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„EU response to terrorism“

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1. Introduction	3
2. Main research question and methodology	4
3. The term ‘terrorism’	6
1. General definitions of terrorism	7
2. Categorization of terrorism	12
3. Definitions of terrorism by the EU and the USA	18
4. General history of terrorism	20
5. The globalization of terrorism	26
6. History of terrorism in the EU	30
7. EU response to and prevention of terrorism prior to 9/11	35
1. Internal counter-terrorism measures and developments	35
2. External counter-terrorism measures and developments	46
3. Critical analysis of counter-terrorism measures and developments	48
8. The significance of 9/11 for EU counter-terrorism	51
9. EU response to and prevention of terrorism after 9/11	52
1. The initial response to 9/11	53
2. 2002-2004	60
3. The Madrid bombings	64
4. The London bombings	67
5. Post-London	70
6. Critical analysis of post-9/11 counter-terrorism measures and developments	73
10. Recent EU counter-terrorism efforts and current issues	75
1. Recent counter-terrorism measures and developments	75
2. Current issues and possible future response	77
3. Critical analysis of recent counter-terrorism measures and developments	78
11. Conclusion	78
Bibliography	81

1. Introduction

The recent terrorist attacks in the Île-de-France region around Paris, France on the satirical magazine Charlie Hebdo and that carried out in a kosher supermarket proved once again that terrorism is a phenomenon that is more imminent than many had previously thought it to be. The EU reacted with a new Agenda for Security encompassing the years from 2015 and 2020, including the setting up of IT companies that should develop tools against terrorism propaganda. An approach that is much alike that that had previously been shown when it came to counter-terrorism: an attack had to happen for the EU (or its predecessors) to really formulate aims and to lay out proposals.

For many, the 9/11 attacks on the USA still trigger vivid images on TV of hijacked aeroplanes being flown into the towers of the World Trade Center, which back in 2001 evoked not only a wide-reaching response by the US government, but by the EU as well – Action Plans, Arrest Warrants and agreements regarding foreign policy for the first time seemed to become the main focus of the EU. However, the following attacks on EU soil, the largest ones having been in Madrid and London, showed that terrorism proves to be an ever-changing phenomenon that has to continuously be tackled and fought.

Terrorism itself is a phenomenon that is hard to pinpoint. Over the past centuries, it has come from being very much a domestic to very much a global problem that can range from being based on social-revolutionary ideas to religious motivation. It is not easy to grasp this problem, and the way the EU has dealt with it over the past 60+ years only shows this.

While the 9/11 attacks in the past 15 years largely proved to be a trigger for counter-terrorism developments in the EU as will be shown in a chapter of this MES thesis, efforts in combating terrorist and their organizations need to be stepped up, not only because the EU has to face the likelihood of imminent threats with, e.g., the IS, but also in order to finally set out a framework that will not only

be able to respond, but also to protect and most importantly, prevent terrorist attacks from happening on EU soil in the future.

2. Main research question and methodology

Now that a concise introduction to the topics that will be dealt with in the framework of this MES thesis has been given, it is important to define the main questions and the way they shall be answered. It is clear from the past chapter that terrorism is an issue that is ever apparent, both in the public's minds, in the affected areas and in the media. For the EU, the past 15 years, as already pointed out, have proven to be a challenge for the internal and external security policy especially regarding terrorism. Taking into consideration the recent happenings related to the Islamic State both in the Near East and, as of recent, in Northern Africa with Boko Haram – both neighbouring areas –, the immediacy that the Islamic State has had in the EU the past few months such as, e.g. the 'Charlie Hebdo' case and the associated terrorist attacks on a kosher supermarket in Paris, and terrorist actions by other Extremist groups, it is very likely that this topic will continue to be a challenge for the EU. This is why this MES thesis aims to give an answer to the following main research question: *How does the EU respond to terrorism, and how does it try to prevent it (current and past threats)?*

For this purpose, it is crucial to first give an overview of the definition of 'terrorism' and its associated terms and also to give further information as regards to categorizations of terrorism, as well as an overview of the history of terrorist threats and attacks in general and against the EU.

The events of 9/11 have proved to be a turning point – yet it is questionable, as will be shown, whether it will be a final one – for the general idea of what 'terrorism' is, since the attacks served as an example of international terrorism that had by then become a definite, obvious threat, not only to the USA. Furthermore, the strategies to combat terrorism have changed, as, e.g., Bossong (2014, p.38) points out:

The response of the EU to the events of 9/11 distinguished itself from previous periods of counter-terrorism cooperation. Shortly after the attacks the EU drew up an extensive and cross-cutting counter-terrorism policy.

