

The Emerging Threat of Terrorism to the European Union and Its Influence on Member States, Institutions and Basic Values

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Abstract

The aim of this paper is to illustrate the nature and main characteristics of the current threat of terrorism in Europe and its impact and influence on particular EU member states, the EU institutional and legislative mechanism and its basic values. In this regard, focus is placed on the threats originating from the so-called “Islamic State”, foreign terrorist fighters and radicalized individuals, in the context of the Syrian conflict and refugee/migration crisis. The impact of threats on particular member states is presented through a comparative overview of Belgium, France and Germany in the face of recent counterterrorism efforts. The response at EU level, is presented through new initiatives regarding coordination, cooperation and information sharing among the European member states. The threat of Terrorism also has an influence on basic EU values, bringing about different attitudes to migration and Islam, whilst demonstrating the importance of inter-religious and inter-cultural relations in Europe.

Keywords: Terrorism, threat, radicalization, attack, European Union, cooperation

Introduction

The Paris attacks in 2015 marked a new era in the threat of terrorism characterized by attacks committed by individuals (“lone actors”) or network groups, mainly directed or inspired by the “Islamic State” (hereafter IS). Belgium, France and Germany had already experienced this new wave of individual terrorist attacks against civilians, police officers and soldiers (Dugulin, 2017), which demonstrates the success of IS strategy in inspiring young people to adopt its ideology and attack Western countries, if they are unable to travel to Syria or Iraq. Some of the attacks were instructed or directed by “IS” members, others were simply inspired by propaganda that had already been disseminated.

Recent terrorist attacks have been executed without much planning, with limited personnel, and lacking in financial support. The absence of weapons and explosives has resulted in having to resort to the use of knives, machetes, cars, trucks, automatic guns and home-made explosive devices. Besides limited casualties (compared with past attacks), they attract considerable public attention, cause fear and uncertainty and have a big psychological and political impact on the general public (Dugulin, 2017). These attacks have confirmed IS’s global agenda and capabilities as a terrorist organization that poses a direct and indirect terrorist threat to Europe. Pressed by international coalition, territorial losses, limited resources in manpower, finances and equipment are contributing factors to growing IS interest in attacking Europe. In addition, European countries are potential targets due to their participation in the coalition against IS, ongoing counterterrorism operations or other measures that can be seen as violating against Muslims (Zavis, 2016).

Foreign terrorist fighters, estimated at 5,000 alone from Europe, contribute to the general threat emanating from IS. These fighters possess training for arms and explosives, have combat experience and a high level of ideological indoctrination. There are four general aspects of the foreign terrorist fighter phenomenon: persons who have traveled from the EU to Syria and Iraq to become Foreign terrorist fighters ; returnees who have gained military training and experience abroad; the impact of social cohesion within the EU on Foreign terrorist fighters; and, would-be Foreign terrorist fighters , who have been prevented from traveling to Syria and Iraq, yet are able to carry out attacks in the European Union (Baroudos, 2016).

Al Qaeda and other terrorist groups inspired by religion should not be excluded or underestimated as a threat. Al Qaeda executed the most brutal attacks in the past and took responsibility for the *Charlie Hebdo* attack in Paris, in 2015. There are also European Foreign terrorist fighters in Al Qaeda affiliates, such as Al Shabab and

Jabhat Fateh al Sham. Although US campaigns and America's current focus on Syria, is a limiting factor for Al Qaeda in targeting Europe, potential threats remain as follows: directed or Al Qaeda-blessed plots, inspired freelancers, European targets, and kidnap for ransom operations in MENA (the Middle East and North African region (Van Ginkel and Entenmann, 2016).

The ongoing migrant and refugee crisis contributes to the current threat of terrorism, fueling fears about the transfer of terrorists into Europe. Yet, there has been no evidence of the systematic flow of Jihadists into Europe, apart from those cases when Foreign terrorist fighters used migrant routes to travel into Europe – namely the perpetrators of the Paris and Brussels attacks who used the “Balkan route”. (Simcox, 2016). By 2016, the German authorities recorded 300 Jihadist attempts to recruit refugees trying to enter Europe (Russia Today, 2016). An additional 17 IS followers were detected among migrants in recipient centers or asylum homes (Hedge, 2016). Due to the great number of refugees and migrants, this does not exclude dangerous people who have already entered Europe. In this regard, Greece has been strongly criticized, mostly by Germany for failing to identify and register refugees and migrants (Tomlison, 2016).

