



TTSRL – Policy Brief

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Key Policy Recommendations

- The establishment of a European definition of terrorism (see Deliverable 4 Policy Brief) incorporating the new security paradigms is a priority if progress is to be made towards a common counter-terrorism policy. Once this goal is achieved we must focus on the operational and threat analysis level.
- Whilst the threats are similar, there are sufficient elements to differentiate US counter-terrorism policy from European policy. These differences must be very clear so as to avoid coming up with a policy which is a transatlantic version of the American counterterrorism strategy.

Introduction

A regulatory framework on terrorism at the European level, albeit necessary, is not sufficient in itself. What is required instead is the real incorporation of this European framework into the respective legislation of different states.

Based on the work we carried out in WP2, centered on a quantitative and qualitative analysis of anti-terrorism discourses of different states, we can offer a series of recommendations, based on the results obtained, which reflect the gaps and contradictions found not only at the state level (cross-country analysis) but also at the state - European Union level.

European Counterterrorism Policies

A – Terrorism on the agenda of European States

Terrorism, as a security threat, is not perceived in a standard level in every European country. A central finding of our research has been that while terrorism may feature on the security agenda of all states, it does not feature at the same level on each and every one of them. There are some countries where terrorism is a top priority (for example, Spain) and others where it is much lower





on the policy agenda (for example, The Czech Republic). This difference in perceived danger contradicts the reality of a single space of free movement, and the other freedoms associated with it. That is to say, while movement between the 27 states is becoming more open, national boundaries determine the limits of action of security and intelligence forces (growing levels of cooperation aside) because the level of analysis or threat assessment is still done at the national level. Various terrorist organizations take advantage of this contradiction, exploiting those differences by making the most of those countries where controls are most lax. It is no coincidence, therefore, that the most recent attacks by the terrorist organization ETA, for example, have included some form of logistical preparation in Portugal as a way of counteracting the strict controls in existence in Spain and France. As we analyzed in Deliverable 5, during the 70s and 80s there were contacts and collaboration between ETA and IRA also.

A basic common perception of the danger must, therefore, be strengthened. If that cannot be managed at the EU level, it should at least be achieved at the level of neighboring states regarding common methods of threat perception and analysis, as an initial nucleus which might then be expanded in the future. In the case of ETA which we mention here, not only French – Spanish cooperation should be pursued, but Portugal should be incorporated as well.

B – National perceptions of security problems

The results of our work in WP2 demonstrate that the perception of security problems is still focused on national perspective (as a matter of national security), not at the European Union level. While that may be understandable due to the recent development of a counter-terrorism apparatus at the European level, despite all the advances made in this area, member states have yet to sense this change and let aside the classical state-centered or national level approach. The strengthening of initiatives such as EUROPOL and FRONTEX, in addition to the development of the SIS-I and SIS-II programs, will further European tools of a cross-border nature, which are the best available to fight terrorism on a European common operational level.

C – European vs. American conceptions of the fight against terrorism (transatlantic gap)

One of the main dangers when it comes to establishing a European counter-terrorist policy is that of conceiving the threat in terms taken from other strategic framework, as in the case of the United States and their security needs. Our research has shown that the terrorist attacks of 9/11 have had a greater media impact in Europe (and a knock-on effect on how the threat is perceived) than attacks carried out on European soil.





Consequently, even if Islamic terrorism has been the great challenge since 9/11 and the subsequent Madrid and London terrorist attacks, an effort was made to separate the perceived danger as understood from the American perspective.

A common European understanding of the terrorism threat perception needs to be strengthened. That does not mean failing to recognize the common dangers which the EU and USA face and the areas where the two can fight together (for example in Afghanistan), but rather determining to what extent the terrorist threats with which Europe is confronted have their own specific nature (ethno-separatist groups or the threat of radicalization among the home-grown Muslim population).

The perception of the mass-media aside, ethnic-nationalistic terrorism is still the most important form of terrorism in Europe. EUROPOL statistics (EUROPOL, TE-SAT 2008: EU Terrorism Situation and Trend Report) confirm as much. And even if the Islamic variety of terrorism has been more dramatic and received greater media attention, that does not make the most constant and long-term danger - ethnic-nationalist terrorism - simply disappear. It is in this sphere that a North American perception seems to have superseded (and influenced) Europe.

Recommendations

- Strengthen common security perceptions between those neighbouring states which share similar problems or whose geographical proximity can generate a "spill-over" effect regarding threats.
- Continue to move forward from two axes; from the top downwards (from EU institutions to member states), regarding a common legal framework for counterterrorism; and from the bottom upwards (from EU member states to EU level), strengthening common operational capacities and initiatives such as EUROPOL and FRONTEX.
- Strengthen the shaping of a European identity with regard to the perception of the whole terrorist issue. It should not simply be an extension of the North American version, given that both in terms of its institutions as well as its regulatory framework, the EU has its own identity.

Further Research

Given that we have identified some changes in the security discourse of states during our research, discourses which, to put it one way, were more or





less European, it would be interesting to explore whether the different EU countries adopt a more European discourse when they carry out more visible functions (for example, the rotating presidency of the EU). Perhaps at the same time we can analyze the way they act in the United Nations' Security Council (those seats which belong to EU member countries, whether permanent or rotating).

Conclusions

A European counter-terrorism policy includes elements of the European Common Foreign & Security Policy. Consequently, as long as differences exist between European foreign policies, there will be differences in European counter-terrorism policies. We are not advocating total uniformity, but rather the idea of moving forward towards common positions (common framework decisions), with each state's individual position also contributing to enriching the whole.

There are also differences between EU institutions, a telling example is that of the terrorist group Mujahedin-e-khalq (Mujahedines of the People), which has featured on the European list of terrorist groups since 2002. The European Court of Appeal declared in its sentence this October that the freezing of the group's bank accounts should be not continued because "the evidence presented was insufficient to continue with this financial measure", given that there was no evidence of any terrorist activities. It is only one example of the contradiction whereby the European Union says the above mentioned group is a terrorist organization but then one of its institutions says there is no proof for that accusation.

Shaping an effective European counter-terrorism policy means more than simply establishing a common definition of the threat – indeed, that is only the first step. The challenge is to develop a common approach, to coordinate different state perceptions and create a common understanding of the terrorism threat, which is necessary for the creation of a European counterterrorism apparatus with a capacity for data analysis and means of operation.

