



Government Response to the Intelligence and Security Committee of Parliament Report 'International Partnerships'

Presented to Parliament
by the Prime Minister
by Command of His Majesty

February 2024

CP 1020



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Introduction

The Government is grateful to the Intelligence and Security Committee (ISC) for their report on International Partnerships, published on 5 December 2023.

The Government thanks the Committee for its positive evaluation of the way the UK intelligence community¹ conducts its international relationships. The UK's international partners make an invaluable contribution to the safety and security of the UK. This is why the Government clearly prioritised international partnerships in the 2021 Integrated Review and 2023 Integrated Review Refresh, and thanked our partners for their support in maintaining our collective security and defence and upholding our values of openness, freedom and the rule of law. The Government remains committed to broadening and deepening these relationships, ensuring that the UK retains its strength. The Government also thanks those partners who supported the Committee's work on this inquiry.

The Committee recognises the diligence with which the UK intelligence community manages its international partnerships. The issues involved can be complex and sensitive. The Government's commitment to ethics and legal compliance is essential to ensuring that the Government protects the UK in a way which is consistent with our values. The Government is confident that the structures and processes in place to manage risks, including policy (under the Principles²) and through the oversight of Ministers and the Investigatory Powers Commissioner's Office (IPCO), ensure that the UK intelligence community complies fully with the letter and the spirit of the law and guidance.

The Government thanks the Committee for its understanding of the sensitivities involved in this topic, and the UK intelligence community for its commitment to transparency and oversight alongside the protection of some of its most sensitive and valuable equities. The UK intelligence community has remained engaged with the Committee throughout the course of this inquiry.

The Government and Agencies welcome the Committee's independent and robust oversight and makes every effort to respond to ISC requests as soon as possible. The Government and Agencies cooperated fully with the inquiry and considered all requests made by the Committee, however a combination of factors led to the early stages of this inquiry being delayed: the General Election in 2019 meant the new Committee was not formed until July 2020 and the COVID-19 pandemic had a significant impact from March 2020 onwards. The UK intelligence community has

¹ The "UK intelligence community" refers to the UK's broader national intelligence machinery. In reference to the ISC's report, it consists of MI5, SIS, GCHQ (the "Agencies"), and elements of the National Security Secretariat, the Joint Intelligence Organisation, the Home Office and the Ministry of Defence intelligence services.

² "The Principles" relating to the detention and interviewing of detainees overseas and the passing and receipt of intelligence relating to detainees".

been fully engaged with this inquiry and provided the Committee with detailed written and oral evidence from November 2020 onwards.

This document sets out the Government's response to the recommendations and conclusions contained in this report. The Committee's recommendations are in bold, followed immediately by the Government's reply. Where appropriate, the Government has grouped responses to recommendations and conclusions on the same theme, therefore some may be out of alphabetical order. The Committee made some additional recommendations which could not be included in the open report due to their classified nature. The Government will respond to the Committee on these matters separately.

A. Even within a well-integrated intelligence community such as that in the UK, varying operational imperatives mean it is inevitable that there will be differences of strategy between organisations when it comes to their international partnerships. This should not be problematic provided there is effective coordination between the different organisations engaging with foreign partners.

C. It is important that coordination between all three Agencies and DI remains strong. In particular, care should be taken that MI5 and DI, which are not tasked through the IOP process, are nonetheless aligned with SIS and GCHQ where this is appropriate; and the Agencies take care to read across to DI's strategy, which is derived from the MOD's broader strategies and plans.

D. The introduction of the Fusion Doctrine in 2018 saw policy departments across Government brought into national security work. There is therefore also a need for the three Agencies and DI now to coordinate their engagement with foreign partners with policy departments' own international strategies.

The UK intelligence community's international partnerships are driven by operational requirements and priorities, which means that each Agency or organisation builds partnerships in response to its individual remit, focus and needs. While these partnerships are managed largely autonomously, effective coordination between intelligence organisations and with policy departments is required in order to make the most of our partnerships. The Government agrees with the Committee's observations about the importance of this coordination taking place.

The UK intelligence community has a range of mechanisms in place to ensure that this coordination happens across the breadth of its work. In practice, this spans close engagement and dialogue between staff and teams across the community through to physical co-location of staff from across different organisations, and, where appropriate, jointly visiting and speaking to international partners. By operating in this manner, the UK intelligence community is able to ensure effective understanding of

the differences between each Agency's operational priorities across all topics, thereby ensuring appropriate coordination, and deconfliction where required.