The terrorist threat reflects on public security, the political situation in particular EU member states, EU internal cohesion and its institutional architecture, the security services and the economy. The main challenges are cooperation and coordination among member states, in strengthening the EU and the preservation of its core values.

The Terrorism Threat and its Response – Belgium, France and Germany

Belgium

The Paris and Brussels attacks were conducted by the same cells, based in the Belgian capital, as part of a greater network of Jihadists who moved freely through Europe (Traynor, 2015). Again, they show the problem of domestic radicalization and recruitment for terrorism. Half of the Molenbeek population are Moroccan immigrants, among whom 35 per cent are made up of youths under 35 years of age, who are unemployed, and living in isolated communities, without adequate government services (Goulard, 2016). Belgium is a European leader in Foreign terrorist fighters, totalling 440 individuals (160 of whom are still in Syria and Iraq, with 110 who have died, and 120 who have returned to Europe). As such Belgium remains one of the most vulnerable countries in the EU (Paul, 2015). Belgium suffered deadly suicide attacks in Brussels in March 22, 2016, leaving 32 dead and 300 injured, with individual attacks on police officers in Charleroi and Brussels.

Weaknesses in counter terrorism were revealed by the Brussels and Paris attacks: inefficient information sharing among agencies due to linguistic divisions, decentralized government and overlapping competencies; a lack of human & technological resources; restricted laws for monitoring suspected persons; a lack of cooperation with other member states EU institutions and the USA and the lack of a long-term vision & strategy of how to counter terrorism (Van Ginkel & Entenmann, 2016).

After the attacks, the Belgian authorities took various steps to improve their capacities through 30 counter terrorism measures, such as: providing increased resources for security and intelligence agencies; improving communications between local and federal police and intelligence bodies; raids conducted against suspected individuals; the criminalization of support for terrorist groups and public incitement to carry out an attack. Measures were also introduced against foreign terrorist fighters; whilst participation, traveling, and training were criminalized and passports and the IDs of potential foreign terrorist fighters were confiscated. Belgium became an initiator of regional cooperation within and outside the EU (Renard, 2016). Cooperation between France, the UK, Germany, Turkey, Morocco and the US was strengthened. In 2016, a Franco-Belgian summit was organized in order to boost cooperation regarding police and intelligence exchange and the formation of Joint Investigative Units (JIT). Also, a French liaison magistrate was introduced for judicial cooperation and agreements for cooperation on radicalization prevention programs. In January 2017, Belgium, France and the UK agreed on joint security checks on trains, and a joint database on the identity of passengers. Belgium soon became a leader in information sharing within EUROPOL. There were also measures regarding radicalization with: new prevention units in the most affected communities to monitor radicalized cases; local coordination cells at the municipal level; regional platforms to facilitate the exchange of information and good practice among municipalities and numerous counter radicalization initiatives and multidisciplinary support centers to help citizens against radicalization (Sarma, 2016). Belgium has also established the Syria Strategic Communication Advisory Team (SSCAT), whilst the EU financed a project for the exchange of best practice in the area of strategic communication with a view to preventing and countering radicalization (European Parliament, 2017).

France

More than 230 people have been killed in terrorist attacks in France since 2015 (Russia Today, 2016), dozens occurred in 2016 and more are expected in the future. There were both individual attacks on police officers and soldiers (Paris and Magnanville), a catholic priest in Normandy and a Jewish rabbi in Marseille, alongside 86 civilians in (Nice) as well as serious plots (Paris, Strasbourg and Marseille) consisting several suspected terrorists. In addition, there are around 900 foreign terrorist fighters, of whom 570 are still abroad, 137 have died and 246 have returned (Sarma, 2016).

