

Cornerstones of the EU's counter-terrorism strategy

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Effective counter-terrorism is one of the main priorities of the European Union's recently adopted internal security strategy based on the Stockholm Programme. The EU Counter-terrorism Action Plan is the main point of reference as it defines the guidelines, operational, structural and legislative cornerstones for the member states. These constitute the base on which member states can build counter-terrorism models fit to their national parameters.

The four strands of the EU's counter-terrorism strategy are PREVENT, PROTECT, PURSUE and RESPOND. Among these pillars prevention requires substantially more attention and resources than before. A statement of Gilles de Kerchove, the EU's counter-terrorism coordinator can be considered a benchmark in elaborating CT strategy: the decrease of the number of terrorist attacks is not a result of decrease in threats, but is a sign of efficient preventive measures.

We are all aware that prevention in the social context is a political, educational and cultural task: long-lasting results can only be achieved by softening and peacefully resolving the ethnical, religious, territorial and ideological conflicts that usually provide fundaments for radicalisation leading to terrorism. However, for the time being this is only a dream and probably remains one for a considerable while.

An important cornerstone of prevention from the cultural perspective is the common consideration of terrorism—whether extreme right, extreme left, separatist or of Islamist nature—in social dialogues as an ordinary criminal act rather than something heroic and romantic, so, in other words de-glamorising terrorists.

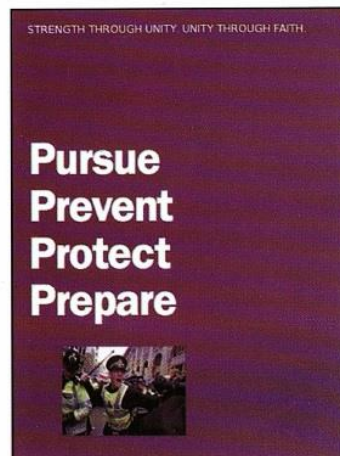
The strive for a common legal background also accelerates prevention. The harmonisation of member states' penal code could prevent a situation in which terrorists could easily exploit legal loopholes such as a consideration of an act in a member state as a criminal act while not penalizing it in another country (for instance attending terrorist training

camp). "The days in which we could isolate terrorism as a reasonably minor social phenomenon that could be left to the security services and police force to address, have long since gone"— as a Dutch counter-terrorism analyst pointed out.

Indeed, terrorism differentiates itself from any other criminal act in terms of ideological or political motivation; furthermore it necessarily expands beyond national borders and continents. As a consequence, counter-terrorism cannot be too limited with regards to collection of information and the scope and depth of analysis.

All this said, the removal of duplicated organizational responsibilities is key for effective counter-terrorism from operational perspective. Posterior analysis of the most tragic terrorist acts of the last decades have concluded that most crimes could have been thwarted in case collection of information and data analysis by intelligence services and police forces would have been channelized in a centre rather than conducting it in a decentralised and duplicated way as it actually happened. As a matter of fact, it is high time for establishing a fusion mechanism and duly corresponding fusion centres not just on EU-level, but also in case of national counter-terrorism.

The core task of common European counter-terrorism shall be to define the information-management strategy on the one hand, and the relation of national security and intelligence services to the European Union and vice versa on the other hand. This would serve as a framework of



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Cornerstones of the EU's counter-terrorism ...

Contd...from page 2

integrated and efficient cooperation and coordination structures with a necessary respect to the principle of subsidiarity. It was a priority prior to the entry into force of the Treaty of Lisbon which led to the establishment of the Counter-Terrorism Group (CTG) in 2002 by the member states plus Norway and Switzerland. On the same record Solana created the Situation Centre (SitCen) in 2005 which operates in the framework of the Council with the mission of collecting information originating from civil, military and police (Europol) as well as open sources. Efficient counter-terrorism is about the ever more effective coordination among different stakeholders of counter-terrorism.

Evolution of terrorist methods must be followed by proportional evolution of counter-terrorism strategies in terms of both willingness and capabilities. Continuous mapping is a must, because forms and structures of terrorism keep changing. Among others we could name the recruitment and training of lone-wolves via the internet from youngsters without a prior terrorism-related, let alone criminal record, the so called clean skins.. Another example of exponential threat is that fact that it has become a priority for terrorists to develop CBRN (chemical, biological, radiological and nuclear) capabilities. One of the most recent examples for that is a Somalian-born American citizen who had worked in several different nuclear facilities for the last six years in the USA and who was detained in Yemen. He is suspected to be a member of an Al Qaeda branch. Terrorists' strive for getting CBRN-capacities would most probably lead to a real gain of capabilities through channels of international organized crime networks.

In order to strengthen common efficiency, the EU urges member states to establish autonomous and independent fusion centres. The mission of such fusion centres is to get over the practice of "stockpiling" and instead of the principle of "need to know" focus on

the "need to share". Respectively, withholding information relevant to counter-terrorism by secret services is considered a criminal offense in some member states by now. (This practice comes with more problems which require special procedural rules to be set.)

Member states should establish a network of senior national officials with political insights into both national and European processes and who could act as coordinators between national and European counter-terrorism stakeholders.

All member state shall find its own means to implement common objectives since member states differ in structure and resources of intelligence and security organizations, legal background and the level and nature of terrorist-threats. Thus it would be an advantage for member states to mutually examine the models and strength of the other and could possibly learn from each other by integrating experiences bearing in mind the main objective of uniting of forces in building joint strategies such as data management or making and testing emergency plans (especially, for example, with respect to the growing vulnerability of land transport). Critical infrastructures and cyberspace are strategic areas in terms of prevention. Additional challenges include the fight against cyber-attacks, terrorism-related propaganda and recruitment on the internet.

The preventive strategy needs to take into account failing and failed states which are safe havens for terrorists (such as Somalia or Yemen). The Pakistani situation is a complex and critical issue for the whole globe and thus its consolidation should be a common diplomatic task. At the same time, however there is a clear need for an ever more flexible cooperation between counter-terrorism and corps operating under the framework of the Common Security and Defence Policy so that the focus could shift from reaction more and

more to prevention in conflict zones. Also, the new European External Action Service should contribute to the fight against terrorism.

Europe's main non-European ally on counter-terrorism is the USA. It is therefore highly desirable to reach a common position and accelerate mutual cooperation between the EU and the USA on the Terrorist Financing Tracking Programme (TFTP) and the Passenger Name Records (PNR) agreements.

These can prove to be highly effective means of preventing attacks, although they could raise fears and doubts in European citizens concerning possible violations of innocent people's privacy and fundamental rights. These questions which worry a lot of people should be answered by abiding by the rules set for targeted exchange and use of data, legal redress, restriction of bulk data transfer and the elaboration of a real framework of reciprocity between the USA and the EU.

Security and human dignity should stand as compatible values thus reconciliation of any inherent conflict between the two depends on a strategic vision. In the pursuit of counter-terrorism policies we must avoid baseless stigmatization of ethnical or religious groups, and we should not slide into presumption of collective sins as these led to terrible crimes in history.

As a matter of fact there is a high chance that moderate members of the affected communities also condemning terrorism are most probably able to help us understand the inherent correlations, special system of signs or language which could easily be misunderstood by Europeans, including analysts.

Optimal and sensitive balance between freedom and security must be struck which could guarantee efforts would never become counter-productive. This is no easy task. That is the challenge and at the same time a strategic objective, to which the European Parliament can contribute as a serious and responsible stakeholder.