The UK intelligence community is fully integrated into cross-Government structures and work on national security topics which enables them to effectively identify opportunities for joint working, reinforcement of relationships and areas for deconfliction with policy departments. Indeed, in many areas the Government works together routinely to ensure maximum effectiveness, for example our joint work alongside international partners to call out unacceptable behaviour in cyberspace. This routinely involves extensive coordination between the operational, law enforcement, intelligence and policy communities, frequently covered through standing cross-community groups which align collective efforts to i) develop a comprehensive shared understanding of specific threat actors and ii) implement multiple strands of complementary operational activity, international engagement and policy announcements. This enables the UK Government to build international coalitions that counter, and impose costs on, those threat actors. Recent public communications, including those calling out through formal public attribution, technical advisories and sanctioning Russian cyber actors in December 2023 alongside a significant range of international partners, are testament to this cross-Government policy, operational and diplomatic effort to disrupt and deter the UK's adversaries in cyberspace. These followed previous announcements in 2023 under the UK's Cyber Sanctions regime alongside operational law enforcement activity to counter the threat from ransomware actors and the cyber-criminal ecosystem.

B. In the Committee's view, MI5, GCHQ and DI each have overarching strategies appropriate to their distinct functions and operational priorities. While we recognise that SIS's tasking via the IOP helps give focus and direction to its many important international partnerships, we were surprised that SIS does not have a single overarching strategy for managing these, even at a high level. The Committee recommends that SIS follow the lead of GCHQ – which receives its tasking via the same process – and develop a standalone international partnerships strategy.

The Government notes the Committee's recommendation. Partnerships are fundamental to the work of SIS and are driven by operational requirements and priorities. As a result, consideration of partnerships forms part of SIS operational planning. This approach allows SIS to be effective and agile given the number of SIS partnerships and the pace of geopolitical developments.

E. The Committee is satisfied that arrangements for ministerial engagement with the Intelligence Community's international partnerships are mature and proportionate.

The Government welcomes the Committee's conclusion. The partnerships that the UK intelligence community maintains are critical to our ability to protect our national interests. Ministers value the expertise of the UK intelligence community and the important engagement at all levels with our international partners that allow the UK to benefit from intelligence sharing, shared analysis and assessment, and joint cooperation, maximising our capability and reach.

F. While most interaction with foreign liaison partners is best carried out between intelligence professionals, the Intelligence Community should continue to be alive to opportunities for Ministers to engage with foreign counterparts on intelligence matters where this is appropriate. In addition, it may be beneficial for the Home Secretary to receive submissions on MI5 and SIS/GCHQ joint activity with foreign partners in parallel with the Foreign Secretary rather than simply receiving a copy for information afterwards.

The Government welcomes the Committee's observation. Ministers speak to their counterparts on a number of issues and where relevant and appropriate, intelligence matters may be discussed. Ministers play an important role in the UK intelligence community's international engagement including through diplomatic exchanges in support of this work.

The Foreign Secretary and Home Secretary's lines of Ministerial responsibility are clear in respect to authorising the work of the Agencies. The Foreign Secretary has oversight of the Secret Intelligence Service (SIS) and Government Communications Headquarters (GCHQ) and therefore authorises the overseas activity of SIS, GCHQ and those acting in support or on behalf of them, including MI5 and others. The Foreign Secretary is accountable to Parliament, on behalf of HMG, for intelligence activity conducted outside of the British Isles.

Separate arrangements exist for the routine and regular briefing of the Home Secretary on MI5 activity, including on operations happening overseas where appropriate.

This clear division of responsibility is long-established and works well. However, policy decisions concerning each respective agency routinely impact both Home Office and Foreign Office equities. And the Government always seeks opportunities to improve communication with, and oversight and accountability of, government agencies, and the UK intelligence community should be no different.

We recognise that there are advantages to strengthening the links between the intelligence community and ministers whose portfolios are relevant to the work they do. The Government will further consider how to do so.

G. The Committee was satisfied that instant messaging applications are not used for the exchange of classified information with foreign counterparts. Nonetheless, it is essential that audit trails are maintained of diplomatic exchanges that are made using these means – not least so that retrospective oversight can be applied by Parliament should this be required.

The Government has robust systems in place to protect against cyber threats with Ministers receiving regular security briefings and advice on protecting their personal data and mitigating cyber threats. Updated guidance was issued in December 2023 to Ministerial and Permanent Secretary Offices on the transfer to the official record decisions arising from telephone, online meetings or via non-corporate communications channels.

Instant messaging services offer certain advantages where fast communication is critical, for example in emergency circumstances. Government advice is clear on the retention of conversations, and communication of information above OFFICIAL on these services is not permitted.

