system of the RoC[15]

3.4.1. SECURITY INTELLIGENCE AGENCY, SOA

SOA is a civil intelligence service that operates abroad and at home, ie it is an integrated intelligence service with internal and external determinants. SOA is headed by a director, and the structure of the headquarters in Zagreb is shown in Figure 7. The organization is divided into the Operations department, which deals with data collection, the Analytics department deals with data processing and analysis and documentation, and the Technology department deals with special technology, informatics and communication.[16] In the Republic of Croatia, there are three levels of supervision of intelligence services, namely parliamentary, professional and civilian supervision of the work of the service.

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[15] Retrieved from: https://www.soa.hr/files/file/Public-Report-2018.pdf (28.11.2020.)
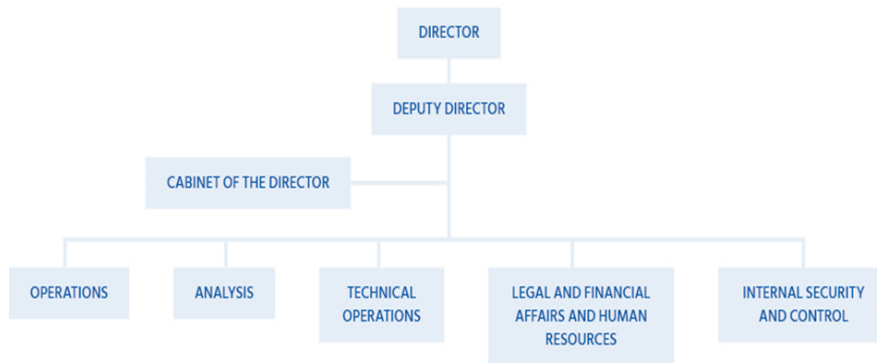[16] Retrieved from: https://www.soa.hr/hr/o-nama/ustroj/ (14.03.2020.)

Figure No. 7. Structure of SOA[17]

3.4.2. ANALYSIS OF THE WEBSITE AND ANNUAL REPORTS OF THE SECURITY INTELLIGENCE AGENCY, SOA

The analysis of the website www.soa.hr established that information is provided on the structure with a schematic draft, who and how supervises the service, and the powers that the service has with individual measures of secret data collection and who approves them. The service also offers citizens the opportunity to apply for work in the intelligence service via a web form, but at the same time the question arises why there is no public tender. Among other things, the website provides annual reports from 2014 to 2018 entitled "Public document" as well as information on sessions and conferences in which SOA participates. It also states who and how can access certain information, as well as a request form for access to information. The analysis of annual reports shows that for four years in a row, from 2014 to 2018, SOA has been publishing annual reports entitled "Public Report". The reports contain between 40 and 50 pages, mostly analysing topics on the security environment, terrorism, extremism, organized crime, corruption, foreign intelligence, energy and cyber security. The total SOA budget by years is presented, but Bosanac (2014) states that public procurement procedures in the security intelligence system are still closed, ie secret. Although the overall budget is public, the budget structure and public procurement are still secret, giving the impression of a completely closed intelligence service. The exact number of SOA employees is a secret, while three quarters of SOA employees have some level of higher education. In the total number of employees, about 40% are women who equally perform all tasks within the scope of SOA. According to the

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[17] Retrieved from: https://www.soa.hr/en/about-us/structure/ (28.11.2020.)

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report, the SOA has appointed an information officer, but does not own a public relations department. Nowhere in the report is the contact information of the said information officer nor is it in any way stated how to contact him.

4. OVERVIEW OF ANALYZED VARIABLES OF OPENNESS OF THE INTELLIGENCE SERVICES OF CROATIA, GERMANY, SWITZERLAND AND MONTENEGRO

The synthesis of the compared elements of the intelligence services of different countries, for better clarity and as a certain focus of this paper, is shown in the table below (Table 1). The openness of the analysed and compared services is estimated through 9 dimensions (variables) expressed in vertical (columns) in relation to the services expressed in the horizontal structure (rows) of the table.