France is high on the target list because it serves as a symbol of Western culture and is a cultural capital of Europe (Zavis, 2016). Furthermore, France's involvement in military operations against Al Qaeda in the Maghreb (Mali) and the IS in Syria alongside the country's secular tradition, which is considered as being repressive by Muslims only serve to heighten France's risk of terrorism. Radicalization is also a great challenge due to the social and economic isolation of France's Muslim communities, the unemployment of urban youth, and a low trust in the French government. 17,393 people are currently registered on the French terrorist monitoring database (Michael Smith News, 2017).

After each attack, France upgraded its counter terrorism strategy, tightened border controls, and deployed additional police and military personnel and technology. It introduced a three-month-long state of emergency to help fight terrorism: banning public demonstrations, allowing the police to stop and search without warrants, as well as introducing house arrests without trials, and blocking websites with extremist content. Changes in legislation were adopted granting greater police powers, including the so called "dead powers" of killing any individual posing as an imminent threat and house arrests for one month for foreign terrorist fighters (Sarma, 2016). France's services were foiling terror plots and dismantling militant networks on a daily basis (BBC, 2016).

Germany

In 2016, Germany experienced dozens of attacks and plots, on civilian targets, mainly by self-radicalized individuals guided by young IS men, including refugees and asylum seekers. There were individual attacks in the name of IS on police officers (Hanover), civilians (Wurzburg and Berlin), a Sikh temple (Essen), as well as the prevention of plots in Ansbach, Chemnitz, Duseldorf, Ludwigshafen and Northeim. There are

about 800 foreign terrorist fighters of whom 130 have been killed and a third have returned to Germany (Van Ginkel & Entenmann, 2016).

After the Paris attacks, Germany strengthened its counter terrorism mechanisms, including the adoption of a comprehensive counter terrorism strategy; which involved a wide range of federal and state authorities. The government also introduced new laws; criminalizing travel and training for foreign terrorist fighters; as well as strengthening the security authorities; and, placing a greater obligation on private companies to contribute to counter terrorist efforts. Meanwhile, a new elite police unit which was better prepared for large scale attacks was formed, whilst the state introduced border traffic controls alongside the new monitoring of financial flows;, whilst authorizing the Ministry of the Interior to deprive individuals of passports, along with an exit and entry ban and the criminalization of any incitement, support, recruitment, preparation or encouragement in the carrying out attacks, including the introduction of electronic tags for those considering carrying out a terror threat without trial and a prolonged period of keeping suspects in custody. The new surveillance law also gave priority to public safety (Sarma, 2016). In March 2016, Germany announced a plan to increase the domestic security budget by 2.1 billion euros by 2020, whilst commenting that the needs were far from adequately financed (Stratfor, 2016).

Germany also strengthened security with regard to asylum seekers, thereby easing the deportations of those whose cases had been rejected, increasing the surveillance of those who were to be deported and those who were considered as a terror risk, thus limiting movement within Germany, and limiting development aid for countries that did not cooperate in the deportation process (Donahue and Jennen, 2017). In the past, the Bavarian government had often criticized the slow asylum process, the lack of registration, fingerprinting and hearings.

With regard to radicalization, various federal states offered rehabilitation programs and de-radicalization in prisons whilst carrying out dozens of police actions against hate speech & counter extremist messages (Utrinski vesnik, 2016). Meanwhile the Salafist movement which takes a fundamentalist approach to Islam continues to grow in Germany, from 3,800 in 2011 to 7,900 in 2016 and this has produced some violent individuals. Another challenge has been that of refugees, who are vulnerable to radicalization and recruitment to carry out attacks due to their personal psychological situation and the fact that they have often been separated from parents in war zones, deprived of social contacts with their fellow countrymen, and have been frustrated by the slow bureaucratic process of the German authorities. The organization Violent Preventive Network (VPN) in Berlin focuses on this vulnerable category of refugees

(Knight, 2016). The German authorities had 100 warnings of IS fighters among refugees coming into Germany, some of whom entered with fake or stolen passports, alongside 230 attempts by Salafists to recruit refugees (Durden, 2016). In order to undermine the indoctrination and recruitment of foreign terrorist fighters and propaganda efforts, the police raided the well-known “Abu Wala” nationwide Salafi network, at the end of 2016 (BBC, 2016).

