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Update



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INTRODUCTION

Since the May 2017 release of GIRI's last report, Towards a Transatlantic Counter-Terrorism Centre of Excellence, the European Union (EU) and the United States (US) have witnessed a further 15 Islamic State in Iraq and the Levant (ISIL) related terrorist attacks. Although we are fully aware of the growing threat from far-right terrorism, and the persistent threat from other terrorist groups in some nations, complimenting our last reports, the main focus of this report is on jihadist terrorism as this has continued to cause the greatest number of casualties in the transatlantic space. While ISIL continues to evolve and mutate, these latest attacks have killed 58 and wounded at least 758 civilians. As a result, between May 2014 and May 2018 at least 54 serious ISIL-related attacks have occurred inside the EU and US, killing 423 and wounding almost 2,000 citizens, over 350 of whom were critically injured. In the last year, major attacks have occurred in Manchester, London, Barcelona and New York, while smaller attacks have targeted Berlin, Paris, Warsaw, Brussels, Milan, Linz and Minnesota. As with previous years, these attacks have ranged from the large scale sophisticated (Barcelona) and the crude (both London), to the small scale (Linz, Brussels) with an increase in marauding attack methods during this period. Europol data released in June 2017 revealed that 718 jihadist terror suspects were arrested in the EU during the preceding 12 months, up from 687 in 2015 and 395 in 2014. The summer of 2017 also marked the highpoint of jihadist attacks in Europe in terms of casualties, but it is interesting to note that there has not been a major attack reported in the EU or US so far in 2018.

Nevertheless, it is dangerous to believe that the jihadist terrorist threat in general, and that of ISIL in particular, has fully diminished. It is more likely that the group is regrouping, and will emerge as something else, somewhere else. For example, ISIL-related terrorist-attacks have increased in Afghanistan as the group exploits insecurity and

local grievances. As Jones and Smith accurately surmise: 'the story of al-Qaeda, now ISIL, is essentially how a transnational movement aligns with local militant groups with country-specific grievances to increase their global reach and influence. Jemaah Islamiyah – and now ISIL – provide a case study of how regional groupings come to share an ideology and a strategy whilst at the same time sustaining their own distinctive character, structure and practice.'¹

Meanwhile, as this report highlights, numerous positive developments in the counter-terrorism (CT) field have been made at both the international and national levels. These underscore that both the EU and numerous national governments are gradually revising and/or introducing new legislation to address the evolving threat. In general, the legislative approach can be divided into three main elements: the introduction of new physical and digital surveillance laws and limitations on the freedom of movement of terrorist suspects; tougher sentences for convicted terrorists; and better funding of CT intelligence and police agencies alongside the recognition that better institutional cooperation at both the national and international level is desirable. These legislative reforms have been complemented by progress integrating EU data platforms and increased technical measures to deter terrorists from attacking public spaces, detect them in cyber space and through financial transactions. Nevertheless, reflective of different threat levels and national cultures, there remain major differences in the approaches adopted between individual EU member states, the wider international community and the emphasis they place on each of the above elements in countering jihadist terrorism. The same is true of the wider international community. Similarly, a lack of capacity, capability, trust and information exchange between intelligence and police agencies at the national level in some countries – and at international level in many countries – remains.

¹ D. Jones and M.L.R. Smith, 'How did Islamic State establish a franchise in Southeast Asia?', The Daily Telegraph, 21 January 2016, <https://www.telegraph.co.uk/news/worldnews/islamic-state/12114073/How-did-Islamic-State-establish-a-franchise-in-southeast-Asia.html> (accessed 8.5.2018).

It is towards these issues of capability, trust and information exchange that GIRI's work over the past year has been primarily focused. Building on our last report and in consultation with a wide range of senior CT policy makers and practitioners on both sides of the Atlantic, GIRI has been exploring practical measures for improving inter-institutional and transnational trust amongst a diverse array of intelligence and police agencies in the transatlantic space. Our approach remains guided by conversations with practitioners about the challenges they face in addressing the evolving jihadist threat in terms of capability and information exchange and finding bottom-up organisational solutions to help address them. Capacity is also an issue, hence the need for our holistic approach incorporating the public, private, academic and third sectors - the latter being the foundation for bottom-up solutions. In addition, the points raised later in this report on the reduction of CT resources in some countries re-enforces the need to develop the relationships that will increase capacity. However, trust is central to this issue. In particular, a number of positive meetings have reinforced both the need and appetite for a secure space for current mid-level CT professionals to meet, exchange best practices and build close relations which would in turn facilitate long term institutional trust at the national and international levels. Numerous nations have expressed a desire to support and participate in this emerging Counter-Terrorism Centre of Excellence, which is discussed in further detail in the summary. ●

COUNTER-TERRORISM DEVELOPMENTS IN THE EUROPEAN UNION

As we highlighted in our first report, Reforming Transatlantic Counter-Terrorism, the 2015 Paris and 2016 Brussels attacks revealed major seams in the EU's, and some Member States', CT law enforcement and intelligence capabilities and capacities. As a result of these attacks, changes to the EU's CT legislation occurred in March 2017, when the European Council voted to update and extend the counter-terrorism legislative tools available to it to address the rapidly evolving jihadist threat in general, and the foreign fighter problem in particular. These new rules, in the form of a Directive, strengthened and widened the scope of the existing legislation (Framework Decision 2002/475/JHA in particular). This directive criminalises:

- ▶ Travelling within, outside or to the EU for terrorist purposes, e.g. to join the activities of a terrorist group or with the purpose of committing a terrorist attack.
- ▶ The organisation and facilitation of such travel, including through logistical and material support, such as the purchase of tickets or planning itineraries;
- ▶ Training and being trained for terrorist purposes, e.g. in the making or use of explosives, firearms, noxious or hazardous substances mirroring the existing provision of knowingly providing such training;
- ▶ Providing or collecting funds with the intention or the knowledge that they are to be used to commit terrorist offences and offences related to terrorist groups or terrorist activities.²

The Directive also included legislation to help strengthen and coordinate emergency response mechanisms immediately after an attack and bolstered existing legislation on terrorist victim's rights. Member states have 18 months to integrate these into national law, but the non-Schengen UK (which already has a similar law) and Ireland, and Denmark, can opt out of the directive.

The same day as the March directive, the Council adopted a regulation amending the Schengen borders code to reinforce checks against relevant databases at external borders. The amendment obliges Member States to carry out systematic checks against relevant databases on all persons when they cross external borders.³

In April 2017, the Council adopted another directive on controlling the acquisition and possession of weapons. This directive includes measures to enhance traceability of firearms and to prevent the reactivation or conversion of firearms. It also introduced stricter rules for the acquisition and possession of the most dangerous firearms across the EU.

There has also been progress in improving the collection of crime and border crossing data and increasing the interoperability of EU data platforms. Following calls for the improved interoperability of EU crime and terrorism data platforms in the wake of the Paris attacks, in June 2017 the Council adopted the conclusions of a high-level expert group that examined how to better integrate these systems. These include revisions to the Schengen Information System (SIS) to 'introduce important technical and

² EU Council, 'EU strengthens rules to prevent new forms of terrorism', 7 March 2017, <http://www.consilium.europa.eu/en/press/press-releases/2017/03/07/rules-to-prevent-new-forms-of-terrorism/> (accessed 30.4.2018).

³ EU Council, 'Response to foreign terrorist fighters and recent terrorist attacks in Europe' <http://www.consilium.europa.eu/en/policies/fight-against-terrorism/foreign-fighters/> (accessed 30.4.2018).

operational improvements to the system, creating new alert categories and ensuring more efficient information exchange between Member States and with EU Agencies such as Europol, Eurojust and the European Border and Coast Guard Agency.’ In terms of the Visa Information System (VIS), ‘a revision is planned for 2018 to improve its functionalities and to ensure its interoperability with the other EU large scale information systems.’⁴ Improvements are also scheduled for the EU asylum fingerprint database (EURODAC) so that it will cover irregular crossings and the identification of illegal non-EU migrants, and for the extension of the European Criminal Records Information System (ECRIS) to include Third Countries (e.g. non-EU). A new Entry/Exit System (EES) database for non-EU nationals is scheduled to become operational in 2020, as is the European Travel Information and Authorisation System (ETIAS) which will ‘gather information on all travellers who are travelling visa-free to Europe and ensure that possible security and irregular migration concerns are identified prior to travel to the Schengen area.’⁵ Finally, and perhaps most importantly, is the establishment of the ECRIS-Third Country National (ECRIS-TCN) system which will hold criminal records information about non-EU nationals. The system will ‘provide a centralised hit/no-hit system to supplement the existing EU criminal records database in relation to non-EU nationals convicted in the EU’. Scheduled for introduction in 2020/21, this will allow ‘Member States to quickly find out in which other Member States information on previous convictions of a non-EU national is stored, so that the ECRIS system can then be used to exchange this information’.⁶

Also, in June 2017, EU leaders called on industry to help address online terrorism and crime. They stated they expect industry to improve the automatic detection and removal of terrorist-related content. This would be complemented by the relevant legislative measures at EU level, if necessary, and the Circle of Trust (see summary).