Due to this notion that counter-terrorism measures have changed with 9/11, the EU's response to terrorism will be discussed in two parts: the first one will deal with response and prevention measures before the 9/11 terrorist attacks, and the second one with response and prevention measures after the incidents.

A final chapter will deal with current measures and threats that the EU is targeting at the present moment. Together with the chapters on the prevention and response mechanisms and techniques, it shall give an outlook at how current and prospected future terrorism is or will likely be fought.

It has to be noted here that even though the main research question effectively asks about the EU's counter-terrorism, the predecessors of the EU as founded by the Treaty of Rome in 1958 shall be included in the answer to this question, since effectively, they laid the path to today's counter-terrorism measures.

As for the methodology that will be used to effectively answer the main research question *How does the EU respond to terrorism, and how does it try to prevent it (current and past threats)?*, literature research has been carried out. It shall be the means of giving an answer to the issues discussed in the course of this paper. Both primary and secondary literature was used for this purpose. Literature research is believed to be the adequate means due to the high topicality of the main issues, as it will give access to discourse discussing the most recent developments in the area of EU terrorism prevention and response mechanisms.

To briefly characterize the literature that was used: for the theoretical parts, a number of works by highly influential authors was used, especially Walter Laqueur's *A History of Terrorism* (2012), Kai Hirschmann's simplistically named, but all-encompassing *Terrorismus* [Terrorism; note from the author] (2003) as well as Peter Waldmann's chapter on 'Terrorismus als weltweites Phänomen:

Eine Einführung' [Terrorism as a worldwide phenomenon: An introduction; note from the author] (2002) proved to be of particular interest, and proved to help in drawing up a concise picture of terrorism and its history. For the parts of this MES thesis dealing with legal issues or actions taken by the EU/its predecessors, documents by these (especially by the Commission and the Council of the European Union) were studied. Due to the, as already stated, high topicality of the issue at hand, newspaper articles (especially online ones) proved to be an important source of information as well.

3. The term 'Terrorism'

It is crucial to define terrorism, and to give different views on what terrorism is to various instances, as it can give guidance when it comes to what a terrorist organization is to the EU, for example. On a more general level, it is very important to first define what scholars and academia understand when it comes to the term 'terrorism', and what sort of categorizations there are. The first subchapter will give an overview of general definitions of the term 'terrorism' and will outline common main elements of several definitions, which will be followed by a subchapter on categorizations of terrorism, especially regarding the second half of the 20th century, as this period and its different types of terrorism were very influential for the terrorism types we have today (cf. Hirschmann 2003, p. 17). In a third subchapter, definitions by the EU and the US government will be given, since there is a large focus on terrorism prevention after 9/11 as a turning point in terrorism prevention. The EU's definition shall help to better understand the tasks that the EU has had since the events of 9/11, while the definition by the US government shall simply outline in how far both definitions differ, and be exemplary as it were the United States that were the aim of a terrorist attack on September 11, 2001.

3.1 General definitions of ‘terrorism’

There is a large number of general definitions when it comes to the term ‘terrorism’. However, most of these agree on certain specifications, such as that it has to include an act of violence or that it is carried out by a group or that the individual carrying out the act is related to a group. In this subchapter, first, a differentiation between ‘terrorism’ and ‘terror’ shall be made, as these terms are closely related and often used interchangeably, though they do not refer to the same phenomenon. The following different definitions shall then give an overview of the various ideas that this term evokes, show similarities and serve as a starting point for the next subchapter that will try to understand what the EU and also the USA due to 9/11 terrorist attacks on the US as a defining point in terrorism prevention (cf. Argomaniz 2012, p.1) sees as ‘terrorism’.

When one hears ‘terror’, the term ‘terrorism’ or images thereof often come to mind. However, these do not refer to the same phenomenon: on a general level, both mean the “systematic spreading of fear and horror [systematische Verbreitung von Furcht und Schrecken]” (Hirschmann 2003, p.7). However, ‘terror’ generally refers to the reign of terror by a state, i.e. it refers to “terror from above [Terror von oben]” (ibid.), directed at citizens or specific groups of citizens, while ‘terrorism’ refers to the “terror from below [Terrorismus von unten]” (ibid.), that means targeted attacks against those that rule (the state).

