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10 proposals to target terrorism at EU level

A document put forward by WG on Terrorism

**A successful counterterrorist policy
is not measured by an increasing number of foiled attacks,
but by a decreasing number of attacks to foil
(*resilience*)**

According to the latest results of the Eurobarometer (survey 89.2, May 2018), the fight against terrorism ranks as the top priority of the European citizens (49%) who voice a clear demand for increased EU intervention on the issue (77%). Indeed, the wave of terrorist attacks in Europe since the 2000s has costs the lives of too many innocent citizens. It has shocked our societies and brutally disturbed the relative peace on this continent. No authority can pretend to guarantee the eradication of the terrorist threat, but the EU should do its utmost to protect citizens against terrorism and address the causes of terrorism with fact-based policies. While we believe the most urgent and effective steps the EU should undertake to address terrorism are to improve the security architecture within and between member states, we also consider the need for a comprehensive political approach and response, and thus push for resilient, cohesive societies focussing on preventing radicalisation.

In the framework of a Greens/EFA Budget proposal to increase the means dedicated to security and justice, we strive as well to provide a concrete evaluation of the cost of the measures. As transnational criminality requires transnational solutions and actions, the EU Budget should support the strengthening of existing transnational cooperation mechanisms, offices, tools, procedures and agencies. The fight against terrorism also requires more funding to improve the quality of information exchange, data protection and data analysis. We are sceptical about the tendency to shift the funding from human to technological resources, following ill-advised policies of spending-cuts, fascination for modernity and the illusion of a universal solution. Security has a price, and human resources offer higher value.

Over the 2014-2020 period, the EU spent on average 2,5 billion euros each year on security. We suggest an increase to 4bn/year, so +58%. Globally, € 40bn (2,2% of the post-2020 MFF) should be spent for our

common security and justice over the next decade.

Proposal 1 - Common Strategy

While the need is broadly acknowledged for enhanced cooperation and a better, improved and more systematic signalling of terrorist activities by intelligence, police and judiciary officers, a solid European framework for internal security is lacking. Out-dated concepts of sovereignty are preventing national intelligence services from effectively working together in the EU beyond bilateral cooperation. Mistrust between national intelligence services must make way for a concept of European internal security where crucial security risks are timely and efficiently shared between Member States with full respect of fundamental rights.

We argue for a common strategic culture, including a shared legal labelling and a streamlining of the common lists of terrorist organisations. Enhanced cross border interactions between intelligence services and a stronger role for the EU in counter-terrorist strategies also means that **significant parliamentary oversight** must be put in place at the EU level.

Proposal 2 - A European Investigation Office

While the terrorist threat is evidently transnational, jurisdiction remains essentially national, while European agencies offer support and coordination at the EU level. The decision to establish an EPPO in 2017 underlined the intention to scale up the investigation powers at European level in order to fight transnational fraud, especially when tax-related. Since depriving terror networks from their financial resources is a crucial part for preventing and dismantling them, **we propose** to enhance the investigative powers vested in the EPPO and extend its remit to encompass counter-terrorism missions. In addition, strong safeguards should balance its powers for suspects, high standards for pre-trial custody across the EU and democratic oversight exercised jointly at EU and national levels. This would later evolve into a full-fledged European Investigation Office able to initiate and conduct investigations on a European scale.

Possible cost : The legal proposal sets a relatively light budget for the EPPO of 2,5 m€ for 24 staff in 2017, 6,8 m€ increasing to 16,1 m€ and 118 staff in 2020. We suggest multiplying by 5.

Proposal 3 - Less data, more humans

In the context of terrorism, intelligence services perform a vital work in the defence of democratic regimes. **We argue** for “targeted surveillance” which presupposes serious grounds for suspicion, by enhancing human capacities to treat, analyse and react to the intelligence gathered. As the technological developments potentially increase the efficiency, they also increase the challenges. Policy responses towards mass surveillance and generalised suspicion are ineffective and threaten the defining features of an open society, where freedom, privacy and the presumption of innocence be respected. **We also want** to deepen and extend the necessary cooperation between member states services towards a mandatory

information exchange in risk areas and an early warning system. **We support** interoperability, as long as it facilitates the access to databases to which the consulting agents were previously granted access. **We demand** enhanced training in the field of human rights and individual freedoms as well as more discerning processes to prevent the potential abuses and efficient whistle-blower protection.