In October 2017, the EU Commission presented its 11th Security Union Report outlining a series of operational and practical measures to better protect EU citizens. These followed three main strands: protecting public spaces; depriving terrorists of the means to act; and reinforcing the EU’s external action on counter-terrorism. In terms of the former, ‘€18.5 million has been allocated from the Internal Security Fund to support transnational projects improving the protection of public spaces.’ In 2018, ‘a further €100 million from the Urban Innovative Actions will support cities investing in security solutions, while the Commission is set to introduce technical guidance materials on “security by design” solutions’, and will establish a High Risk Security Network to provide a platform for common training and joint exercises to improve preparedness against attacks.⁷ Other measures include engaging with the private sector and better chemical biological, radiological and nuclear preparedness (CBRN).

In terms of depriving terrorists of the means to act, the Commission has published recommendations on restricting access to explosive substances and counter-encryption techniques and tools and is currently examining obstacles to accessing financial transaction data in other Member States with a view to removing them. Finally, in terms of supporting external action on CT, the EU is also pursuing negotiations on agreements with Canada, Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Tunisia and Turkey on the transfer of personal data between Europol and these countries to prevent terrorism and serious crimes. CEPOL is also making progress in this regard, having just launched CT 2, a programme utilising a variety of consultants to deliver CT practices and procedures to many of these member states. The EU is also assessing the establishment of a European Intelligence Unit by 2025 to deal with operational intelligence rather than the primarily strategic assessments of INTCEN.⁸ Clearly, if established, links with the

transatlantic of Centre of Excellence would be beneficial to all involved.

The Commission strengthened the October reform package in April 2018 with a number of additional proposals for directives and measures to curb ID document fraud; curtail terrorist funding; and tighten rules on explosive materials and firearms imports and exports. With approximately 80 million Europeans currently in possession of non-machine-readable ID cards without biometric identifiers, the Commission is proposing to improve the security features of ID documents across the board. This will include making biometric data (fingerprints and facial images) mandatory for those countries with ID cards, whilst encouraging the upgrade of other forms of ID documents by Member States. This will be accompanied by ‘a relatively quick but gradual phase out of non-compliant cards at their expiry or at the latest within five years and for less secure ones (i.e. non-machine readable) within 2 years.’⁹

In terms of terrorist financing, the proposals also make some small headway in addressing the complex and sensitive issue of sharing financial data held in Member States. The Commission is also proposing a new Directive to allow law enforcement and asset recovery offices direct access – on a case-by-case basis – to bank account information in national, centralised registries enabling the authorities to identify in which banks a suspect holds accounts. The proposal also aims to bolster cooperation between law enforcement and national Financial Intelligence Units, and between Member States. While this is a step in the right direction in that it will allow for the passage of information both ways at both national and international levels, it does highlight how unintegrated the EU’s terrorist finance tracking system was, and remains, compared to the US.¹⁰

Finally, in terms of explosive substances control, the Commission has proposed to add new chemicals to the list of banned substances that can

be used to make home-made explosives. These include the replacement of some Member States’ current weak registration systems with better licensing and screening measures, and new rules of faster information sharing with businesses. In terms of firearms control, the Commission has proposed systematic ECRIS background and Conventional Arms Export Control Information System (COARM) checks for all export authorisations. Worryingly, some states appear to have not been doing this. Also included are measures to improve information on firearms control information exchange.¹¹

Collectively, the legislative directives, the updating and introduction of new data platforms, and the technical measures and recommendations outlined above show that both the EU Council and Commission have taken major steps to address the gaps that terrorists have been exploiting in their operations against EU targets. These are to be welcomed and as the Commissioner for the Security Union, Julian King has accurately surmised “...we are continuing to cut the space terrorists have to prepare and carry out their crimes.”¹² The EU’s actions show that European leaders are acutely aware of the pressing need for legislative and organisational reforms and have responded accordingly. Indeed, for a multinational organisation where consensus must be generated from 28 Member States, the speed of these responses is commendable and underscores how sorely they are needed. Nevertheless, some of the most important measures, like the new data platforms, will take years to implement, while it remains to be seen how quickly and to what extent national governments and institutions will take heed of some of the Commission’s reports and recommendations. Moreover, while a number of networks have been established to help coordinate CT responses, and Europol has continued to increase its CT activity in the last year, crucially these developments have not addressed the problem of lack of trust and differing capabilities impeding CT cooperation at both the national institutional and transnational levels. ●

4 EU Commission, ‘Information Systems and Borders’, December 2017, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20171212_eu_information_systems_security_and_borders_en.pdf (accessed 30.4.2018).

5 EU Commission, ‘Information Systems and Borders’, December 2017, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20171212_eu_information_systems_security_and_borders_en.pdf (accessed 30.4.2018).

6 Ibid.

7 European Commission, ‘Security Union: Commission presents new measures to better protect EU citizens’, 18 October 2017, http://europa.eu/rapid/press-release_IP-17-3947_en.htm (accessed 30.4.2018).

8 European Commission, ‘Security Union: Commission presents new measures to better protect EU citizens’, 18 October 2017, http://europa.eu/rapid/press-release_IP-17-3947_en.htm (accessed 30.4.2018).

9 European Commission, ‘Security Union: Commission presents new measures to deny terrorists and criminals the means and space to act’, 17 April 2018, http://europa.eu/rapid/press-release_IP-18-3301_en.htm (accessed 1.5.2018).

10 Ibid.

11 Ibid.

12 European Commission, ‘Security Union: Commission presents new measures to better protect EU citizens’, 18 October 2017, http://europa.eu/rapid/press-release_IP-17-3947_en.htm (accessed 30.4.2018).

OTHER TRANSNATIONAL DEVELOPMENTS

GLOBSEC understands that the Club de Berne's Counter-Terrorism group has continued to meet on a more regular basis in the wake of the recent ISIL attacks to discuss recent terrorist tactics, techniques and procedures and share information. Similarly, following a meeting of the Five Eyes in Ottawa in 2017, the alliance issued a joint statement that: 'Ministers and Attorneys-General also noted that encryption can severely undermine public safety efforts by impeding lawful access to the content of communications during investigations into serious crimes, including terrorism. To address these issues, we committed to develop our engagement with communications and technology companies to explore shared solutions while upholding cybersecurity and individual rights and freedoms'. It was reported that WhatsApp and Signal were the platforms of primary concern.¹³

Other international developments include the launch of Project STADIA, a Qatar-funded Interpol Program which aims to create a CoE relative to sporting and major events safety and security. Project CRIMP (Chemical Risk Identification and Mitigation Project) is also developing the capacity of Interpol Member States to identify the risk posed by the availability of chemicals used as

a weapon, and chemical precursors within specific geographic areas being accessed and used by non-state actors. CRIMP assists law enforcement agencies in developing a chemical risk matrix of the most significant chemicals of concern, based on their local non-state actor threat. They can then undertake targeted law enforcement countermeasures to detect, deter, and disrupt the access of non-state actors to the highest risk chemicals. Furthermore, AIRPOL have recently commissioned the creation of an insider threat strategy and guidance handbook for practitioners involved in the safety and security of airports across Europe ensuring minimum standards and common language and definitions. Another practitioner-academic research group recently concluded a detailed piece of research on 'Protecting Crowded Places from Terrorism: The Potential Role of the Real Estate Development Process'. This report made four strategic recommendations: enhancing organisational security culture; enhancing the role of education in counter terrorism protective security; the development and use of real estate risk register; and the introduction of an international overarching body for Protective Security in Real Estate. Clearly, progress has been made at the non-EU transnational level too. ●