This latter phenomenon, terrorism, has many different definitions as well. As Waldmann (2002, p.11) states in his,

terrorism means planned, shocking acts of violence against a political order from the underground. Its aim is to provoke general uncertainty and fear, but also sympathy and to promote support [Terrorismus sind planmäßig vorbereitete, schockierende Gewaltanschläge gegen eine politische Ordnung aus dem Untergrund. Sie sollen allgemeine Unsicherheit und Schrecken, daneben aber auch Sympathie und Unterstützungsbereitschaft erzeugen.].

Hirschmann, another scholar, generally sees terrorism as basically “the last escalation level of (political) extremism [die letzte Eskalationsstufe von (politischem) Extremismus]” (2003, p.7), and states that it stems from the French ‘terreur’, that was first used to define the approach that the Jacobins carried out against their enemies. Terrorist organizations of today differ from this idea insofar, Hirschmann says, as they carry out their actions in the framework of a political strategy. (cf. Hirschmann 2003, p.8)

Waldmann confirms this point: He remarks that terrorism has a strong political dimension to it, which in turn highlights the public dimension to it, i.e. the effect it has on the general public. He thus furthermore clearly differentiates terrorist acts from such cases where, e.g., within a family, pressure or violence are caused. (cf. Waldmann 2002, p.11)

What is also of importance in Waldmann’s definition is that he states that terrorist organizations work from the underground, because they are not strong enough to openly pit themselves against the state, thus retreating to illegal acts (cf. *ibid.*). This part of Waldmann’s definition, however, may be considered a bit outdated when discussing recent terrorist events. The IS, for example, has taken over some of Syria’s and Iran’s territory and – more or less – formed a sort of ‘state’ – at least according to them (President Obama, however, as an example, thinks differently)¹ defined and ruled by the terrorist organization.

Waldmann goes on to say that terrorist organizations are also defined by their size, and this furthermore influences their ability to act. He states that because of this, they are dependent on thoroughly planning sensational acts that are outside of the generally accepted legal standards and those of morality in order to arrest attention by the public. (cf. 2002, p.12)

¹ See, e.g. THE WEEK, online.

Also, when it comes to the victims of terrorist acts, to Waldmann, the targets of terrorism are defined categories of persons, and while it does not usually matter what person this is, it matters that they belong to a specific group. By choosing such a victim, the terrorist organization carries out a symbolic act, the overall act “primarily [being] a communication strategy [primär eine Kommunikationsstrategie]” (Waldmann 2002, p.13).

This idea of terrorism being a communication strategy is very important when terms similar to ‘terrorism’ are considered. This is, e.g., the case with the term ‘guerilla’. Hirschmann makes a clear distinction by stating that the latter is a military strategy that focuses primarily on the “harassment, encirclement and eventual destruction of the enemy [Belästigung, Einkreisung und letztlich Vernichtung des Gegners]” (2003, p.11), while the former, terrorism, is, as already stated by Waldmann in the last paragraph, considered to be more of a communication strategy. Its aim, according to Hirschmann, is that they want to form a public image:

Guerilleros want to occupy space, terrorists want to occupy thoughts and are primarily interested in generating ‘publicity’ [Guerilleros wollen den Raum, Terroristen das Denken besetzen und sind primär an der Herstellung von ‘Öffentlichkeit’ (Publicity) interessiert] (2003, p.11).

Also, when the fact that the victims of terrorists belong to a specific group is considered, the differentiation from Guerilleros becomes more evident. Guerilleros usually respect the boundary between a civilian and a combatant, while terrorists generally only care about whether somebody is a member of a group (be that of a religious denomination or a citizen of a certain state) or not. (cf. *ibid.*, p.11)

What is furthermore very important when considering the idea of ‘terrorism’ is the emotional element to it. For the broad public, terrorist acts may likely result in fear and anxiety as well as uncertainty. As already said, scholars put the emphasis of their definitions of ‘terrorism’ on different elements of the definition, and for some scholars, the emotion(s) triggered is (are) the element wherein the main

focus lies. According to Hirschmann, Bruce Hoffmann, an American terrorism expert, defines terrorism as the following:

[T]errorism may be seen as the deliberate generation of [...] anxiety by means of violence for the purpose of the realization of political changes [Terrorismus könne als bewusste Erzeugung [...] von Angst durch Gewalt oder die Drohung von Gewalt zum Zweck der Erreichung politischer Veränderungen definiert werden] (ibid., p.8).