EU Response: Cooperation, Coordination, and Information Sharing

Even before major terrorist attacks can occur, the EU and US counterterrorism veterans have warned EU policymakers regarding the major vulnerabilities of the Union. This has often meant: weak and uncoordinated internal borders, further compromised by the refugee/migrant flow, and exacerbated by differences in laws and security cultures that hamper intelligence-sharing and law enforcement cooperation. Other factors include: separate EU and member state data bases that are not linked, alongside fragmented and incomplete databases for terror suspects as well as a lack of willingness among member states regarding the supply and usage of data. Meanwhile, short prison sentences for terrorism cases have allowed former convicted individuals to continue their activities; whilst there have often been limited resources and support for the security forces of some member states such as Belgium and Greece (Rotela, 2016). In addition, there have been slow rates of approval of EU laws regarding counterterrorism measures, as it was the case with Passenger Name Record (PNR), initiated in 2011, and adopted in 2016 which allows EU agencies and national law enforcement authorities to identify suspicious individuals, their journeys and contacts (Merritt, 2015).

There are also differing terrorism laws within EU member states, for example on how long a person can be questioned and detained, or what is actually considered to be a “terror attack” in the first place. All these weaknesses have been fully exploited by terrorists.

First of all, terrorist attacks have demonstrated the vulnerability of open borders, and the lack of coordination and information sharing between member states. Two of the suicide bombers in Paris attack had traveled to Western Europe via the “Balkan route” with forged Syrian passports, whilst several Brussels attackers had also used these migration routes. Many of them were known to national police or intelligence services in several EU member states, but the information had not been shared between member states or registered on EU databases (Calamur, 2016). The transnational nature of the threat requires a transnational response, thereby

emphasizing the role of EU mechanisms. Information sharing was and still remains a significant challenge.

Following the Paris attacks, the Dutch intelligence agency (AIVD), initiated a meeting of the intelligence agencies of all the EU countries, Switzerland and Norway, to improve information sharing, and the exchange of new clues, insights, suspect alerts and a discussion of the improvement of the European system of intelligence and counter terrorism (Esman, 2016).

Following the Brussels attacks, EU president Juncker, launched the idea of a 'Security Union', as a way of going beyond the concept of cooperation in protecting internal national security to the idea of protecting the collective security of the EU. The aim of this concept is to improve the coordination and information-sharing of national police forces regarding transnational threats (terrorism). In September 2016, a new Commissioner for the Security Union (Sir Julian King) was appointed with a mandate to strengthen the overall effort to combat terrorism, prevent radicalization and strengthen cooperation and the ambitions of data exchange (Rankin, 2016). His competences, vis-à-vis other counter terrorism actors, especially the EU Counter Terrorism Coordinator, could further complicate coordination.

In November 2016, a new directive on counter terrorism was initiated as the EU framework for rules on terrorism offences and it widened their scale to include emerging threats, such as: traveling abroad to join a terrorist group and/or a return to the EU with the aim of carrying out a terrorist attack; recruiting for terrorism; training or being trained for terrorism; aiding, abetting or attempting to carry of an attack; public incitement or praise of terrorism and the financing of terrorism and terrorist groups. The EU member states have 18 months to transfer it into their national laws (Diplomatic Intelligence, 2017).

EUROPOL is still considered as a key counter terrorism institution. Coordination within EUROPOL proved difficult due to: the different political, administrative, judicial frameworks of the EU member states; different agencies and services responsible for counter terrorism (in some member states it is the police, in others the intelligence services); as well as the reluctance of member states to share information, and different data protection regimes (Bureš, 2016, pp 57–66). As a response to foreign terrorist fighter phenomenon, EUROPOL in 2014 launched a focal point travelers scheme to help European countries by collecting and sharing information on the movements of foreign terrorist fighters to Syria and Iraq and their return to Europe. Only half of the 28 members states reported their national situations to EUROPOL databases at the time of the Paris attacks. The importance of EUROPOL

in counter terrorism was confirmed by the fact that most of the perpetrators had a criminal background. In 2016 Europol supported 127 counter terrorist operations (a 50% increase). (Europol, 2017).