NATIONAL COUNTER-TERRORISM DEVELOPMENTS

AUSTRIA

In January 2017, the then minister of interior, Wolfgang Sobotka, informed the media that the arrest of an 18-year old Austrian citizen of a migrant background had averted a possible terror attack in Vienna. According to the minister, the decisive leads came from foreign intelligence services.¹⁴ Early 2017 also saw a CT operation in Graz and in Vienna in which 14 suspected ISIL members were arrested.¹⁵ In July 2017, an ISIL supporter killed two civilians in Linz in a knife attack. These developments, coupled with the fact that around 300 people have either left or were intercepted trying to leave Austria to fight in Syria, justify Austria's current 'elevated' terrorism threat level.¹⁶

At the same time, recent years have seen relatively few developments in Austrian CT as the Austrian Federal Office for Constitutional Protection and Counterterrorism, the domestic intelligence agency, concentrated on developing an exit and reintegration programme for jihadists.¹⁷ In 2017 the Austrian ministry of justice entered the European DARE project (Database and Assessment of Risk of Violent Extremists) that aims at implementing the risk assessment tool VERA 2R in six countries. The tool was developed to obtain information on the likelihood of violent extremist action in prison and how to try to intervene on a case-by-case basis.¹⁸

BELGIUM:

Threat Lowered as CT Response Develops

In January 2018, Belgium, one of Europe's main victims of recent jihadist terrorist attacks, decided to lower the terror threat level to 2, on a scale of 1-4, which indicates that an attack is now regarded as unlikely.¹⁹ According to Belgian counter-terrorism practitioners, as the ISIL threat has now diminished, there are far less plausible plots, and a lower number of investigations (both in quantity and in quality). ISIL operations in Belgium²⁰ are hampered by the organisation's overall diminished capacity to strike abroad with teams sent from the 'caliphate' (the last such case in Belgium was the network responsible for the Paris-Brussels attacks in 2015 and 2016). Currently, ISIL presence in the country is reportedly limited to sympathisers, often with little or no contact with the organisation. These are often said to be individuals with serious psychological problems, who attempt to camouflage their suicidal intentions with a terrorist attack resulting in their deaths (suicide by proxy). Two jihadist attacks in Belgium in 2017 - the attempted bombing of the Brussels Central Station²¹ and the attempted stabbing of soldiers in Brussels²² - were flagged up to GIRI writers as indications of this suicide threat in the country.

Belgium expected a major increase in its terrorism threat due to the possible upsurge in numbers of

¹³ M. Zillio, 'Five Eyes agree to engage with industry on terrorists' use of encryption', The Globe and Mail, 28 June 2017, <https://www.theglobeandmail.com/news/politics/five-eyes-stress-sharing-information-to-battle-relentless-terrorist-plots/article35486286/> (accessed 30.4.2018).

¹⁴ BBC News, 'Austria foils terror attack in Vienna', 20 January 2017, <http://www.bbc.com/news/world-europe-38700439> (accessed 23.4.2018).

¹⁵ The Local, '14 arrests after major anti-terror raids in Austria', 26 January 2017, <https://www.thelocal.at/20170126/anti-terror-raids-in-vienna-and-graz> (accessed 23.4.2018).

¹⁶ GLOBSEC, 'From Criminals to Terrorists and Back?', <https://www.globsec.org/wp-content/uploads/2017/12/Crime-Crime-Terror-Nexus-update.pdf> (accessed 23.4.2018).

¹⁷ OTS, 'Mehr extremistisch motivierte Straftaten in Österreich', https://www.ots.at/presseaussendung/OTS_20170614_OTS0117/mehr-extremistisch-motivierte-straftaten-in-oesterreich (accessed 23.4.2018).

¹⁸ CEP, 'VERA 2R: measuring the likelihood of violent extremist action in prison', <http://www.cep-probation.org/vera-2r-measuring-the-likelihood-of-violent-extremist-action-in-prison/> (accessed 23.4.2018).

¹⁹ J. Mischke, G. Hervey, 'Belgium lowers terror threat level, two years after attacks', Politico, <https://www.politico.eu/article/belgium-lowers-terror-threat-level-two-years-after-brussels-attacks/> (accessed 23.4.2018).

²⁰ R. Coolsaet, T. Renard, 'Reassessing Belgium's, Failed' Counterterrorism Policy', <http://www.egmontinstitute.be/reassessing-belgiums-failed-counterterrorism-policy/> (accessed 23.4.2018).

²¹ M. Schreuer, D. Bilefsky, 'Brussels Train Station Bombing Renews Focus on Belgium as Jihadist Base', The New York Times, <https://www.nytimes.com/2017/06/21/world/europe/brussels-belgium-station-attack.html#>, 21 June 2017, (accessed 23.4.2018).

²² P. Blenkinsop, 'Belgian soldiers shoot dead knife attacker in Brussels', Reuters, <https://www.reuters.com/article/us-belgium-security/belgian-soldiers-shoot-dead-knife-attacker-in-brussels-idUSKCNB52FY>, 25 August 2017, (accessed 23.4.2018).

returning foreign terrorist fighters (FTF) from Syria. However, despite the fact that almost 500 Belgians are categorised as FTFs by the country's security services,²³ the speed of these returning to Belgium has been relatively slow and their numbers limited, occurring individually or in small groups with more than 130 still in Syria/Iraq. In the meantime, Belgium has introduced more punitive measures in response to the threat from returnees, with a strict policy of pre-trial detention and 'a three-five-year (and sometimes longer) prison sentence.'²⁴

The Belgian counter-terrorism response to the unprecedented jihadist threat should be treated as a work in progress and discussed, much like in the case of France, in the context of the post-2015 developments when the country, as indicated by Rik Coolsaet and Thomas Renard, Belgium's top counter-terrorism experts, saw the revision of the 'Plan against Radicalism,' 'the document guiding the work of security services in counterterrorism; an increase in resources for security services; a reform of the penal code to criminalize a number of terrorism-related offenses (including traveling for terrorist purposes),'²⁵ and the creation of a specialised structure within the Directorate of Penitentiary Institutions to improve exchange of information.²⁶ What is more, the response was also devolved, with the first rollout predating the 2015-2016 attacks in some Belgian municipalities, mostly via the Local Task Forces, structures which mix surveillance and prevention oriented locally-operating individuals from a variety of backgrounds, chaired by the local authorities.²⁷

In 2017 and 2018 developments in Belgian counter-terrorism focused on: the victims of terrorism whose

status, benefits and support mechanisms are now covered by a designated parliamentary bill; the revision of the law on possession of firearms, and the first evaluation of the Plan Canal, i.e. increased resources for the police and justice system in 9 municipalities, which, it is assumed, helped to bring a 14% drop in criminality.²⁸

BULGARIA: Laws, Plans and Proposals

Although in 2015, Bulgaria was 10th for terrorism arrests and is covered in GLOBSEC's crime-terror nexus project,²⁹ it is an outlier in this study. The country currently finds itself at the lowest terrorism threat level (i.e. 3=low, on a scale of 3)³⁰ and its counterterrorism posture significantly differs from other Western European countries covered in this report. That is not to say, however, that we have not seen recent substantial developments in Bulgarian CT which related to: a) the introduction of counterterrorism legislation in December 2016 – introducing the aforementioned threat level scale, mandating state bodies' obligations and roles in CT, including the military, defining provisions of emergency situations etc.;³¹ and b) the adoption of the National Plan for the Countering of Terrorism in 2017 which further details the roles and actions to be taken by various responsible institutions in relation to the four levels of preparedness.³²

In 2017 the Patriotic Front - a far-right party and a member of the governing coalition - proposed an amendment to the Criminal Code to include a specific prohibition on the preaching of radical Islam and the forced wearing of burqas.³³ The proposed legislation further set out to introduce

a definition of radical Islam to be included in the Code. The proposal was adopted by the Parliament on the first reading but is yet to be promulgated.³⁴ December 2017 also saw a German style reform of the Criminal Code which broadened the scope of terrorist offences, including e.g. provision of financial support to foreign terrorist fighters.³⁵

January 2018 saw the commencement of the long-awaited trial of the alleged perpetrators responsible for the 2012 Burgas bomb attack. The trial will be conducted in their absence since the accused duo, a Canadian-Lebanese and an Australian-Lebanese, fled to Lebanon after the act.³⁶