Naturally, the emotions triggered by the terrorist acts are an important element to be considered, what is furthermore of importance though is the effect that a terrorist organization hopes for. Historian Walter Laqueur, another scholar that has defined terrorism and may be considered one of the most prominent figures in terrorism research, puts his emphasis on this element. As ‘terrorism’, according to Hirschmann, Laqueur understands the

use or threat of violence in order to spread panic in a society, to weaken the governing body or to overturn them and to, in effect, bring about political change [Anwendung oder Androhung von Gewalt, um Panik in einer Gesellschaft zu verbreiten, die Regierenden zu schwächen oder zu stürzen und einen politischen Wechsel herbeizuführen] (ibid., p.8).

Thus, the main aim of a terrorist act may, according to Laqueur, be seen as the attempt to bring about “political, social or economic change through the means of violence [politische, gesellschaftliche oder wirtschaftliche Veränderungen durch Gewalt]” (ibid., p.8).

What can definitely agreed upon are the elements found in the initial definition of ‘terrorism’ by Waldmann: that it includes the elements of organization, of emotion, violence, politics, illegality and that it furthermore causes a specific effect aimed at by the organization. These points are further strengthened by Sofsky, who mentions a few of these: it is always a violent act against somebody defenceless, uses fear as its means of power and can thus be clearly differentiated from other forms of violence, and it furthermore has a political goal. (cf. Sofsky 2001, p.28ff.)

It is important to note that these are general definitions made by scholars who try to grasp this phenomenon that seems to be ever-changing its forms, or stretching some of its elements. These definitions, however, are made from the outside. Terrorist organizations themselves generally view themselves and their actions in a different light than the wide public does:

Terrorists generally see themselves as freedom fighters or fighters for the rights of the suppressed [Terroristen halten sich grundsätzlich für Freiheitskämpfer oder Kämpfer für die Rechte der Unterdrückten.] (Hirschmann 2003, p.11).

Historian Walter Laqueur agrees on this notion in the very first pages of his book on 'A History of Terrorism': "The terrorist (we are told) is the only one who really cares; he is a totally committed fighter for freedom and justice" (Laqueur 2012, p.3).

In order to give a final definition that encompasses all the elements found in the above descriptions, one of the most prominent definitions made by Jongman & Schmid, who analysed a large number of definitions of the term and coined their own one, featuring the most prominent elements, shall be given:

Terrorism is an anxiety-inspiring method of repeated violent action, employed by (semi-)clandestine individual, group, or state actors, for idiosyncratic, criminal, or political reasons, whereby – in contrast to assassination – the direct targets of violence are not the main targets. The immediate human victims of violence are generally chosen randomly (targets of opportunity) or selectively (representative or symbolic targets) from a target population, and serve as message generators. Threat- and violence-based communication processes between terrorist (organization), (imperilled) victims, and main targets are used to manipulate the main target (audience(s)), turning it into a target of terror, a target of demands, or a target of attention, depending on whether intimidation, coercion, or propaganda is primarily sought. (2005, p.28)

As can easily be seen from this definition, terrorism is a complex phenomenon that has many different elements to it, and the fact that this was Jongman & Schmid's second attempt at giving a definite description of terrorism, defined on the basis of empirical research in 1985, after a first attempt a year earlier had proven to be unsatisfactory, only strengthens this perception.

Now that the boundaries between ‘terror’ and ‘terrorism’ have been explained, that the general specifications of the latter have been thoroughly discussed, and that it has been pointed out that terrorism can also be seen from the side of the terrorists themselves where it has a different connotation, the next subchapter will deal with more specific categorizations of various forms of terrorism, as the types of terrorism the EU and its predecessor organizations have or had to deal with differed over the span of history.

3.2 Categorizations of terrorism

Besides these general definitions of what terrorism is and what it looks like, further distinctions between different forms of terrorism can be made. There are many categories a terrorist act or a terrorist organization can fit into: national terrorism, international terrorism, ethno-nationalist terrorism, ideological terrorism, or religiously-motivated terrorism, among others.

In the chapter on the general history of terrorism it will be outlined that terrorism has taken on many different forms in the past, and that it continues to do so. For this thesis, it is most important to understand what terrorism looks like today, i.e. what categories it fits into. For this purpose, it is important to investigate the influences of the past few decades, and what categories these types of terrorism fit into.