The variables on the basis of which the relationship of openness of certain intelligence services to the public is assessed are:

- Budget of the intelligence system
- Organizational structure of the intelligence service
- Structure of intelligence employees
- Access to information collected by intelligence services from citizens
- Public procurement of the intelligence service
- Annual reports
- Public relations service
- Employment in the intelligence service
- A form of civilian supervision of the intelligence service.

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Table No. 1. Variables of the intelligence services of Croatia, Germany, Switzerland and Montenegro

Country/ variable	Budget	Organizational structure	Employee structure	Access to information	Public procurement	Annual reports	Public Relations Department	Employment	Form of civil supervision
Croatia, SOA	Total budget	Public	Limited employee structure	By request	Secret	Public	Not exist	Via a web form	Exist
Germany, BfV	Total budget	Public	Total number of employees	By request	Secret	Public	Exist	Vacancy / open jobs	Exist
Germany, BND	Secret	Public	Total number and structure of employees	By request	Secret	Secret	Exist	Vacancy / open jobs	Not exist
Switzerland, NDB	Total budget	Public	Total number of employees	By request	Secret	Public	Exist	Vacancy / open jobs	Exist
Montenegro, ANB	Secret	Secret	Limited structure of employees	By request	Partly public	Secret	Not exist	Via a web form	Not exist

By evaluating 9 variables as common denominators, ie characteristics of the intelligence services in question, it is concluded about their openness to the public. This tabular structure is a sequence and a reflection of the previous descriptive analysis of services in order to highlight and emphasize their universality and enable better comparability. In this sense, the analysis indicates the similarity and significant congruence of the observed elements, but significant differences were also found. In relation to the category "access to information", all analysed services emphasize this possibility to the public, but through a special request so that this area of analysis represents the highest degree of congruence, as is the case with the category "public procurement" which is only partially public in the Montenegrin ANB while with others it is a secret and the public is completely excluded.

Assessing the category "budget", which is often a good indirect indicator of the activities and ambitions of a particular service, it is noted that it is relatively accessible to the public, with the exception of the Montenegrin ANB and German Federal Intelligence BND, while the BfV budget is public. The organizational structure and the number of employees in the category are mostly available to the public, again with the exception of the restrictions imposed by the ANB, but also the Croatian SOA. In the "annual reports" category, confidentiality is reassessed only in the German BND and the Montenegrin case, while in others these reports are a relatively comprehensive and regular way of communicating with the public. The Croatian and Montenegrin intelligence services do not have a public relations service, as a special organizational form, just as they do not have public tenders or vacancies for employment, which distinguishes them from others where vacancies are advertised in public. Civil supervision, as

a special category of supervision and an indicator of the openness of services, does not have GNI and BND, while others have this supervision.

CONCLUSION

By analysing the elements of openness of services to the public, this paper problematizes the relationship between secrecy and transparency in relatively different systems of Switzerland, Germany, Montenegro and Croatia. By extracting nine characteristics as variables, from budget publicity, organizational structure and ways of communicating with the public through public procurement and employment systems to annual reports and forms of civic supervision, an evaluation and comparison form is structured. This standardization of features enables comparability where it is noticed that the category "access to information" in the observed systems is most similarly regulated. At the same time, the area of "structure and number of employees" is the only category in which secrecy is not emphasized in any country, but, nevertheless, the limitation of the public is emphasized.

Although the services in question are regulated by law, the Swiss example of a referendum on the extension of powers for the most serious forms of encroachment on human rights and privacy should be singled out, whereby the influence of the general public is manifested and materialized *sui generis*.

By comparing the elements and features of the analysis, it can be assessed that the Swiss Federal Intelligence Service - NDB and the German Federal Office for the Protection of the Constitution - BfV are more open to the public compared to the Croatian Security Intelligence Agency SOA and the German Federal Intelligence Service - BND. It can also be assessed that the Montenegrin National Security Agency - ANB is more closed to the public compared to other analysed services.