FRANCE: Unprecedented Threat and a Multi-Faceted Response

From October 2013 to March 2018, France has suffered a prolonged and unprecedented threat from jihadist terrorism,³⁷ manifested via 78 successful, intercepted or failed terrorist attacks and 245 deaths.³⁸ Shortly after the Charlie Hebdo and Hypercacher terrorist attacks of January 2015, France introduced a number of CT measures. Early 2015 also saw the deployment of more than 14,000 security personnel onto the streets to protect more than 722 sensitive sites (Opération Sentinelle)³⁹ and the establishment of the '#Stopdihadisme' platform, which aims to spread awareness of radicalisation issues within the public.⁴⁰ A national action plan against terrorist financing has also been introduced. This lowered the limit on cash payments for individuals and companies based in France; obliged banks to automatically notify the ministry of finance of cash withdrawals or deposits

of over €10,000 in a single month; introduced the requirement to produce ID while exchanging more than €1,000; broadened the requirement for declaring transfers between EU Member States; and rolled back anonymity for users of prepaid cards.⁴¹ The new 'intelligence law' has also helped the security services by introducing a new oversight body for surveillance authorisations; legalising scanning devices enabling automated searches of communication patterns potentially indicating terrorist behaviour; allowing real-time collection of metadata related to suspicious individuals; and legalising computer hacking as an intelligence gathering tool.⁴²

A new set of CT measures arrived in the wake of the November 2015 Paris attacks. First of all, France introduced a State of Emergency (SoE) on all of its territory, in contrast to 2005 when it was in operation on a local level after the French riots. It was prolonged six times and remained in operation for two years and was replaced by the anti-terrorism law, which included the transposition of majority of the SoE's measures, albeit with modifications.⁴³ Originally, the SoE allowed for the introduction of far reaching security measures without judicial authorisation. These included: the introduction of a security perimeter around a zone 'exposed' to a 'terrorist risk'; closure of a place of worship (if preachers incite violence or hatred or are deemed apologists of terrorist acts); and terrorism related raids and searches or 'individual assignments' to a given residence or locality. The latter two, now with judicial oversight, currently constitute the anti-terrorism law's sunset clauses, i.e. are applicable only until 31st December 2020. Since the termination of the SoE (1st November

23 T. Renard, R. Coolsaet, 'Returnees: Who Are They, Why Are They (Not) Coming Back and How Should We Deal with Them?' http://www.egmontinstitute.be/content/uploads/2018/02/egmont.papers.101_online_v1-3.pdf?type=pdf, February 2018, (accessed 23.4.2018)

24 R. Coolsaet, T. Renard, 'How Belgium overcame the threat from returning foreign terrorist fighters' <http://www.egmontinstitute.be/how-belgium-overcame-the-threat-from-returning-foreign-terrorist-fighters/>, 22 March 2018, (accessed 23.4.2018).

25 R. Coolsaet, T. Renard, 'Reassessing Belgium's, Failed' Counterterrorism Policy', <http://www.egmontinstitute.be/reassessing-belgiums-failed-counterterrorism-policy/>, 22 March 2018, (accessed 23.4.2018).

26 Federal Public Service Justice, 'Action Plan against radicalization in prisons', <https://justice.belgium.be/sites/default/files/downloads/PIland%27actionradicalisation-prison-EN.pdf>, (accessed 23.4.2018).

27 R. Coolsaet, T. Renard, 'Reassessing Belgium's, Failed' Counterterrorism Policy', <http://www.egmontinstitute.be/reassessing-belgiums-failed-counterterrorism-policy/>, 22 March 2018, (accessed 23.4.2018) and conversations with Belgian counter-terrorism practitioners who preferred to remain anonymous.

28 Flanders News.be, 'Has 'Canal Plan' solved Molenbeek's crime problem?', <http://deredactie.be/cm/vrtnieuws.english/Brussels/1.3088582>, 27 October 2017, (accessed 23.4.2018).

29 GLOBSEC, 'From Criminals to Terrorists and Back?', <https://www.globsec.org/projects/criminals-terrorists-back/>, (accessed 23.4.2018).

30 M. Hristov, 'Tretno nivo na zaplaha ot teroristichen akt u nas', <https://fakti.bg/bulgaria/238894-tretno-nivo-na-zaplaha-ot-teroristichen-akt-u-nas->, 23 May 2017, (accessed 23.4.2018).

31 Dnevnik, 'Deputatite prieha antiteroristichnia zakon', 16 December 2016, (accessed 23.4.2018).

32 https://www.dnevnik.bg/bulgaria/2016/12/15/2884007_deputatite_prieha_antiteroristichnia_zakon/, 16 December 2016, (accessed 23.4.2018).

33 Strategy BG, 'Национален план за противодействие на тероризма', <http://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=1242>, 2 November 2017, (accessed 23.4.2018).

34 Praven svyat, 'Propoviadvaneto na radikalen islam vlezhe v nakazatelniia kodeks', <http://legalworld.bg/53919.propoviadvaneto-na-radikalen-islam-vleze-v-nakazatelniia-kodeks.html>, 23 June 2016, (accessed 24.4.2018).

35 State Gazette, Issue 101, 19.12.2017

36 The Times of Israel, 'Bulgarian trial begins over 2012 terror bombing of Israelis', <https://www.timesofisrael.com/bulgarian-trial-begins-over-deadly-2012-terror-bombing-of-israelis/>, 17 January 2018, (accessed 24.4.2018).

37 France has not introduced a numerical national security alert system which is in place in most, apart from Germany, countries covered by this report.

38 Le Monde, '2013-2018, radiographie du terrorisme « made in France »', 31 March 2018, http://www.lemonde.fr/societe/article/2018/03/31/2013-2018-radiographie-du-terrorisme-made-in-france_5278961_3224.html, (accessed 24.4.2018).

39 Europe1, '10.000 militaires déployés en France, un record', 12 January 2015, <http://www.europe1.fr/faits-divers/ou-en-est-le-dispositif-de-securite-2341319>, (accessed 24.4.2018).

40 See: Dailymotion, '#Stopjihadisme: Ils te disent...!', 2015, <https://www.dailymotion.com/video/x2fn6gw>, (accessed 24.4.2018), for an example of the platform's online efforts.

41 Ministry for Finance and Public Accounts, 'Countering Terrorist Financing' Press Kit, November 2015, https://www.economie.gouv.fr/files/files/PDF/press-kit-countering_terrorist_financing.pdf, (accessed 24.4.2018).

42 See: Legifrance, 'Livre VIII: Du reinseignement', https://www.legifrance.gouv.fr/affichCode.do?sessionid=BF72E2C1162C7C49D52DE78D65BEF5B4.tpdila07v_2?i&action=LEGISCTA000030934655&cidTexte=LEGITEXT000025503132&dateTexte=20160309, (accessed 24.4.2018).

43 See: Lucie Auberg, Twitter Post, October 3, 2017, 11:44, <https://twitter.com/LucieAubrg/status/915286414069202944>, (accessed 24.4.2018), for a graphic comparative between the state of emergency and the anti-terrorism law of the late 2017. The text of the law is available at: Legifrance, 'Chapitre Ier: Dispositions renforçant la prévention d'actes de terrorisme', 31 October 2017, <https://www.legifrance.gouv.fr/eli/loi/2017/10/30/INTX1716370L/jo/texte>, (accessed 24.4.2018).

2017), the aforementioned measures have been used sporadically, e.g. France has closed only 3 mosques⁴⁴ and introduced 57 security perimeters. However, most of the latter have been to maintain public order rather than due to CT efforts.⁴⁵

The introduction of the SoE was followed by an unsuccessful governmental attempt to change the constitution which would allow the revocation of the French citizenship of dual nationals convicted of terrorism offences (December 2015). October 2016 saw the reform of the ‘dedicated units’ (‘Unités dédiées’) within French prisons, and the introduction of the more isolated and more secure (via enhanced video surveillance) Quarters for the Evaluation of Radicalisation (‘Quartiers d’évaluation de la radicalisation’, QER).⁴⁶ Further emphasis on prisons as key to the French CT effort became apparent in February 2017 when the prison intelligence service was brought within the so-called Second Circle of the security services, signalling the shift in its focus away from deradicalisation towards intelligence gathering.