H. The SIS global network of stations overseas is a vital enabler for the work of the Intelligence Community, including the maintenance of international partnerships. While the Committee recognises that financial pressures will always require decisions to be made on the value for money provided by each station, SIS should maintain a general ambition to grow, rather than consolidate, its global footprint.

L. It is clear to the Committee that the UK's relative strength across a broad range of intelligence disciplines and subject matters makes it a partner of choice for many countries. The Intelligence Community should continue to foster this reputation – which, like all reputations, is hard won and easily lost.

The Government thanks the Committee for acknowledging the importance of SIS's global network. The Committee rightly acknowledges that value for money must be duly considered. While not shying away from difficult decisions when necessary, SIS remains ambitious for the future of its network and will seek to build new relationships and enhance existing ones. The UK intelligence community is a trusted partner and is confident its relationships with others will be maintained.

I. The Committee is supportive of the Intelligence Community's capacity building efforts. However, working with some partners carries inherent risk and the Agencies must continue to take great care about what capabilities they choose to share with which countries and ensure robust safeguards are put in place (including the ability to withdraw if this becomes necessary).

The Government thanks the Committee for its support and can provide reassurance that the UK intelligence community is fully alive to the risks involved. Each Agency underpins any commitment to capacity building with detailed risk assessments. This happens within a robust process of governance and is subject to periodic review, including ministerial review of the enabling submissions. This ensures that the balance of risk/reward is fully understood and continually reassessed.

J. Intelligence diplomacy is an important aspect of modern international intelligence partnerships. * partnerships can be utilised in the national interest when coordinated with the Government's other levers of international influence. Ministers and policy departments should continue to be alive to the Intelligence Community's ability to have a tangible influence on broader diplomatic objectives.**

The Government welcomes the Committee's recognition of the contribution that intelligence diplomacy makes to the UK's broader diplomatic objectives, and its recognition of the role to be played by the UK intelligence community.

K. The UK's overseas collection facilities are indispensable in terms of the contribution they make to the UK's national security, and the Intelligence Community should continue to exploit them for intelligence gain. Ministers should also ensure that broader Government policy – * – fully takes into account such intelligence considerations.**

The Government welcomes the Committee's observation.

M. The Committee fully supports the positive approach the Intelligence Community takes towards intelligence partnerships, seeking actively to develop them beyond the merely transactional. Making full use of the UK's relative strength in intelligence terms to build effective partnerships is an effective use of resources which can help keep the UK safe in times of crisis. Ministers and senior officials should resist the temptation to take a less proactive approach in this area in the interest of economy; where the Intelligence Community can work with partner nations it should – subject to the necessary legal, ethical and security considerations.

Intelligence Partnerships are vital to the UK and the UK's interests. A whole of Government approach to building strong bilateral relationships is taken, and intelligence partnerships are one important element of this. Secretaries of State past and present have recognised the value and brand of our Agencies which enhances the UK's credibility on the international stage.

N. The evidence we have received reassures us that, wherever possible, appropriate due diligence is carried out to ensure that information is not obtained via prohibited methods. However, we note that that cannot be guaranteed.

O. Most countries – even our closest allies – will operate under different legal and ethical constraints to the UK. However, to protect the UK we have no choice but to work with other countries. The framework under which our Agencies engage is therefore of the utmost importance.

Q. There must be no complacency. The history of the Agencies' work with partners on detainee issues has been problematic – at best. It is clear that lessons have been learnt but it is vital that the Agencies continue to adhere to, and build upon, robust oversight arrangements when working with foreign partners on detainee matters.

W. Given the need to work with some partners who engage in unacceptable treatment of detainees, the Committee is supportive of the Agencies' ability to carve out compliant pathways to enable them to work with states on a bespoke basis. This does not excuse or imply approval of unacceptable behaviour more generally and the Agencies must do everything possible to manage and reduce risk when working in this area.

X. We welcome the introduction of the 'last pair of hands' principle which ensures that there is a clear risk owner for all operational stages when working with a foreign liaison partner.

Y. The creation of PURPLE is a positive development for the UK intelligence community as a whole and the Committee welcomes the work it has done. The tri-agency nature of the team ensures consistency of approach across all three Agencies.

The Government shares the Committee's view that the frameworks under which the Agencies operate are deeply important. The Government welcomes the Committee's positive view of the work done by the UK intelligence community to ensure that it is able to engage with foreign partners on issues important to UK national security, while ensuring that engagement remains consistent with UK values and domestic and international laws. This responsibility is taken extremely seriously by the UK intelligence community and the Government is confident in our robust frameworks,

guidance, processes and training in place to enable us to fulfil it. The Government also welcomes the Committee's conclusion that lessons have been learnt with regards to detainee issues.