The most important but also the most controversial issue in the operation of intelligence services is their secrecy. The importance of secrecy is manifested in the fact that intelligence services, in order to achieve national security, have, among other things, the authority of legal, secret data collection, which is able to violate the privacy of citizens. In addition, covert operations, which seek to gather confidential information, can also influence the political processes of the associated society. In order to prevent these features of secrecy from developing into threats of abuse, democratic systems care about the transparency and publicity of intelligence services, ie the development and improvement of standards that would minimize

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these threats and impose accountability, but still guarantee intelligence purpose and effectiveness. A publicly accepted, competitive, and vital legislative framework for intelligence services is crucial to making the services accountable to the public. The multidimensional system of effective surveillance of intelligence services is of crucial importance as a guarantee of legality, but also the necessary dimensions of the publicity of these so-called secret institutions. But even more than that, as Lustgarten realizes (according to Caparini, 2016), more important is the system of adopted political values of a particular society and culture of respect for democratic principles, diversity, human rights and privacy. The public's desire for greater openness of intelligence services is in a causal relationship with surveillance and a precondition for its effectiveness, ie prevention or detection of intelligence illegalities and abuses.

LITERATURE

Books and articles

1. Aldrich R. J. & Richterova, D. (2018). Ambient accountability: intelligence services in Europe and the decline of state secrecy, *West European Politics*, 41(4), 1003-1024.
2. Akrap, G. (2009). Informacijske strategije i oblikovanje javnoga znanja (Information strategies and shaping of public knowledge). *National security and the future,* 10 (2), 77-151.
3. Badžim, J. (2013). Obavještajne i represivne službe u suprotstavljanju kriminalitetu koji predstavlja prijetnju nacionalnoj sigurnosti (Intelligence and repressive services in combating crime that poses a threat to national security*)*, (18 May 2020) *National security and the future,* 14(1), 23-53. Retrieved from: https://hrcak.srce.hr/125623
4. Bjeličić, I. & Solomun, D. (2010). Elementi sustavne analize atentata i sigurnosti štićenih osoba (Elements of systematic analysis of assassinations and security of protected persons). *Policija i sigurnost (Police and security),* 20(1), 14-31.
5. Born, H. & Geisler Mesevage, B. (2012). *Introducing Intelligence Oversight, A Toolkit.* In Born H. and Wills A., eds. Geneve: DCAF.
6. Born, H. & Leigh, I. (2005). *Making intelligence accountable: Legal standards and best practice for oversight of intelligence agencies*, Oslo: Publishing House of the Parliament of Norway.
7. Born, H., Leigh I., Wills, A. (2015). *Making International Intelligence Cooperation Accountable.* Oslo: Printing Office of the Parliament of Norway.
8. Bosanac, G. (2014). Unaprjeđenje transparentnosti sigurnosno-obavještajnog sustava u RH, analiza javne politike (Improving the transparency of the security intelligence system in the Republic of Croatia, public policy analysis), (18 May 2020) Zagreb: Centar za mirovne studije. Retrieved from: https://www.cms.hr/system/article_document/doc/74/Policy_brief_SOA_final.pdf
9. Caparini, M. (2016). Controlling and Overseeing Intelligence Services in Democratic States. In: Born, H., Caparini, M. eds., *Democratic control of intelligence services: containing rogue elephants* (3-24). London, New York: Routledge.
10. Caparini, M., Cole E. (2008). *Public oversight of the security sector*, *The case for public oversight of the security sector: concepts and strategies.* (17 March 2020) *Retrieved from* https://issuu.com/undp_in_europe_cis/docs/public_oversight_of_the_security_secotr. (15.03.2020.)

11. Chappuis, F. (2016). *The Place of Intelligence in* the State's Monopoly on the Legitimate Use of Force. (15 March 2020) Retrieved from: https://library.fes.de/pdf-files/iez/12968.pdf" https://library.fes.de/pdf-files/iez/12968.pdf

12. FRA (2017). *Monthly data collection on the current reform of intelligence legislation in Belgium, Finland, France, Germany, the Netherlands, Sweden and the United Kingdom – Guidelines for FRANET*, Vienna, 25 November 2016.

