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When Is American Intelligence not American Intelligence? 5 Eyes, Uncertainty and ‘the Pause’

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Professor Philip H J Davies

Director, Brunel Centre for Intelligence and Security Studies (BCISS)

Pause for Thought

On Thursday 6 March 2025 George Allison reported on his [UK Defence Journal](#) website that an RAF RC 135 ‘Rivet Joint’ electronic intelligence aircraft had just completed a flight over the Baltic Sea and around the Russian exclave of Kaliningrad. The headline [‘British Aircraft Continues to Gather Intel on Russia’](#) suggested a measure of reassurance and even relief. This is because only the day before the administration of Donald Trump had announced a [‘pause’ in intelligence sharing with Ukraine](#). This was, of course, yet another [punitive](#) measure against Kyiv following only days after freezing – or ‘pausing’ – military support to Ukraine in its struggle against Russia’s invasion. Commentators have noted that the exact extent and terms of the ‘pause’ remain [somewhat unclear](#). We do know that it has entailed excluding Kyiv from [commercial satellite imagery](#) from the National Geospatial-Intelligence Agency (NGA), and recent strikes into the Ukrainian interior and battlefield

developments suggest that wider ‘intelligence, surveillance and reconnaissance’ ([ISR](#)) [support has also been hit](#). In the wake of the ceasefire negotiations in Saudi Arabia [the ‘pause’ may have been lifted](#), but no one is under any illusions that it could not be reinstated at a moment’s mercurial notice by the Trump White House.

Why, therefore, are continued UK electronic intelligence flights targeting Russia significant in light of the ‘pause’? The importance of the RAF Rivet Joint’s mission is that RC 135s are not what are referred to as a ‘sovereign’ intelligence capability. They are not a wholly UK-originated, owned and controlled system. Rivet Joint is a US-originated aircraft that the UK adopted after the [2010 Strategic Defence Review](#) prompted scrapping of the indigenous but aging [Nimrod](#). Signals intelligence aircraft are sophisticated and expensive strategic intelligence collection platforms and even the largest militaries operate them in comparatively small numbers compared, for example, with combat or logistics aircraft. The UK flies 3 Rivet Joints alongside [17 USAF RC 135s](#) as part of a [‘global fleet’](#) of RC 135s operated jointly by the USA and UK. Indeed, [according to the RAF](#), ‘For the purposes of sensor and system upgrades, the [British] trio *are considered an extension of the USAF Rivet Joint fleet*, ensuring they remain at the cutting edge of capability’ (emphasis added). The UK’s three RC 135s are not only American platforms but also employ American sensors and ‘back end’ information systems for the processing and communication of the intelligence that they collect.

Britain’s Rivet Joints encapsulate the opportunities and hazards of the UK’s intelligence ‘special relationship’ with the United States in starkly defined microcosm. Our two respective clandestine services, the Secret Intelligence Service (SIS, aka MI6) and Central Intelligence Agency (CIA), through its Directorate of Operations, have tended to work largely independently but have a long tradition of running joint operations on a

case-by-case basis. By contrast, however, our technical intelligence collection efforts such as signals intelligence (SIGINT) and imagery and geospatial intelligence (IMINT and GEOINT) are closely interwoven through close operational cooperation, cross-posting personnel and sharing common systems, technologies, sensors and platforms. The so-called '5 Eyes' (FVEY) intelligence alliance famously began with a system of bilateral SIGINT cooperation agreements between the UK, USA, Canada, Australia, New Zealand collectively referred to as 'UKUSA' that took shape between 1948 and 1954. Between the UK and USA cooperation was concurrently extended to military and defence intelligence activities, including IMINT, through a Memorandum of Understanding on defence cooperation referred to as the [Burns-Templer Agreement](#). Like the original Anglo-American SIGINT relationship, this has been something of a template for broader defence and intelligence cooperation across the alliance since.

This 'special relationship' has never really been one of equals. None of the Commonwealth FVEY members is able to match the USA for large-scale, cost-intensive 'capital asset' systems like billion-dollar reconnaissance satellites. And the smaller four have often been dependent on the US providing access to, or gifting the installation of, systems and capabilities, offering what unique intelligence selling points such as geography as their very limited quid pro quo. As a consequence, the FVEY alliance has tended very much to operate on America's terms.