The UK has one of the most rigorous intelligence oversight regimes in the world. Although our closest partners have values closely aligned to those of the UK, the UK must also work with partners who do not share all our values. This is taken into consideration, pursuant to legislation, by Ministers when they authorise activity under the applicable policy and legislation. Ministers give this careful consideration when deciding whether to authorise activity. Those decisions are informed by advice from officials and must be in accordance with legal obligations.

The UK does not participate in, solicit, encourage or condone unlawful killing, the use of torture or cruel, inhuman or degrading treatment or extraordinary rendition. Where there is a 'real risk' of such unacceptable conduct arising from engagement with international partners, and the risk cannot be mitigated to less than real, personnel should not proceed and Ministers must be consulted. Ministers would then consider extremely carefully whether the engagement can take place, having been provided with full details of the risk profile and potential consequences of doing so. Where the real risk relates to unlawful killing, torture or extraordinary rendition, the presumption would be not to proceed. If personnel 'know or believe' that unlawful killing, torture or extraordinary rendition will take place, they must not proceed, and Ministers must be informed.

As referenced in the Government's response to the Committee's 2018 *Detainee Mistreatment and Rendition: Current Issues* report, the Government does not outsource action it cannot lawfully undertake itself, and cannot be held responsible for the actions of other sovereign Governments and organisations over which it has no control. Great care is taken to assess the risk that a detainee will be subjected to mistreatment and the UK aims to develop and promote human rights in the countries with which it deals, consistent with the lead the UK has taken in international efforts to eradicate the mistreatment of detainees.

P. The UK's legal and compliance framework governing engagement in International Partnerships is comprehensive. The importance of adhering to legal obligations seems to be clearly understood and to have been embedded into the operational culture and decision-making of the Agencies. The Committee is pleased to see this cultural change.

R. Law and compliance should be an inherent part of operational teams not just part of the operational process. The Agencies should consider having embedded legal and compliance teams within operational missions and particularly in overseas hubs where detainee work with partners is central.

This would help to strengthen the compliance framework and provide on-hand expertise when needed.

The Government thanks the Committee for recognising that the UK intelligence community has continued to embed compliance at all levels. The UK intelligence community operates under a comprehensive framework and trains its officers thoroughly to ensure that there is a clear understanding among all staff of legal and ethical obligations.

The Committee rightly points to the strong culture of compliance within the Agencies as being a key driver of compliant operations. The UK intelligence community has embedded, and continues to develop compliance as part of the operational planning process and career skills strategies. This ensures that individuals take responsibility for compliant behaviour with experts on hand to advise on complex cases.

In addition, the Agencies' operational teams work in a closely integrated fashion with specialist policy and compliance staff, wherever in the world they are based. In some cases these functions are embedded and in others they are centralised, depending on which approach offers the most effective delivery of a high-compliance level and allows best value for money in how resources are used. Furthermore, staff move between policy and compliance functions and operational functions, further assisting the agencies to instil a culture of compliance.

The Agencies' dedicated specialist legal and compliance teams provide expert advice, identify trends and ensure that standards are consistent across Missions regardless of location. The benefits of this model outweigh the benefits of embedding compliance teams within operational missions. However, the Agencies will continue to look for opportunities to strengthen their compliance framework including through closer alignment of legal and compliance teams with the Global Network.

S. Agency policy underpinning the Principles and OSJA appears to be respecting both the letter and spirit of the framework – as was clear both from the evidence taken as part of this Inquiry and when considering the most recently published report from the Investigatory Powers Commissioner's Office (IPCO), who oversees much of the day-to-day activity of the Agencies.

The Government welcomes the Committee's observation. The Principles, along with the guidance on Overseas Security and Justice Assistance (OSJA), form part of the robust oversight framework that govern Agency activity, overseen by Ministers and the Investigatory Powers Commissioner's Office.

The Government does not participate in, solicit, encourage or condone the use of torture or of cruel, inhuman or degrading treatment for any purpose and makes clear the laws and values which the UK operates under when working with international

partners. Whenever possible, the UK promotes human rights compliance with those countries with which the Government works.

T. The Principles appear to be working well, and are well integrated into Agency processes. While the Committee is still concerned that the Foreign Secretary is given significant discretion to authorise activity which may carry a real risk, we are broadly satisfied that, with the additional oversight of IPCO, there are sufficient checks and balances in the system.

The Government welcomes the Committee's observation. Following the then Prime Minister's (the Rt Hon. Theresa May MP) request in June 2018 for the then Investigatory Powers Commissioner (Sir Adrian Fulford) to conduct a review of the Consolidated Guidance, the Principles came into effect on 1 January 2020. The review took into account views of previous Intelligence Services Commissioners, academics, practitioners, non-governmental organisations and the Committee following their 2018 *Detainee Mistreatment and Rendition: Current Issues* report.