As Hirschmann points out,

[i]n all terrorist actions from the time frame of 1965 to 2000 essential for the situation today, three basic motives can be detected, that can appear on its own, additively or substitutively: a social-revolutionary, ethno-nationalist and/or religious motivation. [In allen terroristischen Handlungen des für die heutige Situation maßgeblichen Zeitraums von 1965 bis 2000 sind drei Grundmotive zu erkennen, die in Reinform, additiv oder substitutiv auftreten können: eine sozialrevolutionäre, ethnonationalistische und/oder religiöse Motivation.] (Hirschmann 2003, p.17).

According to him, it does not matter whether national or international terrorism are concerned, both of them can feature the motives explained above (cf. Figure 1).

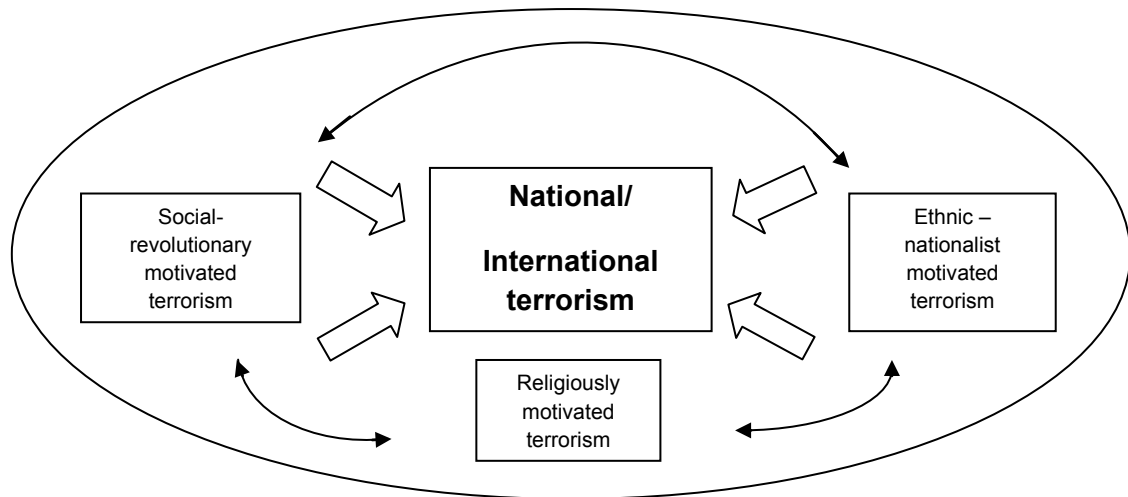


Figure 1: General motifs of terrorism (cf. Hirschmann 2003, p.18)

To better get a grasp of what **social-revolutionary motivated terrorism** is: According to Hirschmann, the initial situation of this type of terrorism was the wish for

an ideologically new orientation of the society as represented by the extreme left spectrum of the ‘Post-1968-movement’. [einer ideologischen Neuausrichtung der Gesellschaft, wie sie das linksextreme Spektrum der ‘Post-1968er-Bewegungen’ vertrat] (Hirschmann 2003, p.18).

This means that their main aim was to change the society with their rather ideological and also social-revolutionary terrorism, as, e.g. the RAF had tried during its existence (cf. *ibid.*, p.18). Even though these groups aimed at internationalizing their efforts, the outcome was rather limited and links to ethnic-nationalist groups were only moderately strong (cf. *ibid.*, p.19).

Ethnic-nationalist terrorism developed at the same time, parallel to the ideological, social-revolutionary form of terrorism at the end of the 1960s. Examples for terrorist organizations that can be assigned to this type are the PKK in Turkey (‘Kurdistan Workers’ Party’), the ETA (Euskadi Ta Askatasuna

(‘Basque Country and Freedom’)) in Spain or the IRA (‘Irish Republican Army’) in (Northern) Ireland. The main aim of ethnic-nationalist terrorism is autonomy or independence, or some partial development into this direction by applying violence. According to Hirschmann, this type of terrorism is the most common one. (cf. *ibid.*)

Apparently it was this type of terrorism carried out by Palestinian groups that was the ‘avant-garde’ of internationalization, so to say. As will be referred to again in the chapter on general history of terrorism, in 1968, the PFLP (‘Popular Front for the Liberation of Palestine’) hijacked a plane of the Israeli airline El-Al on the way from Rome to Tel Aviv (cf. *ibid.*). It was allegedly the first time terrorists had been successful in including foreign countries in their regional activities or in altogether operating from a foreign country. Furthermore, they assassinated Israeli sportsmen during the Olympic Summer Games in Munich in 1972 – another terrorist act that had been carried out entirely on foreign soil, and broadcasted via media everywhere on the world (cf. *ibid.*). As Hirschmann points out,