13. Geiser, U. (2016). *Secret service agents have licence to hack computers*. (20 March 2020) Retrieved from: http://www.swissinfo.ch/eng/secret-service/42465282" http://www.swissinfo.ch/eng/secret-service/42465282

14. Gill, P. (2012). Intelligence, Threat, Risk and the Challenge of Oversight. *Intelligence and National Security,* 27(2), 206-222.

15. Hastedt, G. (2010). The Politics of Intelligence Accountability. In: Johnson, L. K., ed. The Oxford Handbook of National Security Intelligence. (21 March 2020) New York: Oxford University Press, Inc. Retrieved from: https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780195375886.001.0001/oxfordhb-9780195375886-e-0001

16. Herman, M. (1996). *Intelligence Power in Peace and War.* Cambridge: Cambridge University Press.

17. Johnson, L. K. (2010). *National Security Intelligence.* In Johnson, L. K., ed., The Oxford Handbook of National Security Intelligence. (20 March 2020) New York: Oxford University Press, Inc. Retrieved from: https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780195375886.001.0001/oxfordhb-9780195375886-e-0001

18. Kričkić, D. (2009). Tajne službe kao represivna oruđa totalitarnih režima 20. stoljeća (Secret services as repressive tools of 20th century totalitarian regimes). *Essehist*, 1(1), 52.-59.

19. Lashmar, P. (2014). *The intelligence agencies and their relations with the media, Contributing Authors.* (19 March 2020) Retrieved from: https://reutersinstitute.politics.ox.ac.uk/risj-review/intelligence-agencies-and-their-relations-media.

20. Miller, R. A. (2009). *US national security, intelligence and democracy: From the Church Committee to the war on terror*. London: Routledge, Taylor & Francis Group.

21. Nathan, L. (2012). Transparentnost, tajnost i nadzor nad obavještajnim službama (Transparency, secrecy and oversight of intelligence services). In Born, H. i Wills, A., Ed., *Nadzor nad obavještajnim službama (The supervision of intelligence services), Handbook* (49-65). Geneve: DCAF.

22. Nieter, W. (2015). *Wozu unser Land Nachrichtendienste braucht*, Bundesakademie für Sicherheitspolitik. (16 March 2020) Retrieved from: https://www.baks.bund.de/sites/baks010/files/analyse_nachrichtendienste_2015-07-07_0.pdf.

23. Posavec, Z. (2004). Javnost i demokracija (Publicity and democracy*). Politička misao,* 41(1), 5-10.

24. Pöttker, H. (2014). *Geheim, verdrängt, unbekannt*, *Lücken von Öffentlichkeit: Worüber Medien gern schweigen – und warum sie das tun*, (20 March 2020) Dortmund: m&z. Retrieved from: https://docplayer.org/78307373-Geheim-verdraengt-unbekannt.html,

25. Schedler, A. (1999). *Conceptualizing Accountability, in The Self-Restraining State: Power and Accountability in New Democracies*. In A. Schedler, L. Diamond and Mart F. Plattner (ed.), 13-28, Lynne Rienner Publishers, Inc., London,

26. Stefanović, A. (2016). *Zakonska uređenost službi bezbednosti na Zapadnom Balkanu: Bosna i Hercegovina, Crna Gora, Albanija, Makedonija i Kosovo (Legislation of Security Services in the Western Balkans: Bosnia and Herzegovina, Montenegro, Albania, Macedonia and Kosovo*), (15 March 2020) Beograd: Beogradski centar za bezbednosnu politiku. Retrieved from:

http://www.bezbednost.org/upload/document/zakonska_uredjenost_sluzbi_bezbednosti_na_zapadnom.pdf.

27. Tatalović, S., Bilandžić, M. (2005). *Osnove nacionalne sigurnosti (Fundamentals of national security)*. Zagreb: MUP.

28. Taylor, S. (2010). Uloga obavještajne djelatnosti u nacionalnoj sigurnosti (The role of intelligence in national security). In Collins, A. ur. *Suvremene sigurnosne studije (Contemporary security studies)*, 284-308, Zagreb: Politička kultura.