The Government accepted the Commissioner's proposals in full. The new guidance was extended to include the National Crime Agency and SO15 in the Metropolitan Police Service. The Principles provide clear direction for UK personnel relating to interactions and the handling of intelligence sought or received from detainees held overseas by international partners. Ministers give careful consideration when deciding whether to authorise activity and those decisions are informed by advice from officials, according to the law. The Investigatory Powers Commissioner's Office independently reviews the application of the Principles and applications engaging the use of covert investigatory powers and their findings are published in their Annual Reports.

U. The Committee recognises that assurances are a necessary and important part of dealings with partners who do not necessarily share all of our values or legal frameworks. These appear to be sought and agreed effectively. We would encourage the Agencies to assign more effort where possible to the continued assessment of assurances, given that they are fundamental to the Agencies' ability to operate in certain areas.

The Government welcomes the Committee's observation and understanding of the context that the Agencies operate in. The Agencies have to work with international partners who do not share the same legal framework and values as the UK. Officers will consider this, follow the guidance contained in the Principles and comply with domestic and international law.

Where assurances are sought, the Agencies will consider carefully if the assurances received are credible, and will ensure that the relevant authorities understand the

importance of complying with them. Assurances are re-visited regularly in the course of exchanges with the international partner. Any breaches of assurances – even if technical or minor – are treated very seriously by the Agencies and by the Government as a whole. The Agencies will ensure that assessment of assurances continue to be properly resourced.

V. The Agencies and Ministry of Defence must maintain a comprehensive written record of assurances sought and received. The Committee were impressed by MI5's Liaison with Overseas Security and Intelligence Agencies (LOSIA) form which considers comprehensively the different elements of working with partners on detainee issues. We recommend that the Agencies introduce a single streamlined document which is based on LOSIA, so that recording of activity and assurances is done in a consistent way.

The Government appreciates the Committee's positive view of MI5's LOSIA form. All members of the UK intelligence community manage the risks associated with sharing intelligence in the context of detentions in accordance with the Principles. The way that each organisation records its assessment and mitigation of risks is incorporated into well-established intelligence sharing processes, which differ between Agencies because of their different functions. All records of decision-making relating to the Principles are made available to IPCO for regular inspection. IPCO has been satisfied with the quality of the community's record-keeping.

The UK intelligence community remains committed to working closely together on these matters to ensure that the Government learns from best practice across the group. For example, it has extended PURPLE³ to incorporate the six agencies bound by the Principles. The Government assesses that the benefits of each organisation taking a bespoke approach to record-keeping dependent on its particular functions and needs outweighs the benefits of applying a single approach.

Z. The Prime Minister should provide this Committee with a full copy of the confidential annex to the Annual Report of the Investigatory Powers Commissioner 2019. The approach being taken by the Deputy National Security Adviser to redact operations that were 'current' in 2019 as if they were current today was severely misguided at best. When the Prime Minister determines the final outcome – in conjunction with the ISC, as set out in the Memorandum of Understanding – we trust that he will follow the spirit of the Justice and Security Act 2013 and the commitments given to Parliament during the passage of that legislation.

³ ISC and Government agreed redaction of information relating to footnote 105 of the ISC's report on International Partnerships.

The Deputy National Security Adviser, and Government as a whole, has taken a consistent approach to providing a redacted version of the classified annex of the Annual Report of the Investigatory Powers Commissioner to the Committee and its predecessor organisations, as set out by the then Prime Minister in 2013. This approach ensures that sensitive information is only exchanged where there is a clear rationale for doing so and where it does not blur the different roles of the Committee and the Investigatory Powers Commissioner and their office. The redacted classified annex to the 2019 Annual Report was shared with the Committee with the full agreement of the then Prime Minister as were redacted versions of the classified annexes to both the 2017 and 2018 IPCO Annual Reports. Since 2020, the Investigatory Powers Commissioner's Annual Report has not contained a classified annex.

AA. The Committee is satisfied that, on balance, the serious risks of engaging with authoritarian and oppressive regimes are well understood by UK intelligence Agencies.

BB. The Agencies appear to take seriously the ethical dimension of their work. The Committee is pleased to learn of the staff counsellor to support officers as well as several examples of how the organisations as a whole discuss and reflect on their more difficult partnerships. The Committee is satisfied that there is a genuine recognition of the broader impact of these relationships and the need for continued monitoring of their appropriateness.