[s]ince this day, not only ethno-nationalist terrorists know of the importance of international media, whose competitive situation they henceforth use perfectly for their purposes of global media coverage [Seit diesem Tag wissen nicht nur ethnonationalistische Terroristen um die Bedeutung internationaler Medien, deren Konkurrenzsituation sie fortan perfekt für ihre Absichten einer globalen Berichterstattung nutzen.] (2003, p.19f.).

This furthermore was the beginning of terrorism used as a communication strategy, and was the starting point of the relationship between media and terrorism. The symbolic nature of the terrorist attack of the Olympic Summer Games in 1972 – an event that stands for peace – was also the beginning of more symbolic, highly attention-grabbing terrorist attacks (i.e. not terrorist attacks against the enemies themselves, but symbols). The PLO (Palestine Liberation Organization) was a pioneer and a model example in the development towards internationalization of terrorism and the establishment/formation of networks. Ethno-nationalist terror organizations aimed to establish links to legal social or political areas, such as links to the Parliament (e.g. the IRA or ETA try so). (cf. p.20)

The third type of terrorism that was very influential in the development of today's main form of terrorism was **religiously motivated terrorism**. According to Hirschmann, there were two main, significant events that eventually led up to the events of September 11, 2001 (cf. *ibid.*, p.21). For once, there was a religious revolution, the "Islamic Revolution" led by Ayatollah Khomeini, that

not only [brought] religious leaders to the top of the legislative, but was also very openly for the export of its revolutionary model to other countries, especially Palestine. [nicht nur religiöse Oberhäupter an die Spitze der Legislative, sondern setzte auch ganz offen auf den Export ihres Revolutionsmodells in andere Länder, insbesondere Palästina.] (*ibid.*, p.21)

For some groups in the Islamic world that were rather Extremist, this movement gave them the notion that a return to their own values – as opposed to those exceedingly coming from globalization – was possible (cf. *ibid.*).

The second revolutionary event that led to the

birth of multinational terrorism is the reaction of the Islamic world to the invasion of the 'Red Army' in Afghanistan in 1979, i.e. the plea for support for the Afghan resistance fighters [Geburt des multinationalen Terrorismus bildet die Reaktion der islamischen Welt auf den Einmarsch der 'Roten Armee' in Afghanistan 1979, d.h. die Bitte um Beistand für die afghanischen Widerstandskämpfer.] (*ibid.*, p.21).

The invasion was seen as an act of violence against Islam, thus the Jihad was justified – groups of fighters who were to be alongside the Afghan resistance fighters were drawn from all Islamic states, one of them Osama bin Laden, who was a multi-millionaire and able to finance much of the actions. For the purpose of better organization, Al-Qaeda (meaning 'the basis') was founded. After the Red Army had left the country by 1989, many of these resistance fighters went back to their homelands and served as local 'representatives' of the Al-Qaeda. (cf. *ibid.*)

Besides the Al-Qaeda, there are a number of other religiously motivated terrorist organizations such as the Hisbollah or HAMAS who fought under the pretence of fighting for their beliefs. However, even these, on a general level, fight for ethnic-nationalist reasons, but the religious motifs serve as a 'cover'; essentially, their

aims are of a political nature. By doing so, they can more easily ‘justify’ their political requests. (cf. *ibid.*, p.22)

The level of internationalization of religiously motivated terrorism is very high, especially that of Islamic Extremist terrorism. In essence, anywhere where extremist believers of a faith live, religiously motivated terrorism can root. As for Europe and the US, however, the percentage of this type of terrorism is relatively low. It is important to note though, that for this type of ethnic-nationalist terrorism with a religious motivation, a link to legal business operations, to commerce or criminality in foreign countries generally exists. (cf. *ibid.*)

Besides these differentiations between terrorism types, it is important to note that one of the most important distinctive features of terrorism is where it takes place. There is both national as well as international terrorism, meaning whether terrorism happens within a country’s or outside of a country’s border (in relation to where the terrorist organization is from).