29. Tomić, Z. (2008). *Odnosi s javnošću, teorija i praksa (Public relations, theory and practice)*. Zagreb: Synopsis.

30. Unation Nations (1994). *UNDP Human Development Report 1994*. New York: UNDP.

Internet sources

31. BfV Annual Report, Retrieved from: https://www.verfassungsschutz.de/en/about-the-bfv/tasks/the-organisation-of-the-bfv-is-not-a-secret (12.03.2020.).

32. NDB Annual Report, Retrieved from: https://www.vbs.admin.ch/de/vbs/organisation/verwaltungseinheiten/nachrichtendienst.html#ui-tab-958 (12.03.2020.).

33. SOA Annual Report 2018, Retrieved from: https://www.soa.hr/files/file/Public-Report-2018.pdf (28.11.2020.)

34. https://www.bnd.bund.de/DE/Der_BND/Abteilungen/abteilungen_node.html (12.03.2020.)

35. http://putniadazos.lv/sites/default/files/kcfinder/files/David_Four_strategies_of_habitat%26species_management_in_Swiss_military_training_aereas.pdf

36. https://ub.unibas.ch/digi/a125/sachdok/2014/BAU_1_6208714.pdf Retrieved from: (14.03.2020.)

37. https://www.bundespublikationen.admin.ch/cshop_mimes_bbl/00/0024817F68691EE29FE65419866EA197.pdf (28.11.2020.)

38. https://www.academia.edu/26653988/ZAKONSKA_URE%C4%90ENOST_SLU%C5%BDBI_BEZBEDNOSTI_NA_ZAPADNOM_BALKANU_BOSNA_I_HERCEGOVINA_CRNA_GORA_ALBANIJA_MAKEDONIJA_I_KOSOVO_ (10.03.2020.)

39. https://www.bnd.bund.de/DE/Der_BND/Standorte/standorte_node.html (10.03.2020.)

40. https://www.dienstzeitende.de/site/dze/files/anbieter_dateien/701/bnd-broschuere.pdf (10.03.2020.)

41. https://www.soa.hr/hr/o-nama/ustroj/ (14. 03. 2020.)

42. ANB Official web site, Retrieved from: http://www.anb.gov.me/naslovna (12.03.2020.).

43. BfV Official web site, Retrieved from: https://www.verfassungsschutz.de/de/startseite (13.03.2020.).

44. BND Official web site, Retrieved from: https://www.bnd.bund.de/DE/Startseite/startseite_node.html (12.03.2020.).

45. NDB Official web site, Retrieved from: https://www.vbs.admin.ch/de/vbs/organisation/verwaltungseinheiten/nachrichtendienst.html (13.03.2020.).

46. SOA Official web site, Retrieved from: https://www.soa.hr/en/about-us/structure/ (28.11.2020.)

Regulations

47. Law on the Security and Intelligence System of the Republic of Croatia, Official Gazette 79/06. Retrieved from: https://www.soa.hr/UserFiles/File/Zakon_o_sig-obav_sustavu_RH.pdf. (13. 3. 2020.)

48. Law on the National Security Agency Official Gazette of the Republic of Montenegro, no. 28/05 dated 05.05.2005, 86/09 dated 25.12.2009, 73/10 dated 10.12.2010, 20/11 od 15.04.2011, 08/15 od 27.02.2015. Retrieved from: http://www.anb.gov.me/biblioteka. (12.03.2020.).

49. Swiss Intelligence Act (*Nachrichtendienstgesetz*). Retrieved from: https://www.admin.ch/opc/de/classified-compilation/20120872/index.html. (12.03.2020.).

50. German Federal Intelligence Service Act (*Bundesnachrichtendienstgesetz*). Retrieved from: https://www.gesetze-im-internet.de/bndg/. (12.03.2020.).

51. Law on Cooperation between the Federal and State Governments on Constitutional Protection Issues and on the Federal Office for the Protection of the Constitution.