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INTELLIGENCE AND THE NGO'S OF THE MEDITERRANEAN

There is a heated debate in Italy about some NGO's which, according to the prosecutor of Catania, Carmelo Zuccaro, are allegedly in cahoots with the human traffickers who profit from the flow of immigrants from Libya to Europe. This debate is emblematic of how a possibly criminal situation can be exploited politically and of how limited the use of 'intelligence' really is.

The entire ordeal began with a foreign intelligence Service, the German BND, which eavesdropped on communications between vessels used by the NGOs and the traffickers who manage the trade of illegal migrants seeking to reach Italy by boat from Libya.

The BND passed the recording on to their Italian counterpart, the AISE, which is, in fact, also in charge of fighting international crime.

The BND knows about AISE's heavy presence on the Libyan territory and of the continuous exchanges of information between the two Services. They know that the issue of illegal immigration has become a social emergency in Italy and they are aware that, in order to solve the problem, there is an ongoing Italian-Libyan collaboration which includes the training of Libyan personnel on board 10 coast guard cutters which are supposed to patrol the coastline and prevent the exploitation of migrants.

How the Services operate

According to legislation, every information about a crime that reaches the ears of the Secret Services is first evaluated by one of its directors, who decides whether or not to pass the information on to the police. In fact, unlike the judicial police, which automatically informs magistrates of any crime, the directors of the Italian Secret Services can choose not to inform the police of the criminal activity that they uncovered during their information gathering.

Why so much freedom?

So why can the Secret Services choose? Simple. Because they operate in an occult manner and their investigative logic is radically different from that of the police. The Services can decide that informing the police could compromise an operation which has a

more important goal. Also, the Services operate abroad as well as nationally, where they wiretap communications. If they were to follow the same guidelines as the police there probably wouldn't be any need for the Services at all.

It is not by hazard that the members of the Services are qualified as public security, not as judicial police. In other words, they are not obliged to arrest a criminal, nor are they forced to inform the judicial authority of a crime, if they are not specifically told to do so by their director.

The BND's recording

In the case of the BND recording, the AISE director decided to tell the judicial authority about it. And since it is information that was received from a foreign Secret Service, the source must remain anonymous; It's custom procedure. The Services can relate what they know but they will not reveal how they came across the information. In the case of a wiretap, anonymity becomes even more paramount because it is a particularly secret activity.

At any rate, the information passed by the Service is always accompanied by an evaluation of its validity and soundness in order to support its possible user. The reliability, in this case, is given by the Italian Secret Service. The BND is a top-rated foreign Secret Service, and one which is notoriously fair in its relationships with other Services (unlike many other Services, even large ones, that collaborate with Italy). Clearly, this gives the information a high level of reliability.

When the information landed on the desk of the prosecutor of Catania he read it but could not utilize it. The reason: information coming from the Secret Services can't be used as evidence but only as investigative clues.

In this case, the fact that the BND was responsible for it is irrelevant. Had it been sent by the Italian intelligence or by any other Service it wouldn't have made a difference, albeit with a technical note attached: in Italy, only the judicial authority can authorize telephone bugging, so the Italian Service would never admit that they acquired any information in this way.

Now the prosecutor of Catania, Mr. Zuccaro, knows that the NGO's that operate along the Libyan coast and the migrant smugglers were in direct contact. He also knows the content of their conversation but cannot use the information to accuse any of the parties. At this point, Zuccaro doesn't know what to do. Or rather, he knows that if he lets the information slip and waits for investigations to validate it, it could be too late. Either way, it would be nearly impossible for the police to intercept communications at sea. Zuccaro knows that when the smugglers will feel the spotlight, they will take precautions. The smuggler's activity happens in international waters, with all the consequent problems as to whose jurisdiction it is to pursue the crime. On top of that, the various NGO vessels fly the flags of countries that aren't very prone to international collaboration.

In the light of the above considerations, the prosecutor of the city of Catania decides to publicly denounce what is happening and to state that the evidence he has cannot be used to judge the crimes committed.

After Zuccaro's statement was issued, the problem became political; a political feud between those that defend the NGO's and those that condemn them.

The problem also becomes a case of social conscience, because pointing one's finger (regardless of whether justly or unjustly) at the NGO's that assist migrants seems to strike a chord in all the people who believe blindly in their social commitment, despite the potential illegal implications.