Hirschmann, in his book “Terrorism” explains that the former, national terrorism, is limited to terrorist activities within a terrorist organization’s territory, i.e. within the national boundaries (cf. *ibid.*, p.9). The next chapter deals with the history of terrorism, more specifically within the EU’s boundaries, but will also give a general idea of the concept of terrorism in the past. Here, it will become obvious that the face of terrorism has changed a lot in the past few years, from a rather national phenomenon to one that has crossed its borders. Hirschmann confirms this:

Especially in the second half of the 20th century, [...] a clear tendency towards the avoidance of the national state and towards the international integration and cooperation on a political and economic level are apparent [Besonders in der zweiten Hälfte des 20. Jahrhunderts zeigt sich [...] eine klare Tendenz der Abwendung vom Nationalstaat hin zu internationaler Integration und Kooperation auf politischem und wirtschaftlichem Gebiet.] (*ibid.*, p.9).

He continues to say that this can mainly be attributed to “technical and social developments [technischen und gesellschaftlichen Entwicklungen]” (ibid.), as especially since the 1960s, an internationalization of terrorism can be observed. This is definitely in accordance with the three developments of terrorism explained above, ethnic-nationalist, religiously motivated and social-revolutionary motivated terrorism, that have all led to the rather internationalizing ‘trend’ of terrorism today.

International terrorism, according to Hirschmann, on the other hand, may be said to exist when it features the three following points:

- The targets and reasons of the terrorists regarding their attacks are not aimed to a specific region, but exceed these boundaries or are aimed at a global level.
- The action space of the terrorists is not limited to a specific region, but they operate in a space exceeding these boundaries or on a global level.
- The members of the terror [sic!] group are from different countries, so that an expansion of their activities in this area is to be expected.

[- Die Zielsetzungen und Begründungen der Terroristen für ihre Anschläge beziehen sich nicht auf eine begrenzte Region, sondern sind überregional bzw. global angelegt.

- Der Aktionsraum der Terroristen ist nicht auf eine bestimmte Region beschränkt, sondern sie operieren überregional bzw. global.

- Die Mitglieder der Terrorgruppe stammen aus unterschiedlichen Ländern, so dass mit der Ausweitung der Aktivitäten in dieses Umfeld gerechnet werden muss.] (Hirschmann 2003, p.9f.).

What can easily be seen here is that not only has terrorism changed, it also has many different manifestations, and the rather international terrorism of today can be said to have had a few different influences coming from the second half of the 20th century.

For the reader, it may have by now become clear that the internationalization of terrorism may have been influenced by the globalization trend as well. This is indeed said to be the case, and will be further discussed in a later chapter, as this is one of the ‘new’ types of terrorism the EU has to deal with today.

Now that an overview of different categorizations regarding terrorism has been given, the next subchapter will treat the topic of terrorism as defined by the EU and the USA. Naturally, due to the main research interest of this thesis, the EU's definitions are very important. Those made by the USA and its governmental institutions are of interest because of the direct effect the 9/11 attacks had on the EU's terrorism prevention strategies as well, as will be thoroughly discussed in later parts of this thesis.

3.3 Definitions of 'terrorism' by the EU and the USA

As for the EU, on June 13, 2002², in a framework decision by the Council on combating terrorism, a first post-9/11 definition of what terrorism is, and of what defines a terrorist group, was issued. This was done so as to clearly identify what these definitions are, and by doing so, helping in harmonizing the means of combating terrorism and terrorist groups in the EU member countries. The common definition of terrorism according to the EU consists of two elements:

- [A]n objective element, as it refers to a list of instances of serious criminal conduct (murder, bodily injuries, hostage taking, extortion, fabrication of weapons, committing attacks, threatening to commit any of the above, etc.);
- [A] subjective element, as these acts are deemed to be terrorist offences when committed with the aim of seriously intimidating a population, unduly compelling a government or international organisation to perform or abstain from performing any act, or seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation (EUR-Lex a, online).

What becomes clear when looking at this definition given by the Council is the many different forms terrorism can take on. Terrorism need not necessarily be murder; hostage taking or the fabrication of weapons may also be classified as terrorist acts if these are linked to a subjective element, such as destabilising a country or international organization. Besides this general definition of what

² See EUR-Lex 2002, <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32002F0475> [Accessed: 28th July 2015]

terrorism is to the EU, the term ‘terrorist group’ was also agreed on as part of this framework decision. According to it, a terrorist group is

a structured organisation consisting of more than two persons, established over a period of time and acting in concert, and refers to directing a terrorist group and participating in its activities as offences relating to a terrorist group (ibid.).