In January 2016, a new European Counter Terrorism Center (ECTC) was established within EUROPOL, as the central information and expertise hub for dealing with growing EU needs in the fight against terrorism. Its principal task is to provide operational support to EU member states in investigations, as in the case of those following the Paris, Brussels and Nice attacks, and it can contribute to a coordinated response. Its main focus is in: tackling foreign terrorist fighters, sharing intelligence and expertise on the financing of terrorism, online terrorist propaganda and extremism, and illegal arms trafficking, as well as international cooperation among counter terrorism authorities. In Greece and Italy, the ECTC provided security checks at external borders, supported the EU internet forum and was involved in various initiatives to enhance cooperation in the Western Balkans and MENA regions. ECTC services, used by member states, increased information sharing. (Europol, 2016).

Many EU member states simultaneously participate in informal multilateral networks such as the Club de Berne and the Police Working Group on Terrorism (PWGT). Although this cooperation often is at the expense of support to EUROPOL, these informal networks have proven to be much more suitable for information sharing than the usual hierarchical EU agencies.

In February 2017, on the initiative of the German BKA and EUROPOL, almost 100 high ranking police representatives met in Berlin, to consider the best means by which to enhance the coordination of European police efforts to fight terrorism, and discuss the current state of the terrorist threat in Europe, best practice methodologies for the police response to terrorist incidents, and the enhanced use of ECTC (the European Counter Terrorism Centre) for increasing information (Europol, 2017).

Apart from initiatives and declarative willingness, one of the obstacles to an efficient common European counter terrorism response is the slow bureaucratic process, the *ad hoc* nature of initiatives-launched only after terror attacks, and the reluctance of some member states to transfer sovereignty to an EU supranational body. Policy makers at the EU easily launch initiatives to enhance counter terrorism but are less effective in persuading their own national agencies to comply with such initiatives at an EU level (Springer Berlin Heidelberg, 2016). Furthermore, the contemporary political context is not always in favor of enhanced cooperation in the face of a growing euro-skepticism, and the reassessment of some member states regarding their

future benefits from EU membership. For these reasons, some member states are more in favor of bilateral agreements for cooperation between their security and intelligence agencies, which is now evaluated as being a more effective and practical response. National databases usually contain more detailed data for individuals of particular member state interest, which are not usually transferred to joint EU databases. This is why the EU should facilitate, and not replace such cooperation. The Union is not against such cooperation, and even encourages it, recognizing its practical value.

The importance of cooperation and information sharing in a counter terrorism context remains a future challenge. Similar calls for improved cooperation existed before but have been ignored or not even recognized by some member states. For example, in March 2014, the EU issued a counter terrorism memo urging member states to share more information with the authorities such as EUROPOL about foreign terrorist fighters in Syria and Iraq. 90 per cent of the information submitted to EU data bases on foreign terrorist fighters came from just five of the 28 member states (CNBC, 2016).

Radicalization prevention also remains high on the EU agenda. In its 20 April 2016 Communication, the EC proposed concrete actions to further support the effectiveness of member state national policies to tackle radicalization through improved EU coordination structures and the better deployment of funds and European scale projects, with several concrete measures. The European Commission allocated 400 million euros for developing new policies and projects supporting these priorities, and an additional 13 million for supporting grassroots initiatives. New bodies were also established, as the EU Internet forum to detect and address harmful material online, and the Excellence Centre at Radicalization Awareness Network (RAN), as a support to the EU and its member states in fighting radicalization (European Commission, 2016).

European Values Challenged

Terror attacks not only affect human lives, but also core European values, which also come under attack, such as: human rights and human dignity, the freedom of movement and the freedom of expression, equality, solidarity, tolerance, pluralism and the freedom of movement.

Human rights are always at stake when it comes to counter terrorism measures, in what can best be described as a continuous bargaining between freedom and security. European and international human rights groups criticized the new EU directive on

counter terrorism, claiming that it would lead to the criminalization of public protests and other peaceful acts, and that it would suppress the freedom of expression, as well as limiting the freedom of religious expression and other rights, bringing about the risk of discrimination against particular ethnic and religious communities. They called upon safeguards in the implementation of national laws (EDRI 2016). However, public polls have since shown that Europeans are willing to give up more of their rights for more security (Euranet plus, 2015).