The latest CT measures related to France concern its new deradicalisation plans, unveiled in late February 2018. France, often considered by other Western European countries as too reliant on the security services and the police in its CT posture,⁴⁷ struggled with developing less securitised or softer prevention mechanisms. The closure of the country’s first deradicalisation centre in the summer of 2017 seemed to underscore this reality.⁴⁸ The new plans include proposals to create 1,500 new specialised places in the QERs, opening of new deradicalisation

centres, investment into training for teachers who would be tasked with detecting early radicalisation signs.⁴⁹

GERMANY: Prevention and Surveillance

Between the 2011 Frankfurt airport shooting and early 2016, Germany was not a victim of Islamist terrorism.⁵⁰ Nevertheless, this does not suggest that the terrorist threat to Germany is low. To date up to 980 German Islamists had left the country to fight in Syria/Iraq (including 20 in the first two months of 2018).⁵¹ On 19 December 2016, Berlin saw the first major successful Islamist terrorist attack,⁵² which triggered the roll out of the ‘Federal Government Strategy to Prevent Extremism and Promote Democracy’ - the first comprehensive attempt at harmonising CT efforts on the local, regional and federal level.⁵³ This strategy was subsequently operationalised via, amongst others, the ‘National Programme to Prevent Islamist Extremism’ of 2017.⁵⁴ The programme has a budget of €100 million for 2018 (with €400 million earmarked to be spent in between 2017 and 2020). It aims to both devolve countering violent extremism (CVE) efforts, focused on municipalities, families, schools and mosques, and to connect these with federal activities and best practices from other regions. These preventive measures, however, were preceded by the adoption of far reaching changes to Germany’s criminal code that ‘[enabled] law enforcement agencies both at the state and federal levels to launch criminal investigations into individuals or groups perceived to have links to terrorist organisations or

to be plotting a terrorist attack individually.’ Such an approach effectively criminalises non-‘ordinary’ criminal aspects of terrorist activity like ‘membership in a terrorist organisation, conspiracy to commit criminal acts with terrorist intent, the execution, facilitation, or distribution of terrorist propaganda, the recruitment for terrorist organisations, providing training possibilities for terrorist organisations, the incitement of any of the aforementioned offences, or the financing or other means of facilitating any of the aforementioned offences.’⁵⁵

June 2017 saw further developments on the surveillance side of German CT as investigators were granted new investigative tools, i.e. utilisation of spyware and permission to intercept encrypted communications.⁵⁶ Furthermore, a month later the German Constitutional Court ruled on the legality of extradition of non-German – but resident – terrorist suspects back to their countries of origin even when not in the process of preparing terrorist attacks.⁵⁷

GREECE: A Different Threat

Greece, albeit a country with almost half a century of CT experience, is another outlier case of this report. The country finds itself at the lowest terrorist threat level (1) and does not suffer from issues pertaining to the radicalisation of its ‘old’ Muslim community, residing in Greece since the Ottoman times.⁵⁸ Simultaneously, the same cannot be said of the ‘new,’ i.e. more recent immigrant Muslim communities. Nonetheless, Islamist terrorism does not constitute the biggest terrorist threat to the country as this role is being played by a variety of far-left terrorist organisations active in 2017.⁵⁹ Accordingly, the country’s ‘no. 1 most wanted’

terrorist was a female leader of an anarchist group Revolutionary Struggle, arrested in early 2017.⁶⁰

When it comes to the most recent counterterrorism developments in Greece, one issue warrants a mention. In March 2018, an amendment to the legislation regarding terrorist acts and organisations, stipulating reduced sentences for persons convicted on terrorism charges, was voted down in the Greek parliament and subsequently returned to the ministry of justice.⁶¹ Passing of this law would go against the trend in European CT which has seen an increase in penalties for terrorism.

IRELAND: Dissidents; Increasing Jihadist Activity

Ireland’s primary terrorist threat stems not from jihadist but from the so-called Violent Dissident Republicans (VDRs), non-conciliatory Irish republicans who continue to violently oppose the existence of Northern Ireland. Their militant intentions are not, however, supplemented with terrorist successes as the organisational emanations of VDR are full of (and led by) former members of the Provisional Irish Republican Army (PIRA) who are well known to security forces both in the Republic of Ireland and in Northern Ireland. The VDR groups operate on both sides of the Irish border and allegedly attempt to broker barter deals with the Dublin underworld in which they are keen to swap their capabilities (like possession of arms or explosives) for know-how from ‘ordinary’ criminals in order to boost their operational effectiveness. At the same time, the deeply divided VDR milieu, unable to strike at the security forces in Northern Ireland, has rather engaged in a number of ‘punishment’ attacks

44 At the same time, 52 non-French but residing in France Muslim clerics were expelled on the grounds of inciting violence and glorification of terrorism since 1 January 2016. See: A. Nossiter, ‘Too Radical for France, a Muslim Clergyman Faces Deportation,’ The New York Times, 5 April 2018, <https://mobile.nytimes.com/2018/04/05/world/europe/france-extremism-doudi.html?click=htps://t.co/t9498m05va>, (accessed 24.4.2018).

45 Interviews with French (counter)terrorism experts.

46 See: Stop-Djihadisme. Gouv. Fr., ‘Comment L’état lutte-t-il contre la radicalisation en prison?’ <http://www.stop-djihadisme.gouv.fr/lutte-contre-terrorisme-radicalisation/prevention-radicalisation/comment-letat-lutte-t-il-contre>, (accessed 24.4.2018), for more on the evolution of the French deradicalization policies, including its prison element.

47 Such views were shared by representatives of the police forces and counterterrorism experts from five other countries covered in this report.

48 The Local, ‘France’s only deradicalization centre is closing,’ 28 July 2017, <https://www.thelocal.fr/20170728/frances-only-deradicalization-centre-is-closing>, (accessed 24.4.2018).

49 FRANCE24, ‘French prime minister unveils new deradicalisation programme,’ 23 February 2018, <http://www.france24.com/en/20180223-france-deradicalisation-programme-jihad-islamist-extremists-prisons-centres-philippe>, (accessed 24.4.2018).

50 BBC News, ‘Frankfurt Airport Gunman Jailed for Life,’ 10 February 2012, <http://www.bbc.com/news/world-europe-16984066>, (accessed 24.4.2018).

51 See the statistics on this issue maintained by the German domestic counterintelligence agency; Bundesamt für Verfassungsschutz, ‘Reisebewegungen von Jihadisten Syrien/Irak,’ 9 March 2018, <https://www.verfassungsschutz.de/de/arbeitsfelder/af-islamismus-und-islamistischer-terrorismus/zahlen-und-fakten-islamismus/zuf-reisebewegungen-in-richtung-syrien-irak>, (accessed 24.4.2018).

52 G. Heil, ‘The Berlin Attack and the ‘Abu Walaa’ Islamic State Recruitment Network,’ CTC Sentinel, vol. 10, Iss. 2, February 2017, <https://ctc.usma.edu/the-berlin-attack-and-the-abu-walaa-islamic-state-recruitment-network/>, (accessed 24.4.2018).

53 The Federal Government, ‘Federal Government Strategy to Prevent Extremism and Promote Democracy,’ July 2016, <https://www.bmfsfj.de/blob/115448/cc142d640b37b7d76e48b8fd9178cc5/strategie-der-bundesregierung-zur-extremismpraevention-und-demokratiefoerderung-englisch-data.pdf>, (accessed 24.4.2018).

54 The Federal Government, ‘National Programme to Prevent Islamist Extremism,’ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/national-strategy-for-preventing-islamist-extremism_en.pdf, (accessed 24.4.2018).

55 D. H. Heinke, J. Raudszus, ‘Germany’s returning foreign fighters and what to do about them,’ in: T. Renard, R. Coolsaet, Returnees: Who are they, why are they (not) coming back and how should we deal with them?, Egmont Paper 101, Egmont Institute, February 2018, p. 49, http://www.egmontinstitute.be/content/uploads/2018/02/egmont.papers.101_online_v1-3.pdf?type=pdf, (accessed 24.4.2018).

56 See: Deutscher Bundestag, ‘Bundestag gibt Strafermittlern neue Instrumente in die Hand,’ 2017, <https://www.bundestag.de/dokumente/textarchiv/2017/kw25-de-aenderung-stgb/511182>, (accessed 24.4.2018).