Whose Intelligence?

One of the key enablers of any intelligence sharing arrangement is the principle of 'originator control'. [1] According to the UK Ministry of Defence 'Those originating or authorizing the production of protectively marked [classified] documents, or authorizing subsequent reproduction

or printing, are responsible for ensuring the maintenance of proper security during those processes.’^[2] The originator sets the terms on which the material is handled, that is, its level of classification, any restrictions or caveats; its storage and distribution and even destruction.^[3] The Joint Intelligence Committee may issue an assessment and mark it with one or another caveat that indicates it may be shared amongst some or all of the UK’s intelligence allies, or mark it ‘UK Eyes Only’ (UKEO) so that it is shared with none. Anyone receiving the report will have to respect that caveat and not share or even reference the report outside authorised UK government recipients.

But where you have highly integrated intelligence systems, this raises the question: *at what point does a ban on intelligence sharing with Ukraine extend from information to the systems that generate and carry that information?* At the moment, the Trump administration’s ban on sharing intelligence with Ukraine appears to be a ban on sharing intelligence products. It is almost certain that Trump’s ban on sharing with Ukraine extended to prohibiting allies like the UK from [sharing US originated intelligence with Ukraine on their own recognisance](#). In fact, this is entirely reasonable and to be expected in originator control terms. However, is intelligence collected by an RAF Rivet Joint operating under RAF authority from RAF Waddington in the United Kingdom on the basis UK tasking and requirements – but employing US-developed sensors and US developed and hosted systems closely integrated with the rest of the US-operated joint ‘global fleet’ – US or UK originated? Is it a sovereign ISR mission or is it a British crewed American system?

If the system is treated as US intelligence by extension then the Trump ban applies to everything the British do with joint systems and capabilities. On the other hand, if a British RC 135 flight is treated as a UK operation then the RAF is in a position to acquire much the same

information that USAF operating their RC 135s might also acquire – and then share that information with Kyiv. And that would, at least in one area, defeat or at least bypass and undermine the aim of stopping the flow of US intelligence to Ukraine.

The latter possibility in turn raises two potential scenarios about which the UK and our fellow Commonwealth 5 Eyes Partners need to think deeply about and be considering contingency plans to cope with. These are:

1. The current US administration may opt to limit partner – i.e. *our* – access to US-hosted shared systems and capabilities in order to prevent our use of them to by-pass a Washington intelligence ‘pause’ regardless of our respect for originator control; and
- Washington may use restriction on or exclusion of the UK and other 5 Eyes allies from US-controlled shared systems and capabilities *in order to pressure us to also cease to share our own sovereign intelligence with Ukraine.*

And, of course, one Trump adviser, Peter Navarro, has already reportedly mused about excluding Canada from Five Eyes as a means of political pressure. To be sure, he did [deny this afterwards](#), but consequent sense of menace did not diminish. Preparing contingency plans for future US disruptions and restrictions on the 5 Eyes system happening sooner rather than later needs to be a priority concern for the other four pairs of eyes.

Meanwhile, on 15 March [UK Defence Journal](#) reported that an RAF Rivet Joint ‘has once again been deployed on a critical reconnaissance mission over the Black Sea’. For now, at least, the implied subtext appears to be [‘so far, so good...’](#).

[1] Originator control as a *principle*, as discussed ere, is different from the US intelligence community convention of an originator control or ORCON caveat. In the US, applying an ORCON caveat means that 'The use of ORCON enables the originator to maintain knowledge, supervision, and control of the distribution of ORCON information beyond its original dissemination. Further dissemination of ORCON information requires advance permission from the originator' Office of the Director of National Intelligence [*Intelligence Community Policy Guidance 710.1: Application of Dissemination Controls: Originator Control*](#) (2012) p.2. I am indebted to [Dr Kevin Riehle](#) for advice on this matter.

[2] Ministry of Defence [*JSP 440 D Def Sy6/3 Defence Manual of Security*](#) (2001) p.4-9

[3] Ministry of Defence [*JSP 440 D Def Sy6/3 Defence Manual of Security*](#) (2001) pp.4-7 and *passim*.