The prosecutor's statement therefore sparks a debate between the Catania prosecution and the Siracusa prosecution, which evidently did not receive the information. But there are other prosecutions (Cagliari, Palermo, Trapani) which are investigating the same criminal hypothesis.

The statements also become the center of a disciplinary debate, because prosecutors should only speak of evidence that they gathered through investigations. In this case, since Zuccaro doesn't have any evidence, he should be indicted, say his detractors, not the NGO's.

The NGO's of the Mediterranean

So which NGOs operate in the southern Mediterranean sea? There is the Maltese MOAS (Migrant Offshore Aid Station), the German/Dutch Jugend Rettet, the Dutch Stichting Bootvluchting, Médecins Sans Frontières, Save the Children, the Spanish Proactiva Open Arms, the German Sea-Watch.org, the German Sea-Eye, the SOS Méditerranée and the Life Boat Foundation, also German. Fourteen ships that patrol the Libyan coastline, four of which belong to Médecins Sans Frontières.

The fact that there are many German non-government organizations assisting migrants in the Mediterranean sea justifies the interest of the BND to monitor the activity of their fellow nationals.

Last September, the European border agency, Frontex, had raised the issue of a possible "collusion" between the human smugglers and the ships captained by NGOs, which were swift to deploy their assistance where the smugglers directed them. Were they doing so to answer a humanitarian call? Or because the two parties are in 'business' together? The above doubts and suspicions were reiterated in another recent report by the agency.

The answer could be in the BND recording, but it cannot be used.

The other elements

There is further evidence that could help us evaluate the accusations. The first is the fact that the ships belonging to NGOs seem to turn off their transponder periodically. The transponder is a device that signals the exact geographical location of the ship at any time. If someone turns it off, it means they have something to hide. Perhaps they do so because their vessels move into the Libyan territorial waters and they don't want others to know. Even here suspicions do not turn into evidence.

But where do the NGO's get the money to pay for their maritime activity? Keeping ships in the water for such extended periods of time has a high operative cost and, apart from Save the Children and Médecin Sans Frontières, whose budgets are high and financing global, the remaining NGOs should not be able to afford such an expensive activity.

Who finances them or how do they raise their money? Can this 'profit' justify an illegal business in cahoots with smugglers who get rich off the miseries of so many poor migrants? The Italian NGOs are bound by very stringent regulations on how to raise their money. But here we have Spanish, German, Dutch and Maltese vessels. The prosecutor of Catania could be right once again: he would need letters rogatory with foreign states, translations and a lot of time to investigate the issue. In the meantime, the alleged illegal business would keep reaping profits. The BND could answer these questions as well. But there are other clues, like those gathered by an Italian blogger who used a maritime web service ("Marine Traffic") to examine the routes of the 14 NGO vessels. The routes in question raise the doubt that there might be some sort of coordination between the NGOs and the people that send out the migrant boats from Libya. After all, the NGOs are always there first. Statistically speaking, 90% of the sea rescues are carried out by them.

But when a legitimate suspect becomes a political row things get more complicated. Various parliamentary commissions hear the prosecutors, speak to the NGOs (who say they are offended by the accusations; some were no-shows), along with the heads of the Navy, Coast Guard and even the directors of the two national Secret Services, AISI and AISE, who stated that they never looked into the issue. This is a half truth, or a half lie, because the transmission of the German report to the prosecutor of Catania was not the object of a formal communication from the Italian Service, they just passed on someone else's report. In other words, since the directors of the two Secret Services are designated by the government, they prefer to stay out of the political mess between those who back the Catania prosecutor and those who condemn him. The director of the AISE, for one - which is the more relevant of the two on the subject - will leave his post next year and has no intention of retiring without at least another prestigious chair under his belt.

Zuccaro's statements have started a chain reaction that could lead to an investigative look into the operations of the NGOs (to fly over the scene when the transponders are turned off, to wiretap satellite communications and ship communications, the obligation to use ships that fly the NGO's national flag, the presence of police on board the vessels).

Among the things Zuccaro said to the Italian parliament Defense Commission was that has not asked the Secret Service to investigate because the results would be useless in a court of law.

In a State of Law every government agency, within its set bounds, has the dignity and the obligation to faithfully serve the State to which it belongs. Every information passed on by the Secret Services (regardless of whether it originated from an ally or whether it has a high level of reliability) should be valid evidence in a court of law or in any police investigation. If the source of such information is to remain secret – for obvious reasons – it should not be a determining factor in ascertaining its validity thereof.