The Government welcomes the Committee's recognition of the seriousness with which the UK intelligence community takes the ethical implications of our work, including where it could impact the wellbeing of our workforce. The process of gathering intelligence to protect the UK necessitates work with countries that may not always share all of the UK's values. As shared with the Committee, the Government has well established processes and forums for reflecting on, discussing and addressing any concerns any individual within the UK intelligence community may have.

CC. The Committee is pleased to see that its recommendation relating to joint units has finally been taken on board and engagement with such units is now explicitly covered by the Principles. However, it is disappointing that HMG took nearly seven years to amend its policy. This is an unacceptable delay given the gravity of the compliance risks and volume of joint work undertaken by SIS.

The Cabinet Office owns responsibility for the Principles as the Prime Minister has ultimate responsibility for intelligence and security issues. It is the responsibility of relevant departments and Agencies to follow the procedures set out in the Principles.

The Cabinet Office works with relevant Government Departments and Agencies to ensure the Principles are effectively applied.

As referenced in the Government's response to the Committee's 2018 *Detainee Mistreatment and Rendition: Current Issues* report, following the 2017 light touch review the Government asked the then Investigatory Powers Commissioner to consider how the Consolidated Guidance could be improved taking into account the Committee's views and those of civil society. The Principles came into operation on 1 January 2020 and have been in use since.

SIS welcomes the Principles explicitly covering joint units and applies them to this area when they are engaged. SIS has always borne in mind its legal and compliance obligations in this area of its work.

DD. The Five Eyes alliance is a remarkable testament to the power of international partnerships to increase the reach, influence and capability of the parties concerned such that the whole amounts to more than the sum of its parts.

EE. Providing access to intelligence and capabilities far beyond that which the UK intelligence community alone can obtain, and facilitating burden sharing for intelligence collection and analysis in a way that allows the respective members to develop greater expertise and coverage, it is a truly exceptional arrangement that is wholly in the UK's interest. Maintaining and reinforcing the Five Eyes alliance, and the UK's place within it, should be the Intelligence Community's highest priority in relation to international partnerships.

FF. The UK's intelligence partnership with the US is of a breadth and depth without parallel anywhere else in the world. It is the envy of our allies and adversaries alike. In particular, the partnership between GCHQ and the NSA represents, perhaps, the pinnacle of intelligence co-operation: it is a testament to the ambition and commitment of generations of intelligence personnel on both sides of the Atlantic. Long may it continue.

The Government welcomes the recognition of the high value of our international partnerships to the UK's security, and agrees with the Committee's characterisation of the strength of our relationship with the US in particular. The Five Eyes alliance, underpinned by our shared values and mutual trust, continues to be the UK's most prominent and enduring security partnership. Built on strong foundations over 70 years ago, the alliance has remained solid through global conflict and political changes. The Government does not take this partnership for granted: as the threat evolves, and our capabilities develop, the Government is committed to ensuring the Five Eyes evolves to meet the challenges of the future and delivers impact for the UK.

GG. The Intelligence Community is right to recognise the difference in size and resources between the UK and US agencies, and to target its investments accordingly so as to ensure that the UK remains an essential partner for the US.

HH. Nevertheless, Ministers and the Intelligence Community must ensure that the UK retains sovereign intelligence capabilities to enable it to stand on its own two feet in intelligence terms, in the highly unlikely and undesirable event that there is a breakdown in US partnership.

The Five Eyes alliance, underpinned by our shared values and mutual trust, continues to be the UK's most prominent and enduring security partnership. The Committee can be reassured that the UK intelligence community is focused on ensuring that the value derived from the relationships is reciprocated through our knowledge, skill and investment long into the future. While partnership is about moving forward together, it is also about bringing our own unique strengths and capabilities to bear for mutual benefit, and for the benefit of the UK. As such, the Government shall continue to develop and maintain UK capabilities independently, but in most cases for the benefit of all. The UK intelligence community is committed to ensuring delivery against key HMG priorities and protecting the UK against threats to our national security, regardless of the status of any individual international partnership.

II. As with any strong partnership, occasional – even serious – differences in policy are unavoidable. What matters is the response to such disagreements. In the Committee's view, the UK acting in solidarity with the US following the Snowden disclosures was – despite the damage caused to UK intelligence capabilities – the right approach. Strong partners stand together. In contrast, the US response to the Binyam Mohamed court disclosures was unfortunate. In a partnership such as that between the UK and US, both partners should be held to the same high standards and levels of mutual respect.

JJ. The Committee was, therefore, reassured to learn that recent policy differences over Huawei did not affect the intelligence relationship with the US. This is indicative of the maturity and seriousness with which both countries approach the partnership.

The Government notes the Committee's observation.