57 See: K. Hempel, ‘Abschiebung von Gefährden verfassungskonform’, TageSschau.de, 27 July 2017, <https://www.tagesschau.de/inland/abschiebung-gefaehrder-101.html>, (accessed 24.4.2018) for the use of the new extradition reality to the full extent while expelling an Algerian individual who was not in the process of preparing a terrorist attack.

58 GLOBSEC, ‘From Criminals to Terrorists and Back?’, <https://www.globsec.org/wp-content/uploads/2017/12/Crime-Crime-Terror-Nexus-update.pdf> (accessed 23.4.2018).

59 L. Dearden, ‘Anarchist terror threat emerges across Europe after parcel bombs sent to French and German officials’, The Independent, 17 March 2017, <https://www.independent.co.uk/news/world/europe/imf-france-paris-letter-parcel-bombing-german-finance-ministry-anarchists-terror-greece-conspiracy-a7636116.html>, (accessed 24.4.2018).

60 I. Magra, ‘Greece’s Most-Wanted Terrorist, on Run Since 2012, Is Arrested and Charged’, New York Times, 5 January 2017, <https://www.nytimes.com/2017/01/05/world/europe/panagiota-roupa-arrested-athens.html>, (accessed 24.4.2018).

61 Ch. Zervas, ‘Fronimatikes dioxis apesyre o ypourgos dikeosynis tin aoristi ke epekindyni allagi sto tromonomo’, Press Publica, 7 June 2017, <http://www.presspublica.gr/fronimatikes-dioxis-apeyre-o-ypourgos-dikeosynis-tin-aoristi-ke-epekindyni-allagi-sto-tromonomo/>, (accessed 24.4.2018)

targeting people from within the Catholic/nationalist community – the last four years saw a 60% surge in such attacks (including those perpetrated by the rival loyalist and anti-VDR paramilitaries).⁶²

As for the jihadist threat, in early 2018 the Irish Department of Justice admitted that at least 25 people from Ireland travelled to join the war in Iraq and Syria,⁶³ not an insignificant figure given Ireland's small Muslim population. This could suggest existence of some type of ISIL infrastructure or presence of its sympathisers within the country's borders.⁶⁴ For instance, in 2017 a man pleaded guilty to transferring money to ISIL through Western Union and An Post accounts⁶⁵ and one of the London Bridge attackers from June 2017 previously lived in Ireland.⁶⁶ These developments, and a knife attack in Dundalk in January 2018 by an illegal Egyptian immigrant, raised public fears about Ireland's response preparedness to jihadist attacks. As a result, the government has created a new centralised unit to coordinate CT responses, and increased the number of armed response teams.⁶⁷ 2017 also saw Ireland move towards introducing legislation which would criminalise travel to another country for the purposes of joining a terrorist group or engaging in terrorist activities.⁶⁸

ITALY: Expulsions

Throughout the last few years expulsions of terrorist suspects have become a key element of Italy's counter-terrorism policy. According to

experts, the extensive use of this tool significantly contributed to the fact that the country has thus far not been struck by terrorist violence. In fact, unlike many other European countries, Italy has, to date, avoided major attacks on home soil.⁶⁹ At the same time, unlike France, Belgium or United Kingdom, Italian police or counter-terrorism forces did not have to deal with a large number of people being radicalised.⁷⁰ That does not mean Italy was spared terrorism activities. Anis Amri, the attacker from Berlin Christmas market was radicalised in prison in Sicily and shot after the attack in Milan.⁷¹ Mohamed Lahouaiej-Bouhlel, the Tunisian perpetrator of the Nice attack was reported to spend some time in Italian town of Ventimiglia.⁷²

Local experts observed that as Italy serves as a transit country for the migrants coming from North Africa, the risk of terrorists hiding among the migrants is rising given the huge numbers of people transiting through the country.⁷³ In May 2017 two soldiers and a police officer were stabbed by an ISIL follower in Milan, and in June 2017 Palermo police broke up a criminal ring smuggling migrants and trafficking of contraband cigarettes. Palermo Chief Prosecutor Francesco Lo Voi said that 'the operation of the group allowed irregular migrants to dodge all authorities and could have transported people who should not be allowed into Italy or Europe.'⁷⁴

In 2018, the Supreme Court of Cassation, published a judgement 'on the subject of association with purposes of terrorism (also international).'⁷⁵

This judgement concerned the question of ISIL membership as a reason for indictment. In order for an indictment to be successful, the prosecution must document an operational connection with the organisation to the given individual. This could complicate future judicial proceedings against Italian ISIL members or supporters whose links with the organisation are sometimes tenuous and difficult to establish.

Italy also introduced legislation addressing the question of terrorist financing as the decree implementing the EU Directive on prevention of the use of the financial system for money laundering or terrorists financing entered into force in July 2017.⁷⁶ The Decree has strengthened already existing anti-money laundering and counter-terrorists financing system including new specific rules for the so called virtual currencies.⁷⁷

THE NETHERLANDS: New Laws

According to the '47th Terrorist Threat Assessment Netherlands,' published by the National Coordinator for Security and Counterterrorism, while the jihadist threat is evolving, the threat level remains at 4 out of 5, which means that there is a realistic chance of an attack taking place in the country.⁷⁸

The Dutch approach to CT is covered by the National Counterterrorism Strategy for 2016-2020, developed after an evaluation of the 2011-2015 Strategy.⁷⁹ In early 2017, the Dutch Senate has adopted laws resulting from 'Integral Approach Jihadism Action Programme.' The programme's aim

is to protect democracy based on the rule of law, to combat and weaken the jihadist movement in the country, and detect and remove the breeding ground for radicalisation⁸⁰ and 'to provide a comprehensive response to the foreign fighter phenomenon and the overall increase in jihadism in the Netherlands.'⁸¹ One of the laws allows the Dutch authorities to withdraw the citizenship of jihadists who join a terrorist organisation abroad or declare jihadists undesirable foreign nationals under the Aliens Act 2000.⁸² As it is illegal to leave a person stateless, the latter measure could only be applied to those with dual citizenship.⁸³ In September 2017, Stef Blok, the then security and justice minister, revoked the Dutch nationality of four jihadists. This was the first time the measure was implemented.⁸⁴ Another law allows for an introduction of an individual travel ban on the basis of 'justified reasons' to assume that a person from the Schengen area wants to travel to join a terrorist organisation.⁸⁵

At least 280 Dutch citizens travelled to Syria to join ISIL, 50 of whom have already returned to the Netherlands. Dick Schoof, National Coordinator for Counterterrorism and Security acknowledged preparing a new policy for how to deal with returning minors who also pose a threat to the country since they have been trained to use weapons and might have been radicalised in school.⁸⁶

UNITED KINGDOM: Unprecedented Threat and New Solutions

The UK has recently proved one of the key jihadist targets in Europe, and the Manchester, London Bridge and Borough Market attacks of

62 H. McDonald, 'Northern Ireland, punishment' attacks rise 60% in four years', The Guardian, 12 March 2018, <https://www.theguardian.com/uk-news/2018/mar/12/northern-ireland-punishment-attacks-rise-60-in-four-years>, (accessed 24.4.2018).

63 G. O'Callaghan, 'Fears ISIS fighters could be planning return to Ireland as terror threat level, under review', Irish Mirror, 15 January 2018, <https://www.irishmirror.ie/news/irish-news/fears-isis-fighters-could-planning-11852589>, (accessed 24.4.2018).

64 J. Brandon, 'Ireland's Foreign Fighters', Jamestown Foundation, 7 January 2016, <https://jamestown.org/program/irelands-foreign-fighters/>, (accessed 24.4.2018).

65 G. O'Callaghan, 'Fears ISIS fighters could be planning return to Ireland as terror threat level, under review', Irish Mirror, 15 January 2018, <https://www.irishmirror.ie/news/irish-news/fears-isis-fighters-could-planning-11852589>, (accessed 24.4.2018).

66 D. Staunton, C. Lally, S. Lynch, 'London attacker lived in Ireland and got married here', Irish Times, 5 June 2017, <https://www.irishtimes.com/news/world/uk/london-attacker-lived-in-ireland-and-got-married-here-1.3108764>, (accessed 24.4.2018).