If this is not the case – as with Italy – people get the impression that the Service is not reliable, that it does not perform its work loyally, that it relay fake information and that its actions are dictated by illegal interests.

This kind of approach, which is unlike that of other European countries, is the product of a deep-rooted prejudice that finds its root in the history of Italy's alleged coups, cover-ups and other forms of antidemocratic embezzlement enacted in the past by the Italian Secret Services. A dark past, often not corroborated by any evidence, which weights nonetheless on the present. In the light of this prejudice, the Italian Secret Services could be dismantled because they are useless. Not just because of the international NGOs and their presumed traffics. It is a matter of principle, especially in the light of the disestablishment of the many, unknown individuals who work, even in dangerous contexts, to keep our nation safe.

THE MIDDLE EAST AND ITS SANDY BORDERS

One of the outstanding issues for the future of the Middle East is whether the present-day configuration of States and micro-States will continue to exist once the ISIS is defeated. The advent of the caliphate has had the side-effect of re-igniting a series of social, ethnic and religious contradictions that had been forgotten for over a century, when the Ottoman Empire collapsed. After all, the current regional layout was negotiated by two individuals: a French diplomat, Marie Denis George Picot, and a British politician, Mark Sykes. The secret deal they signed on May 19, 1916, the so-called Sykes-Picot agreement, split the Middle East between French and British spheres of influence, regardless of what the locals thought. Following the Bolshevik revolution, Lenin was the first one to expose the deal after he found a copy in the Tzar's archives.

Each country pursued its own strategic interests. The UK was looking to create a territorial and maritime contiguity with India. While France aimed at preserving its historic links with Lebanon and the shores facing the Mediterranean. At no time were the tribes, religious groups or people taken into account. So it was that Paris took control of present-day Syria, Lebanon and part of northern Iraq. While London extended its influence over Jordan, Iraq, the zone around Haifa and the harbor of Alexandretta, that became a free port. The irony is that the Sykes-Picot agreement was never ratified by the respective Parliaments.

The end of World War I

At the end of the World War I, the colonial powers decided to implement what they had agreed upon. The Sanremo Conference (April 1920), the Sèvres Treaty (August 10, 1920) and the Lausanne one (1923) split up the remnants of the Ottoman Empire. What was left intact was Turkey, then led by Kemal Ataturk, and any hopes for the creation of an independent Kurdish entity were shattered.

The next step taken was to entrust the colonial powers with the mandate to rule over the region. And this is what the League of Nations did, giving France control over Lebanon and Syria, and the UK over Iraq, Palestine and Transjordan (present-day Jordan plus the West Bank). The international mandate basically replaced the generic sphere of influence and granted a legal status to the colonizers. The ultimate aim was to lead these countries to independence.

But the Balfour Declaration (November 1917) went in the opposite direction when it fueled the creation of a Jewish home for the Zionists, while, at the same time, supporting Hashemite king Hussein ibn Ali al Hashemi. This is how Israel was born and why the rest of the region was thorn to pieces.

The Middle East we know today was the result of successive agreements, wars and peace deals.

Lines traced on the sand

If we observe the region on a map, the mosaic portraying Arab countries is composed by a series of straight lines. Borders were drawn on paper and, in some cases, amended to allow a country to have access to the sea, like Jordan and its 15km stretch facing the Gulf of Aqaba or Iraq. Stateless nomadic families suddenly found themselves on the opposite side of a border they had never known before. The same thing happened for religious groups and holy sites. Almost none of these countries could actually trace a history of its people because it had none.

One of Sykes' proposals – which was not put into practice – was to put central Palestine, i.e. Galilee and Hebron where the holiest sites of Islam, Christianity and Judaism are concentrated, under international jurisdiction. Had we done so, the Palestinian issues could have been prevented.

As expected, at the end of the international mandates, colonial powers failed to lead the people they had been entrusted with to emancipation after centuries of Ottoman rule. No one taught them democracy, human rights or how to build consensus. The colonizers were just colonizers. And in countries like Syria, for instance, the international mandate was imposed by brute force.

It is on these basis that after World War II the Middle East continued along the same lines. A military coup in Syria in 1966 paved the way for the rise of Hafez Assad, a series of putsches in Iraq saw Saddam Hussein take over, the same happened in Egypt, while uprisings and wars in Palestine and against Israel re-drew the boundaries of the region, while Emirates in the Gulf consolidated their dynastic and authoritarian rule. The combination of these elements made the Middle East one of the most turbulent areas in the world.