Freedom of expression is mainly related with attempts of countering online propaganda, media and social media regulation as well other disputable content. In contrast, public opinion reacted strongly when the EU leadership urged the British media to not report terrorists as being “Muslims” or “Islamic” (Laszlo, 2016).

Freedom of movement came into the debate because of the fact that the perpetrators of the Paris, Brussels and Berlin attacks had moved so freely from one country to another, without being checked or detained. Yet, inspite of growing criticism, the president of the European Commission, Jean-Claude Juncker said that open borders are still the best way to combat international terrorism, pointing out that the basic values for which the EU stands are unchained (Street, 2016).

Solidarity is especially important as a means of demonstrating unity. The Lisbon treaty introduced the solidarity clause under which any member state hit by a terror attack must receive help from other member states. However, not all member states see the current (religiously motivated) threat of terrorism as their priority. The current counter terrorist agenda reflects the primal concerns of Western Europe and the Northern European member states, those of Central and Eastern Europe fear Russia and the situation in Ukraine, while the Southern member states fear the current flow of migrants and refugees.

Tolerance, as a value on which the EU was built is endangered not just by radical religious ideologues (Salafi-jihadism), but also by growing right wing movements who think that governmental measures and the overall response to radicalism and terrorism, as well as the refugee/migration crisis, has so far been insufficient. Extreme far right groups and national extremists have already conducted attacks on mosques, community centers, migrant and asylum shelters and private shops owned by Muslims (Dugulin, 2017). This tendency could continue further, fueled by new terror attacks. Right wing political parties are also on the rise, the National Front in France, Alternative for Germany, and the Freedom Party in Austria continue to attract new votes. Yet, in spite of regular attacks on its migrant policy, the CDU and Angela Merkel still maintain popularity (Peek, 2016).

Terrorist threats have further encouraged politicians in Poland, Hungary, Slovakia, and the Czech Republic to criticize migration policy and they have called on the EU to close its borders and return refugees and migrants to their own countries. They argue that Muslim migrants are fueling the terrorist threat, arguing that all recent terrorists have been migrants. For example, Slovakia showed a willingness to accept migrant Christians only because Muslim refugees would build mosques and change Slovak culture (The Irish Times, 2016). Meanwhile, official German policy has remained unchanged, with the call that terrorism should not be linked with Islam, which is in turn misused by terrorists (Montgomery, 2017).

Public opinion polls have also shown that Europeans think that the migrant flow contributes to the threat of terrorism. An EU-wide study from April 2016, showed the vast majority of Europeans are worried about the number of Muslims in their country and believe that the terror threat is far from over. They also believe that Muslim migrants are a serious threat to Europe, that terror attacks are likely in their country and that the immigration wave increases the risks of terrorism and crime, and poses a risk to the cultural integrity of the country. Besides these worries, most Europeans don't want to leave the EU (Cooper, 2016).

Some preventative measures by governments also affect tolerance. France closed 20 mosques and prayer halls under allegations that they were spreading radical ideas, and proposed to ban the funding of foreign mosques (Russia Today, 2016). Another measure was to end the ability radical Muslims to benefit from welfare programs, after it was revealed that some of the best known Jihadists received thousands of euros in unemployment benefits (Esman, 2016).

The abovementioned illustrates the extent to which the so called individual, isolated or limited attacks impact on European societies. A divided Europe is something the IS wants to achieve, exploiting the current and future alienation of European Muslims, provoking a backlash from far right and extremist groups, and sparking a religious war. The Normandy church attack, the Church plot in Paris or attacks on Jews demonstrate the determination of IS to undermine religious tolerance and provoke religious divisions according to their ideology.

This is why tolerance should remain a basic European value and the voices of the religious leaders should prevail. After the Würzburg attack, the Central Council of Muslims in Germany warned that the intention of the assailant was to spark growing division in Germany over the integration of foreigners and the reception of refugees and it pledged to prevent such attempts (DW, 2016). The Belgian Muslim Group, The League of Imams publicly condemned the Brussels attack (Socolowsky, 2016).

The Union of Islamic Organizations of France strongly condemned the Paris attack (Muslim News, 2015). Such strong messages from religious authorities and believers from different religions are the best response to radicalism and ongoing EU efforts to preserve its security, unity, solidarity, and most important, its values.

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