67 RTE News, 'More armed support units planned to combat terror threat' 14 July 2017, <https://www.rte.ie/news/2017/0714/890256-garda-exercise-terrorism/> (accessed 24.4.2018).

68 C. Gallagher, 'New anti-terror laws to be introduced', Irish Times, 12 June 2017, <https://www.irishtimes.com/news/crime-and-law/new-anti-terror-laws-to-be-introduced-1.3116059>, (accessed 24.4.2018).

69 F. Marone, 'The Use of Deportation in Counter-Terrorism: Insights from the Italian Case', International Centre for Counter-Terrorism, 13 March 2017, <https://icct.nl/publication/the-use-of-deportation-in-counter-terrorism-insights-from-the-italian-case/>, (accessed 24.4.2018).

70 S. Kirchgaessner, L. Tondo, 'Why has Italy been spared mass terror attacks in recent years?', The Guardian, 23 June 2017, <https://www.theguardian.com/world/2017/jun/23/why-has-italy-been-spared-mass-terror-attacks-in-recent-years>, (accessed 24.4.2018).

71 BBC News, 'Berlin truck attacker Anis Amri killed in Milan', 23 December 2016, <http://www.bbc.com/news/world-europe-38415287>, (accessed 24.4.2018).

72 H. Samuel, 'Nice killer visited Italy's, Little Calais' as he was radicalised over a year before July 14 massacre', The Telegraph, 6 October 2016, <https://www.telegraph.co.uk/news/2016/10/06/nice-killer-visited-italys-little-calais-as-he-was-radicalised-over/>, (accessed 24.4.2018).

73 Authors' interviews with CT authorities in Milan, Italy, March 2018.

74 W. Pantaleone, 'Italy busts ring smuggling migrants from Tunisia in speedboat', Reuters, 6 June 2017, <https://www.reuters.com/article/us-europe-migrants-italy-smugglers/italy-busts-ring-smuggling-migrants-from-tunisia-in-speedboat-idUSKBN18X26J>, (accessed 24.4.2018).

75 Court of Cassation, section sixth, sentence No. 14503, dated 19/12/2017 - deposit of 29/03/2018.

76 Gazzetta Ufficiale, 'Il Presidente Della Repubblica', 25 May 2017, <http://www.gazzettaufficiale.it/eli/id/2017/06/19/17G00104/sg>, (accessed 24.4.2018).

77 A. Papa, D. Quattrocchi, E. Toriello, 'IV Anti-Money Laundering Directive: the issuance of the Italian Legislative Decree implementing the Directive', 26 June 2017, <https://www.dlapiper.com/en/italy/insights/publications/2017/06/anti-money-laundering-directive-in-italy/>, DLA Piper, (accessed 24.4.2018).

78 Government of the Netherlands, 'National Coordinator for Security and Counterterrorism: although threat is changing, level will remain at 4', 26 March 2018, <https://www.government.nl/topics/counterterrorism-and-national-security/news/2018/03/26/national-coordinator-for-security-and-counterterrorism-although-threat-is-changing-level-will-remain-at-4>, (accessed 24.4.2018).

79 National Coordinator for Security and Counterterrorism, 'National Counterterrorism Strategy', https://english.nctv.nl/binaries/LR_100495_rapportage_EN_V3_tcm32-251878.pdf, (accessed 24.4.2018).

80 Government of the Netherlands, 'Senate has adopted laws from the Integral Approach Jihadism action programme', 7 February 2017, <https://www.government.nl/latest/news/2017/02/07/senate-has-adopted-laws-from-the-integral-approach-jihadism-action-programme>, (accessed 24.4.2018).

81 B. van Ginkel, S. Minks, 'Addressing the challenge of returnees: threat perceptions, policies and practices in the Netherlands', in: Renard, Coolsaet (eds.), op. cit., p. 62.

82 Global Legal Monitor, 'Netherlands: Three New Laws Adopted to Further Counterterrorism Efforts', 14 March 2017, <http://www.loc.gov/law/foreign-news/article/netherlands-three-new-laws-adopted-to-further-counterterrorism-efforts/>, (accessed 24.4.2018).

83 EBL News, 'Terrorism suspects could lose citizenship under new Dutch law', 7 February 2018, <https://eblnews.com/news/europe/terrorism-suspects-could-lose-citizenship-under-new-dutch-law-55251>, (accessed 24.4.2018).

84 J. Pieters, 'Justice min. revokes Dutch nationality of four jihadists', NL Times, 13 September 2017, <https://nlntimes.nl/2017/09/13/justice-min-revokes-dutch-nationality-four-jihadists/>, (accessed 24.4.2018).

85 Government of the Netherlands, 'Senate has adopted laws from the Integral Approach Jihadism action programme', 7 February 2017, <https://www.government.nl/latest/news/2017/02/07/senate-has-adopted-laws-from-the-integral-approach-jihadism-action-programme>, (accessed 24.4.2018).

86 J. Pieters, 'Jihad Kids' pose great threat when returning to Netherlands: counter terrorism boss', NL Times, 15 February 2017, <https://nlntimes.nl/2017/02/15/jihad-kids-pose-great-threat-returning-netherlands-counter-terrorism-boss/>, (accessed 24.4.2018).

summer 2017 highlighted that despite its record at disrupting major jihadist attacks, the scale of the problem in the UK is such that some plots will prove successful. Indeed, according to Cressida Dick, the Commissioner of the Metropolitan Police, the period between June 2013 and March 2017 saw ‘13 lethal plots...foiled... amidst increasing numbers of terrorist arrests.’ There were 340 terrorism arrests in 2015 and 2016 combined, and more than ‘500 investigations into 3,000 individuals across the UK’ into potential terrorist threats.⁸⁷ As of April 2018, some 23,000 extremists are ‘on the radar’ of the security services.⁸⁸ At the same time, more than 800 people left the UK to join the war in Syria as foreign fighters, mostly with jihadist organisations.⁸⁹ Despite these grim statistics, between July 2005 and March 2017 the UK avoided a major successful jihadist terrorist attack. However, 49 people were killed by jihadi terrorists in the UK between 2010 and 2017⁹⁰ most of which during 2017’s ‘year of terror’.⁹¹ The upsurge in jihadist plotting against the UK, described as the ‘highest tempo’ of terrorist activity in the 34 years of the MI5 director general’s career,⁹² led to a new record of 412 terrorist arrests in 2017.⁹³ Simultaneously, the security services and the police dismantled at least five further jihadist plots between March and June 2017.⁹⁴ Britain is also the fifth-biggest audience in the world for extremist content after Turkey, the US, Saudi Arabia and Iraq, and the highest in Europe.⁹⁵

While the immediate response to the London attacks was widely praised, the Kerslake report criticised the Fire Service’s command decision-

making in Manchester, highlighting the tensions between pre-determined Standard Operating Procedures in marauding attacks designed to avoid further casualties and the need to treat those already injured.⁹⁶ The aftermath of these three successful jihadist plots saw deployments of troops in support of the police force to safeguard key locations (Operation Templer) for a limited time (unlike the French Operation Sentinelle).⁹⁷ Theresa May, the UK Prime Minister, also called for a review of her country’s counter-terrorism strategy,⁹⁸ and for tougher sentences for terrorist offences with comprehensive guidelines on these coming into force in April 2018.⁹⁹ A new counterterrorism Bill is planned for 2018 that will update both national CT legislation and strategy. GLOBSEC understands this will include policies to allow sources and police to warn local government and the devolved administrations about suspects on their radar before they are deemed dangerous enough to be placed under surveillance by MI5. In particular, better ways of identifying when known extremists classed as ‘former subjects of interest’ decide to carry out attacks are established, mostly via monitoring the suspects for an expanded pool of ‘trigger activities’ like online or offline exchanges, financial transactions or obtaining tools potentially of use in preparation of a terrorist attack.¹⁰⁰ The aim is to help the security services and the police deal with a multi-faceted terrorist threat encompassing mostly home grown plots, often ‘low tech’ in their development, with ‘unsophisticated methodologies,’ i.e. not bombings or shootings but stabbings and vehicular attacks.¹⁰¹ This constitutes

a shift away from complex plots often directed from abroad, often involving known extremists, towards more individual and often spontaneous actions by terrorist sympathisers. The franchise element of terrorism is thus particularly important.