Questions on the future

The Gulf Wars and the rise of the Islamic State acted as a detonator for a geopolitical context that had been artificially created through non-existent borders and social, ethnic and religious incompatibilities. The problem is now whether it will be possible to mend the ties that were broken by sectarianism.

There are a number of questions we should pose ourselves. After 6 years of civil war in Syria, will Alawites and Sunnis be capable of living together again? After WWI the French were thinking of splitting the country in two: Christian and Alawites on one end, Sunnis on the other.

Can the Kurds continue to live in someone else's country without a State of their own? In early March, Iraqi Kurdistan's president, Masoud Barzani, has stated his region has become incompatible with the rest of Iraq. After having fought against ISIS, will Syrian Kurds be part of a Federal Syria, or will they try to break away? And will the Kurds in

Turkey continue to fight a PKK-led insurgency, or will they seek some form of coexistence with the authorities in Ankara?

Sectarian violence in Iraq, before and after the rise of the Islamic State, has thorn Iraqi Sunnis and Shia apart. After so much blood has been spilled, will they be capable of forgiving? Will a Federal Iraq be enough or will the country dissolve? A number of minorities, who also happen to have their own militia, have begun to demand greater self-rule, such as the Turkmen, Assyrians, Christians and Yazidis.

As far as Lebanon is concerned, its institutional frailty was created on purpose by the French. Will the idea of splitting up power along religious lines (as stated by the first Constitution the country enacted in 1926, and then confirmed in 1943) ensure a united Lebanon despite the demographics have changed? The land of the Cedars has not held a census since 1932. And how will the Hezbollah behave once they return home after they have defeated the ISIS?

Furthermore, will the Palestinians ever obtain independence as stated by a number of UN Resolutions? And how big will their country be? These and more questions will shape the future of the region. What we can be sure about is that nothing will ever be the same again.

THE NEVER-ENDING WAR BETWEEN ISRAEL AND THE HEZBOLLAH

Both parties know it. It's only a matter of time. Sooner or later, war will break out again. Israel is strengthening its defensive lines along the border with Lebanon, while the Hezbollah continue to pile up weapons, intensify trainings and prepare for the next confrontation. Ever since Israel left Lebanon in 2000 after 22 years of occupation and following the disastrous invasion of 2006, there has been an ongoing direct or indirect military struggle with the Shia militant group. A direct clash has been postponed due to the Hezbollah's involvement in Syria alongside Bashar al Assad. The Israelis have only struck military convoys carrying sophisticated Iranian supplies of weapons from Syria to Lebanon, or when the Shia militias got too close to the Golan heights. One of the latest incidents was on April 26, after an Iranian cargo ship unloaded a shipment of missiles for the Lebanese group.

The presence of the Russians has somewhat limited the extent of Israeli air strikes. Despite there being a red line between the two parties, the potential for a casus belli that could heighten tensions with Moscow acts as a deterrent. The Israelis have no intention of being drawn into a conflict with Russia, despite the Iranians being closer to home. Everyone knows that for Bashar al Assad to survive, he needs a direct link between Iran-Syria-Lebanon, with the Hezbollah acting as a buffer. At the same time, the Party of God needs the Iranians to survive, receive funding and supplies. On top of that, Hassan Nasrallah is in good terms with Syrian President Bashar al Assad.

However, the Hezbollah's participation in Syria has had serious consequences on the group's popularity, both in Lebanon and in the Middle East. By being drawn into a sectarian conflict alongside a government that has often meddled in Lebanese internal affairs, the Party of God has lost the luster it had gained after its conflict against Israel. Although they have preserved the support of around 1.6 million Lebanese Shias, the Sunni autocracies in the region, represented by both the Arab League and the Gulf Cooperation Council, have labeled the group as a "terrorist organization". Furthermore, the military venture in Syria has had a price in terms of victims (over 1.400), wounded (around 5.000), and increasing difficulties in recruiting new militiamen and in sustaining the financial burden of supporting the families of the "martyrs".

