



CODE OF ETHICS

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CODE OF ETHICS

1. This document outlines the code of ethics and interpretive guidelines under which registrants and staff of the Institute for European Intelligence and Security are bound.

Aim

2. This document aims to provide the following types of information:

- a. Defining the code and its scope.
- b. Explanatory and interpretative commentary.
- c. Guidance on violations of the code.
- d. Any other pertinent information not presented elsewhere.

Glossary

3. The list that follows is an exhaustive list of abbreviations used throughout this document:

IEIS	Institute for European Intelligence & Security
EU	European Union
CIS	Counterintelligence and Security

Preamble

4. This code applies to intelligence organisations and other entities authorised and/or accredited by the Institute for European Intelligence & Security (IEIS) (hereafter, 'IEIS' or the 'Institute') with the primary objectives of covertly collecting, analysing and disseminating sensitive information in the public interest. and who are empowered to use special investigative techniques for these purposes.

5. The code applies to all entities formerly accredited by the Institute regardless of their current standing in both their official and unofficial activities.

6. These prescriptions regulate the conduct of the covert intelligence profession and reflect the values and behavioural standards required of these professionals in a modern, democratic society. The code is universally applicable across European boundaries enhancing the mobility, cooperation and effectiveness of compliant professionals.

7. To hold legitimacy, intelligence organisations, functions and practitioners require at least the passive consent of the public. Therefore, to warrant the public trust and justify the power that covert techniques afford, intelligence must be conducted ethically in defence of the fundamental right to liberty, security and freedom.

8. The code not only helps resolve ethical conflicts common to intelligence, drives operational excellence, supports leadership, improves accountability and limits liability but also communicates the standards of conduct to which all registered professionals are proud to exhibit, improving the standing of the profession.

9. It is essential to communicate balancing responsibilities such as respecting and protecting individual rights and freedoms, upholding the rule of law and international security in the code.

Background

10. From its inception, the Institute has prioritised ethics and professional standards. Case law, statute, research, administrative procedures, governing principles and values all played a key role in the development of the code.

11. In 2015 as a result of a research project a normative, pan-European framework for intelligence ethics was developed under the authority of the Institute. The code was made a requirement for registrants and staff in 2017.

12. Intelligence often presents ethical dilemmas due to the exceptional circumstances surrounding the work. Therefore, in the interests of effectiveness and efficiency. Ethical choices and risks must be planned in advance. Regular consequences such as those of failure, discovery and collateral intrusion should be known and measured against the consequences of success.

Code

13. Considering the growing responsibility of all intelligence officers towards their fellow men; without fear or favour, malice or ill-will, passion or prejudice, all true practitioners of the art swear to uphold this indenture:

14. **No Harm.** In the protection of life and liberty, the defence of peace and security, abstinence from all intentional wrong-doing, harm or suggestion of such a course is a requirement. All individual rights and freedoms must be respected and individuals must not be discriminated against based upon any protected or non-relevant characteristic.

15. **Security.** True to European identity and values, the security of Europe is to be safeguarded in the service of peace and for the good of mankind. Justice, the rule of law and human dignity must be protected. There is a duty of care to those in need of protection or whose rights have been derogated in the course of operations.

16. **Stewardship.** The public must be served and respected, their trust maintained and all actions made in their interest.

17. **Truth.** Speaking truth to power and practicing with complete intellectual honesty and in good conscience. Intelligence is a truth-finding profession, communications with consumers must always be true and fair. Information or findings must never be misrepresented or deceitful.

18. **Secrecy.** Confidences obtained in the course of professional duties must be held in trust. Sources and methods must be protected, security measures observed and unauthorised releases are strictly prohibited.

19. **Transparency.** Only that information that needs to be kept in confidence should be, and only for as long as is necessary. Secrecy is never permanent. So, when operations inevitably enter the public domain, they should have been conducted in such a way that the public would be proud. Secrecy should never be honoured when there is an overriding public interest to disclose for the greater benefit of society.

20. **Courage.** Standing independent of the organisation and never allowing ethical decisions to be coloured by organisational or personal interests a professional takes responsibility for their own actions and never seeks to discharge responsibility to a third party. In the sincere belief in the moral purpose of the intelligence mission, the professional places their service above themselves, exhibiting selfless pragmatism, absolute justice, courage and conscience.

21. **Accountability.** Responsible and accountable to both the profession and the public, oversight and governance should be independent and multi-faceted; taking the form of executive control, parliamentary oversight, judicial review and an expert body such as the Institute Inspectorate or equivalent.

22. **Knowledge.** Respecting the power of knowledge gained by those who have gone before, continuously innovating and improving the craft and fulfilling the obligation to share our knowledge lest it be lost to the world. All partners in the art have a duty to train and instruct each other without fee or indenture. Research into the field of intelligence should be promoted and encouraged but

the limits of skill should be understood. Continuously learn, never fear seeking assistance and always deferring judgement to superior knowledge.

23. **Integrity.** Upholding the highest standards and traditions of the profession with character and integrity. Acting lawfully and legitimately; never denigrating the profession, acting from malice, ignoring wrongdoing or abusing official status, resources or influence.

24. **Fraternity.** Remaining part of an elite association with special obligations towards society at large. Dedicated exclusively to the art and acting to preserve the finest traditions of the profession to strengthen cohesion, esprit de corps, commitment, solidarity and dynamism.

25. **Humanity.** Intelligence is both a technical science and a human art. Applying understanding and sympathy can provide more insight than any technical surveillance. Conduct must be fair and responsive to public needs with a paramount presumption of innocence. If necessary protection, support, assistance and information must be afforded without discrimination. In the understanding that intelligence is a human discipline that may impact substantially on an individual's life, an adversary must always be respected, regardless of their ideology.

26. **Discipline.** To obey proper orders and propagate discipline fairly and responsibly. The context and consequences of decisions should be considered and no more risk should be assumed than is absolutely necessary in defence of the public.

27. **Conflict of Interest.** Aware of others who would seek to abuse professional influence, status or standing; all conflicting agreements, activities or affiliations must be formally declared if unavoidable. Ownership of professional resources and capabilities should never be transferred without permission and bribes, gifts, or favours pertaining to professional duties should never be solicited or accepted.

28. **Professionalisation.** Promoting the cause of intelligence professionalisation, continuously striving to increase the recognition and respect of the profession. Honouring those who will take up the art in the future, demonstrating loyalty to the profession, promoting diversity and inclusion, maintaining competence and consumer-orientation. Following best practices and professional standards such as the principles of justification, authorisation, proportionality, audit and necessity.

Sanctions

29. Sanctions are decreed by the Inspectorate but imposed by the Institute.

30. Sanctions imposed on entities responding to allegations of malpractice and co-operating with sanction can include:

- a. Permanently striking an individual or organisation from the register,
- b. Temporarily striking an individual or organisation from the register,
- c. Cancelling a current certificate or suspending eligibility to sit examinations,
- d. Payment of costs and expenses of proceedings,
- e. Financial penalty not exceeding €50,000, and/or
- f. Reprimand.

31. Sanctions imposed on entities failing to respond to allegations of malpractice or co-operate with sanction, or for those charged with severe violations of the code can include:

- a. Disciplinary action,
- b. Legal action or criminal charges,
- c. Full disclosure, and/or
- d. Covert action.