Possible cost : No additional funds at EU level, as it remains first and foremost a responsibility of Member States.

Proposal 4 - Erasmus for police - and law enforcement officers

Scaling up the response to transnational crime supposes as well to strive for a common European law enforcement culture and a shared understanding of internal security at European level.

We propose setting up a special programme for police officers on the ground, preferably junior and low-graded officers, to participate in Joint Investigation Teams (JITs) in other EU Member States at least once throughout their careers. The JITs could be coordinated through Europol and Eurojust and work on cross-border criminal activities and similar crime phenomena across Europe. This would allow junior and low-graded police officers who do not necessarily have experience in collaborating with their counterparts in other Member States to acquire additional experience and observe best practices on how to fight cross-border crime more effectively. The results would be that practitioners on the ground exchange information with their counterparts in other EU Member States more spontaneously. Then the programme would be extended to other security and correction officers.

Possible cost : 2 million per year as a Pilot Project/Preparatory actions 2019-2020/21/22. Programme as of 2021/22/23 with roughly 20 m€/y - as comparison, ERASMUS for teachers is around 50 m€/y (28 m€ to teach abroad and 22 m€ for training).

Proposal 5 - Breaking the crime-terror link

For financial and behavioural reasons, terrorist networks have always maintained ambivalent links with the criminal world. But in the last decade, studies and thorough investigations point to new developments: the merging of criminal and terrorists “milieus”, both worlds recruiting from the same pool of people, and creating overlaps in the activities. The profiles of actual and potential terrorists show a recurring pattern of delinquency and, often, prison time in their path towards violence.

For this reason, **we argue** for an enhanced analysis and research on the connections between terrorist and criminal activities that provide them with the financial means (drug dealing, thievery, etc.), the recruits and as well the weapon providers networks. In this regard, strategies must be developed to focus on local

engagement, aiming at enhancing social resilience and community cohesion.

Proposal 6 - Follow the money

Cutting the foreign sources of income for terrorist and especially jihadists is vital and thus the EU should take control on the hidden financing, from individuals, foundations, states and other non-state networks. In addition to a swift and thorough implementation of the Anti-Money Laundering directive in all Member States, **we call** on a traceability certification and penalisation to help enforcing the embargo on trading with jihad networks particularly as regards the import of antiques and cultural goods and other commercial resources, as the Lafarge case proved; **we request** more means for the national Financial Intelligence Units (FIU) and the improvement of so far informal network of national FIU into a European FIU; **we are also in favour** of a closer, better monitoring system to ensure that all religious and cultural associations and entities akin provide full transparency as to the funds they receive from outside the EU.

Possible cost : The European FIU would require additional funds to be made available at EU level; however, these costs would be offset by savings made at national level following the transfer of the tasks carried out by Member State FIUs. The pooling of resources could also represent some long-term savings for the global AML/CFT system.

Proposal 7 - Tighter weapon control

Access to firearms and components of explosive devices is obviously crucial to enable terror attacks, and explains the horrific statistics in the US. In the EU, violent-extremist groups often have to turn to criminal networks to acquire weaponry like the Charlie Hebdo attackers. But there are also abuses of legal supplies. It was found out recently that Saudi Arabia was sending EU members' (and beyond) exported arms to jihadist groups in Syria – so in a way, Europe is fighting terrorism at home and feeding it (by negligence at least) abroad; worse, it might be only a matter of time that in the end these weapons could be found in the hands of EU-based terrorist cells, completing the cycle.

Civil use of automatic and semi-automatic weapons should be completely banned, hence **we want** the internal market rules for the acquisition, and use of firearms, explosives and chemicals crucial to their composition to be further tightened. **We deem necessary** to fundamentally revise the EU's export policy and especially ban the arms export to countries with shady links to global terrorist groups; **we want** a supervisory body to monitor the implementation of the export criteria by Member States; and at EP level **we want** the appropriate structures for permanent scrutiny of Member States' compliance with the EU Common Position on arms exports.