KK. The dominance of the US 'Big Tech' companies means that their actions are an increasingly important aspect of the partnership between the UK and

the US. Both governments need to work together to engage with the companies to ensure a constructive dialogue.

The Government recognises the importance of its direct relationships with 'Big Tech' companies, as well as in partnership with the USA, to ensure they are fully contributing to ensuring the security of our citizens. The Government will further consider how to build our capability and relationships with 'Big Tech' companies to achieve maximum national security benefit from these partnerships.

LL. The UK-US Data Access Agreement is a positive development, and demonstrates what can be achieved when the UK and US governments work together to facilitate the work of law enforcement. While it is a matter of some concern that its implementation has been delayed, the Committee is reassured that a range of UK agencies – alongside other parts of Government – have engaged with the issue at the highest levels within the US government.

The Government welcomes the Committee's observations. The UK-US Data Access Agreement will fundamentally transform the UK's ability to prevent, detect, investigate and prosecute serious crime. It allows access to vital data, more quickly than ever before. Since its entry into force on 3 October 2022, significant operational benefits have already been derived from it. As it was the very first of these types of agreement both sides needed to ensure it was implemented correctly.

MM. The current debate concerns end-to-end encryption, which is frequently presented as a matter of privacy versus security. This is a false dichotomy: it is not an either/or choice. It is technically possible for technology companies to implement end-to-end encryption in a responsible way which maintains privacy while still allowing lawful access to encrypted communications – and which, therefore, does not hand a gift to terrorists.

NN. It is unacceptable that technology companies have appeared to, hitherto, refuse to facilitate lawful access to encrypted communications: their irresponsible actions cannot continue to put lives at risk. If they will not address this issue proactively, the UK Government should explore international action with the US and others in order to compel them.

It remains the Government's clear position that mutually acceptable solutions are possible, as long as technology firms engage with the Government and our partner agencies on the design and development of these solutions. The Government agrees that more can and must be done by big technology firms to prioritise public safety. The Government will continue to update the Committee, in confidence, on progress.

The Government welcomes and supports the Committee's observations on technology firms, end-to-end encryption, and the increased use of private and secure technologies more generally. The Report makes a number of important points: in particular, that the commonly used 'privacy vs security' dichotomy is a false one; and that Big Tech firms must do more to facilitate lawful access to communications under warrant, no matter the form of encryption used.

The Government also welcomes the Committee's assessment that this issue must be progressed in partnership through international action, in particular the US. In December 2023, G7 Interior Ministers recommitted to working together "to maintain tightly controlled lawful access to communications content that is vital to the investigation and prosecution of serious crimes". The Government continues to develop an international coalition making clear the responsibilities of tech firms in the area of public safety, which very clearly include lawful access; the US are critical and valued partners in this endeavour.

OO. While the Intelligence Community's partnerships with Australia, Canada and New Zealand are more limited in scale and ambition than that with the US, they are highly valuable, both individually and as a collective. Each offers unique capabilities and regional expertise which are of great benefit to the UK.

PP. The Intelligence Community should consider investing further in order to deepen these relationships *.**

The Government thanks the Committee for affirming the value of these relationships with some of our closest allies. The Intelligence Community is ambitious for each of these partnerships to deliver for both partners and the UK, and our investment plans reflect that ambition.

QQ. The Committee acknowledges that the level of trust necessary between members of the Five Eyes alliance creates a very high barrier to entry, and as a result the Intelligence Community is reticent about the prospect of expansion. It appears to the Committee that, at present, the risks of allowing another country to join the alliance far outweigh the benefits *.**

RR. The Intelligence Community should instead play a leading role in encouraging Five Eyes partners to engage collectively with other close allies in the 'Five Eyes-plus' concept, when this would provide operational benefits.

The Committee rightly recognises that the Five Eyes alliance is a unique and historic partnership which must be preserved and protected. The Government agrees with the Committee that there can be advantages to engaging collectively with other partners and the UK intelligence community expects to do so if clear benefits can be derived.

SS. Co-operation between European domestic intelligence services is clearly to be welcomed, and it is plain to the Committee that consistent engagement with the CTG * is strongly in the UK's interest. We would also support any efforts to focus European partners' minds on Hostile State Activity – particularly the growing threat from China.**

TT. The Committee supports MI5's ambition for the CTG *. However, more important overall is that MI5 continues to play a leading role, shaping priorities and operational focuses in the interest of the UK's national security.**

MI5 continues to play a leading role within the Counter Terrorism Group (CTG). MI5 strongly supports engagement with its European domestic security counterparts via this multilateral forum. At a working level, engagement within CTG allows MI5 to achieve high levels of investigative cooperation and data and information-sharing, including via the joint CTG operational platform. This helps MI5 in its mission to protect the UK against the threat from terrorism. Meanwhile, across its engagement with European partners MI5 continues to increase the level of cooperation to counter state threats, including the international response to Russia's illegal invasion of Ukraine and responding to the growing national security threat posed by the Chinese authorities.