Other elements of the new Bill include ‘longer prison sentences’ for those convicted of terrorist offences and more intensive monitoring when they leave jail; the strengthening of security at sporting and concert venues and the better detection of the ‘inside threat’ of jihadists getting jobs at Britain’s airports; improving the detection of ‘terrorist activity involving chemical, biological, radiological, nuclear and explosives material’ after the Salisbury nerve agent attack; and the recruitment and training of over 1,900 additional staff across the security and intelligence agencies.¹⁰² However, these developments will be delivered within the context of reductions in the wider counter-terrorism budget and resources.¹⁰³

Meanwhile, Brexit continues to cast some uncertainty over the nature of Britain’s future security and intelligence relationship with the EU and its Member States. Although it is in all parties’ interests for CT cooperation and liaison to remain unaffected, the British Home Office and security services have previously warned that leaving the EU would make the UK less secure from ‘terrorism, criminality and illegal migration’.¹⁰⁴

UNITED STATES: Increase in HVEs

The current threat landscape highlights the emergence and significance of Home-grown Violent Extremists (HVEs) inspired by foreign terrorist organisations and radicalised in the countries in which they are born, raised, or reside.¹⁰⁵ In recent times, HVEs have demonstrated an ability to operate throughout the United States while connecting with like-minded individuals online and acting independently from organised terrorist

groups. The increasing variety of radical groups such as ISIL and al-Qa’ida in the Arabian Peninsula have encouraged HVEs to attack in their home countries. However, as in the UK, such attacks have themselves inspired, through reciprocal radicalisation, home grown extreme right-wing terrorist attacks, which together with the increase in jihadist attacks, resulted in John Carlin, Assistant Attorney General, establishing a new position within his Agency, solely dedicated to addressing ‘home-grown’ terrorism.

The rise in the numbers of HVE’s also shows no sign of abating with recent examples highlighting the need to better understand their significance. In July 2017, Aziz Sayyed, of Huntsville, Alabama, appeared in court charged with various terrorism related offences including his intention to cause explosions and extended terrorist attacks in the name of ISIL. In the same month, Amer Alhaggagi, Oakland, California, was indicted on charges of providing material support and resources to ISIL. ●

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97 BBC News, ‘Manchester attack: Theresa May terror threat speech in full’, 23 May 2017, <http://www.bbc.com/news/uk-40023457>, (accessed 24.4.2018).

98 K. Samuelsson, op. cit.

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101 Metropolitan Police, ‘Commissioner gives key note speech at Mansion House’, 20 July 2017, http://news.met.police.uk/blog_posts/commissioner-gives-key-note-speech-at-mansion-house-59852, (accessed 24.4.2018).

102 The Sunday Times, ‘Police and MI5 to get greater powers to fight terror’, 22 April 2018, <https://www.thetimes.co.uk/article/police-and-mi5-to-get-greater-powers-to-fight-terror-05ch6g0jg?shareToken=e4b61969064312dd805356a7b660de98> (accessed 24.4.2018).

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SUMMARY AND FUTURE DIRECTION

It is clear from this brief update that the recent past has seen numerous legislative and practical responses to the evolving jihadi terrorist threat in Europe and beyond at both the multinational and national level. The cross-cutting themes identified above include: returning foreign fighters; the denial of citizenship; disrupting the terrorist financial flows; control of firearms; and protective security. Indeed, for an organisation with 28 Member States, the EU has responded in a relatively rapid, coherent and comprehensive way to the new threat. Nevertheless, some of the proposed Directives and measures still need to be approved by the Parliament and implemented at the national level, while others, especially data platforms, need to be designed and operationalised. Similarly, while numerous individual Member States have introduced new CT legislation, surveillance capacities, punitive measures and resources, these responses remain shaped by national threat pictures and cultures rather than an integrated and coordinated appraisal of the pan-European threat from jihadist terrorism. It will therefore take some time before we can assess how fully the gaps identified in our previous report have been closed. Related to the introduction of new legislation in many Member States is their potential impact on the fundamental tenets of trust and relationships? This includes trust within society, trust between member states, trust within law enforcement sectors. Indeed, in certain quarters such new legislation and advances in surveillance techniques to protect against the evolving terrorist threat are viewed as potential breaches of human rights. As such it remains to be seen if one effect of introducing these new legislative solutions could be to threaten relationships with nations that have different legislative cultures. For example, denial of citizenship policies often create friction with another nation as this can only be done to dual citizens, thus forcing the other nation to take responsibility

for them. While the direction of travel does seem to be toward greater cooperation, if this trust is fractured it will undermine the goal of the mutual exchange of information between states, agencies and communities. Finally, these developments have not addressed the problems of a lack of trust and differing capabilities impeding CT cooperation at both the national institutional and multinational levels. This remains the focus of GIRI's work for the next year.

GIRI's main focus for the next year is the establishment of a transatlantic Centre of Excellence where current mid-level CT professionals can meet, exchange best practices and build personal and professional trust. GIRI thus seeks to support the establishment of a university-accredited transatlantic CT course. This education/training should be a cooperation between three world-leading universities in the US, UK and Central Europe. The goal is to establish a non-governmental educational body without ties to specific nations, and to help this body, in cooperation with selected national intelligence schools, to develop very high quality, practitioner intelligence training based on best practices to a core of trusted transnational professionals. Numerous nations have expressed a desire to support and participate in this initiative, and GIRI is currently looking to confirm political support for our pilot scheme to be rolled out in the Autumn of 2018.

To support this concept, we are also examining the establishment of a 'Transatlantic Circle of Trust and Coordination' under the GIRI umbrella. The objective of the Circle would be to gather selected persons from governments, finance and industry to discuss (informally) threats to democracy and critical infrastructure, and how these threats should be collectively met.

The organising principles of the Circle of Trust would be:

- A = Act (Immediate action)
- C = Coordinate (Hub)
- T = Train (Centre of Excellence)
- I = Inform (Share information)
- O = Observe (Coordinated collection)
- N = Network (Centre of Excellence)

GIRI will be exploring this concept and continuing to develop our links with other international organisations through 2018 and beyond. ●

SUMMARY OF 2017 – 2018 COUNTER-TERRORISM UPDATES

	A	B	BG	FR	DE	GR	IT	EIR	NL	UK
National threat level change	x	✓	x	-	-	x	x	x	x	✓**
Jihadist Terror attack(s)	x	✓	x	✓	✓	x	x	x	x	✓
New legislation pertaining to CT	x	✓	✓	✓	✓	Under debate	✓	x	✓	✓
New CT policies in the online sphere	x	Under debate*	x	x	✓	x	x	x	x	✓
Update of CT legislation	x	x	Intro-duced in 2016	✓	x	x	x	x	x	planned for 2016
New CT institutions established	x	In 2015	✓	✓	x	x	x	x	x	x
Preventive measures introduced	x	✓	✓	✓	✓	x	x	x	In prepara-tion	***
N. of foreign fighters still in region/returnees	110/90 ¹⁰⁶	130/125	*****	700 ¹⁰⁷ (730? ¹⁰⁸) /302	334/ 300 ¹⁰⁹	****	112/13	25 in total	c.190/50	400/ 425 ¹¹⁰

* proposal to criminalize jihadi material online

** changed in the aftermath of attacks and changed again

*** Continuing with Prevent; not much of a change there

**** A member of group Rouvikonas have reportedly fought in Raqqa on the side of Kurdish force and returned to Greece already¹¹¹

***** No official numbers reported, but in 2017, there was a case of a Syrian man with a Bulgarian passport arrested for smuggling shisha tobacco with links to ISIL.¹¹²

¹⁰⁶ Bundesministerium für Inneres, 'Mehr extremistisch motivierte Straftaten in Österreich', 14 June 2017, https://www.ots.at/presseaussendung/OTS_20170614_OTS0117/mehr-extremistisch-motivierte-straftaten-in-oesterreich (accessed: 23.4.2018).

¹⁰⁷ R. Barret, 'Beyond the Caliphate: Foreign Fighters and the Threat of Returnees', The Soufan Center, October 2017, <http://thesoufancenter.org/wp-content/uploads/2017/11/Beyond-the-Caliphate-Foreign-Fighters-and-the-Threat-of-Returnees-TSC-Report-October-2017-v3.pdf> (accessed: 24.4.2018).

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¹⁰⁹ T. Renard, R. Coolsaet et al., op. cit.

¹¹⁰ R. Barret, op cit.

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