Proposal 8 - Change our prisons

Studies and reports show how prisons can easily evolve into microcosms of the crime-terror nexus, where

recruitment and networking take place. Often overcrowded, and in poor conditions, they are dangerous milieus in which the vital necessity to belong to a “tribe” favours the flocking to radical groups, either religious or political such as extreme-right. In addition their hardship may fuel the sentiment of rebellion that can lead individuals from petty criminals to radicalism, and even violent extremism. An additional challenge is that segregation strategies do not work better than open units policies; and when it comes to violent jihadist radicalism, it is proven that facilitated access to regular imams reduces the risks of the self-organisation of radical religious cells. Prisons should reform criminals and terrorists, not train them.

We argue that instead of billions for technology and bombs, millions could be better spent on making prisons human places for actual rehabilitation and reformation. Staffing in quantity and quality is a priority, and **we suggest** an EU contribution to enhance training for staff on issues related to violent extremism and potential terrorist threats. **We also push** for harmonising upwards the conditions for pre-trial detention and **demand** enhanced means for juvenile justice as well as better-thought “alternatives to prison”. Finally, in connection with our suggested “Erasmus for law enforcement officers” **we believe** the EU should facilitate the collection and exchange of best practices among correction officers.

Possible cost : 100 m€/year in the next MFF, so 700m€

Proposal 9 - Invest in resilience

According to various calculations, the so-called “global war on terror” has cost trillions on diverse military interventions and other military programmes for a questionable result. Money that could have been spent in a many other ways. **We argue** that it is urgent to reverse the decade-long trend for divestment from schools and basic public services and infrastructures, which has led entire populations and communities to feel physically, politically and socially abandoned by the majority. Although the key players are predominantly in Member states (local authorities, civil society organisations, “first line practitioners”) the EU can play its part. **We believe** that the absolute respect for fundamental freedoms and individual rights are essential to prevent terrorism and political violence, as they safeguard from counterproductive surveillance policies and unwanted effects of stigmatisation and self-fulfilling conclusions. Following and intensifying the recommendations from the European Radicalisation Awareness Network (RAN), **we argue** for the Europeanisation of established good practices and common standards, especially regarding the returnees, as laid out in the “Malta Principles for Reintegrating Returning Foreign Terrorist Fighters”. Finally, **we suggest** the establishment a mandatory cross-border civil service for every European citizen aged between 18 and 25. Evidently education must become a full-fledged tool in the fight against all extremist violence and violent radicalisation processes – not as an institutional message but as a process to discover, explore, engage and confront history, civilisations, cultures, ideologies and religions.

Possible cost : For each euro spent in security measures and external operations, one euro should be spent on social cohesion, violence prevention and education programmes.

In addition to these 9 concrete measures, we argue that some global actions must be taken at the international stage to address the protracted conflicts that destabilise entire regions, feed the cycle of violence and suffering, and unfortunately provide fuel to many terrorist narratives.

Proposal 10 - A Rule-of-law based International Cooperation

Since 9/11, the global threat of terrorism has been mainly addressed at international and transatlantic levels through adventurous and often counterproductive military actions, extra-judiciary killings often with armed drones, illegal rendition and prison programmes from powerful agencies, in blatant violation of basic human and fundamental rights, including humanitarian law. A structural element of these international counter-terrorism efforts have been cooperation, whether formal or totally secret, with authoritarian dictatorships and their security services which are known to torture terrorism suspects systematically. The Council of Europe, the European Court of human Rights but also the European Parliament via Temporary Committee on the alleged use of European countries by the CIA for the transport and illegal detention of prisoners (TIDP) have investigated these large scale and systematic abuses involving also EU Member States. In order to prevent past mistakes and thanks to Greens/EFA, since 2014 EU funded international counter terrorism cooperation in the context of the EU (IcSP) fund need to strictly comply with special and detailed operational human rights guidelines and follow a strict criminal justice approach which would rule out cooperation with dictators whose services torture. **As we want** the international fight against terrorism to be really effective and efficient, it must be conducted in full respect for human rights and fundamental freedoms, with appropriate democratic and judicial oversight. **We propose** for instance a thorough assessment of the EU's partners human rights records when deciding on intelligence cooperation and information-sharing with third countries.

Recommended

Position Paper

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Attached documents

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