Currently, the Hezbollah can count on around 45 thousand fighters, 25 thousand of which are in active service, in possession of an arsenal of over 120 thousand rockets. They are not a militia anymore, but an army that branches out into a mechanized brigade, a light infantry brigade and various commando units, including the Radwan Unit (named after the late Imad Mughniyeh's nom de guerre; he was killed by the Israelis in Damascus in 2008). The Hezbollah have also developed SIGINT (Signal Intelligence); cyber and electronic warfare; they now use sophisticated night vision tools; drones (around 200 of them, employed in Syria both for observation and attacks); anti-tank and anti-aircraft missile; on top of that they have built a network of bunkers and tunnels in Southern Lebanon. The Party of God has trained an army that is specialized in guerrilla warfare and that is well equipped and disciplined. They have done so thanks to Iranian funding and supplies. What

is far worse (for Israel), is that the Syrian civil war has given the over 7 thousand Hezbollah on the ground the military experience alongside the Iranian and Russian regular armies that could prove useful in the future. Similarly, in Yemen with the military advisors that are supporting the Houthi rebellion.

In other words, the Hezbollah have learnt how to operate a traditional army, a unit part of a larger deployment of forces. They have refined their cooperation techniques on the battlefield thanks to their participation in the inter-forces command in Damascus where Russians and Iranians sit and coordinate, among others, air strikes. The Hezbollah have also piled up knowledge on logistics of complex units and mastered military action on new morphological environments other than the Lebanese scenario. So better planning and execution of military operations. They have also perfected their command and control system and the logistical support during combat. Furthermore, they have learnt how to use new weapons, have seen them in action and know how to handle them. They have also grasped how to use intelligence to identify targets and which weapons should be used depending on your operational needs. The Hezbollah have now been part of conventional warfare and, in the future, will know how to handle a traditional army during battle, but also identify its weak and strong points. They have also improved their anti-aircraft and anti-tank defense in Lebanon.

By having a continuous turnover of its cadres on the ground, all this knowledge has become widespread. And we're talking about both full-time militants and reservists (the so-called "taabiah"). Most of them come from the Shia youth movements, while other units, such as the "Saraya al Muqawama al Lubnanyah" (The Lebanese Resistance Brigades), include non-Shia members. They were initially created in 1997 to face Israel; dissolved in 2000 when the Israelis left southern Lebanon, they have now been reinstated. The turnover system for the reservists includes a two-weeks mandatory tour in a conflict zone. Known as "murabata", it used to be carried out along the border with Israel. Now instead it takes place in Syria. Every new recruit that is taken to the frontline undergoes 2-3 months of training. In the past, trainees were sent to Iran to learn the art of war. That is not necessary anymore. And with every battle, the Hezbollah become more experienced and stronger.

The recent clashes between Hamas and Israel in Gaza were useful to test the new Israeli anti-rocket system, the Iron Dome. The Hezbollah have understood that they will need to saturate the enemy's defense system with a continuous launch of rockets and mortars. This is why missiles are so important to them and why the Iranians have apparently established a rocket factory in Lebanon. Tehran is supplying their Lebanese counterpart with the most sophisticated and precise models. And this is one of the reasons why, on February 16, 2017, the Hezbollah's Secretary General, Hassan Nasrallah, listed among the Israeli targets: the Dimona nuclear power plant, weapons and ammonium factories. Tel Aviv's anti-rocket system should intercept an estimated 80% of the rockets, missiles, drones or airplanes launched on its territory.

The latest round of the conflict between the Hezbollah and Israel was fought in 2006 and was considered a “defeat” for Tel Aviv. The then Israeli minister for Defense, Amir Peretz, had to resign because his country had failed to prevail in a 5-weeks-long conflict. The Hezbollah had not won, but had not been defeated. A decade later, the Lebanese militia is not just a terrorist or paramilitary group, but has become an army. They are not the Lebanese army, but an army within Lebanon under the guidance of a political party, not the government in Beirut. They are also an army that is fighting in Syria alongside other armies. The Hezbollah know they are the only force the Israelis fear, and this gives them some form of psychological advantage. They are also an army part of a wider strategic game between Iran and Israel.

The point is that there is no way to prevent the third Lebanese war because all parties involved have to obtain a military target, not a political one. Israel needs to re-assert its regional supremacy. The Hezbollah have to stress that they are a force to be dealt with because they are supported by Iran. And the only way to attain these goals is through war. The Russian deployment is preventing an immediate escalation. But a spark, or a reaction to some form of provocation, would be enough to ignite the fire. It is only a matter of time.