This has allowed MI5 to make a strong contribution to discussions around modernising how it cooperates within this multilateral forum, shaping priorities and the operational focus and ensuring these remain in the interests of UK national security.

UU. The Committee was greatly impressed with the breadth of DI's contribution and commitment to NATO. We also recognise GCHQ's increasingly important role in relation to NATO, given the ambition for the UK to be the leading cyber power in the alliance.

VV. The rest of the Intelligence Community should ensure it capitalises on the UK's influential position within NATO to share intelligence and assessments where appropriate, and to build consensus on key security issues.

NATO is the cornerstone of the UK's security and the Government thanks the Committee for recognising the importance of both DI and GCHQ's contributions. The Government can assure the Committee that mechanisms do exist to enable sharing and cooperation with NATO by the rest of the UK intelligence community through the UK Delegation to NATO (UKDel). UKDel can and does draw upon the intelligence, assessments and personnel of a range of Agencies and Departments.

WW. Although it is a less mature partnership and more modest in scope and ambition than the NATO intelligence partnership, DI's position as the framework nation for the JEF Intelligence Group – and the consequent access this provides to new streams of intelligence – shows the value of seeking a leadership role in multilateral intelligence organisations. DI should continue to look for further opportunities to capitalise on the JEF construct to build stronger bilateral partnerships with its individual members.

Russia's continuing assault on Ukraine and the threat to global security has brought into sharp focus how Joint Expeditionary Force (JEF) capability is used, alongside a NATO response. Members of the JEF have been at the forefront of providing diplomatic, financial, humanitarian and military support to Ukraine in various international frameworks, bolstering the security of Northern Europe through a series of coordinated activities to enhance defensive responses. In this period of heightened concern, Defence Intelligence, and MOD more widely, is continuing to build its intelligence relationships with individual members of the JEF framework to enhance common situational awareness.

XX. Overall, the Committee is reassured that Brexit has not had a negative impact on intelligence co-operation between the UK and EU member states. The Agencies must invest time to reassure their counterparts of the UK's continuing commitment to European security, and update us on any impact this has on resources.

As the Committee has noted, overall intelligence cooperation between the UK and EU member states has largely continued unabated throughout EU Exit. The UK intelligence community invested upfront in demonstrating the UK's ongoing commitment to intelligence partnerships from the outset of the EU Exit negotiations. Through these efforts, and by ensuring there has been no subsequent decrease in their level of engagement, the UK intelligence community has been able to reassure counterparts of the UK's continuing commitment to European security, and to retain their trust. MI5 has increased the level of resources it is investing in European partnerships, responding to Russia's illegal invasion of Ukraine and building an increased desire across European partners for closer joint-working.

YY. It appears that Brexit has not led to a noticeable increase in terrorist attacks, and this is greatly to be welcomed. However, there is no room for complacency and it is incumbent on political leaders on all sides of the debate in Belfast, Westminster, Dublin and Brussels to take full account of the unique security conditions in Northern Ireland and ensure that the inevitable practical consequences of Brexit for Northern Ireland – in particular the implementation

of the Northern Ireland Protocol – are managed in such a way that they do not have a negative impact on the security situation.

On 22 March 2022, the Northern Ireland-related Terrorism (NIRT) threat level in Northern Ireland (NI) was lowered from SEVERE: an attack is highly likely, to SUBSTANTIAL: an attack is likely. This reduction, the first in 12 years, was a testament to the tremendous efforts of the Police Service of Northern Ireland, other security partners and wider society. Following a further review in March 2023, this threat level was again raised to ‘SEVERE: an attack is highly likely’. The Threat Level is constantly monitored and a range of factors influence this assessment including the intelligence picture at the time.

The Government’s overriding priority is preserving peace and stability in Northern Ireland, and securing the achievements of the Belfast (Good Friday) Agreement. The new Windsor Framework agreed last year fundamentally amended the old Northern Ireland Protocol.

Whilst a small number of people remain determined to cause harm to our communities through acts of politically motivated violence, the near unanimous reaction to the abhorrent targeting of DCI John Caldwell across Northern Ireland, demonstrates why there will be no return to the past. Nevertheless, in recognition of the unique security situation in Northern Ireland, the Government makes an additional contribution of £32 million of additional security funding to the Police Service of Northern Ireland to help counter terrorism and this level of funding has been confirmed up until 2025.

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