As terrorism is nowadays very much a global problem and can often not be attributed to be an act against only one state or government³, even though this MES thesis deals with the EU’s response and prevention of terrorism, it is necessary to look at how the USA as the country directly attacked by the 9/11 attacks defines terrorism. The FBI has two definitions for ‘international terrorism’ and ‘domestic terrorism’. The former

means activities with the following three characteristics:

- Involve violent acts or acts dangerous to human life that violate federal or state law;
- Appear to be intended (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and
- Occur primarily outside the territorial jurisdiction of the U.S., or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum (FBI b, online).

The latter definition of ‘domestic terrorism’ is as follows:

- Involve acts dangerous to human life that violate federal or state law;
- Appear intended (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination or kidnapping; and
- Occur primarily within the territorial jurisdiction of the U.S (ibid.).

³ See, e.g. the IS’s video ‘A Message to the Allies of America’ depicting the murder of British aid worker David Haines, where direct reference to the British government, more explicitly Prime Minister David Cameron, being the “obedient lap dog” of the US, is made; Available from: <http://www.telegraph.co.uk/news/worldnews/middleeast/syria/11095469/Analysis-How-David-Haines-beheading-compares-with-previous-Islamic-State-videos.html> [Accessed: 28th July 2015]

What is very clear from these definitions of terrorism when compared to those given by the framework decision of the Council is that the FBI's definition as the American counterpart is defined more along judicial lines, while the EU defines more on a general level. Furthermore, for the EU, there is no distinction made as regards to domestic or international terrorism, the reach of a terrorist act is not of interest for the Council's definition. The concepts of terrorism (be it domestic or international) for the EU and the USA do however agree on important aspects: for both, terrorism has to either affect the population or government/state, and it has to be classified as a serious crime (be it intimidation of a state or murder of a civilian, etc.).

Now that these different – but also very much similar – definitions of 'terrorism' and its associated terms by several academics and governments have been given and contrasted, the next chapter will outline the general history of terrorism, before moving on to a chapter on globalization of terrorism, followed by on the history of terrorism in the EU, which shall provide the reader with a general idea of the way terrorist acts were carried out in the EU and in how far these acts have changed in the course of time (in relation to size, means, etc.).

4. General history of terrorism

It is unclear where the roots of terrorism are. Walter Laqueur claims that "[i]t is generally believed that systematic political terrorism is a recent phenomenon dating back to the last century" (Laqueur 2012, p.7). What he means by this is that the idea of "the 'philosophy of the bomb' as a doctrine" (ibid.) is indeed a concept that is quite new. However, there is no doubt that there is a large history of terrorism.

In 'A History of Terrorism', Laqueur goes on to mention some of the earliest examples of terrorist acts or movements. As he states, one of these are the so-called sicarii, "a highly organized religious sect consisting of men of lower orders active in the Zealot struggle in Palestine (A.D. 66-73)" (ibid.). There is only a

small number of sources and these often contradict each other, but apparently, the sicarii used “unorthodox tactics” (ibid.): they allegedly liked to attack by daylight, especially during holiday times when large numbers of people gathered. They furthermore liked to hide their favourite weapon, a small knife, under their coats, and mingled with the crowds (cf. ibid.). The sicarii were known to destroy houses and palaces and as “the extremist, nationalist, anti-Roman party” (ibid., p.8). They furthermore did have an element of a religious belief in them, as they believed in martyrdom and “that God would reveal Himself to His people” (ibid.).

Another very early example of a terrorist movement were the Assassins of the 11th century, who brought a wave of terrorist acts along with them until they were finally suppressed two centuries later. From Persia, they spread to Syria, where they carried out a number of murders of important figures, such as caliphs and governors, and attempted to murder the sultan of Egypt, Saladin. Their goal was to “defend [their] religious autonomy” (ibid., p.9). Allegedly, it was very clear to the members themselves that their relatively small size was a problem when it came to directly and openly confronting the enemy, and that they had to plan a systematic terror campaign carried out by a most effective, but small force – reinforcing the idea that terrorist organizations are generally deemed to be too small to openly confront the government or state it is against. (cf. ibid., p.8f.)

In the Far East and India, a different type of terrorist organizations existed for many centuries, a historical, religiously-motivated brotherhood which were also muggers called ‘Thugs’ that were initially said to be non-existent by the then Anglo-Indian authority (cf. ibid., p.9). This may have likely been due to the fact that they apparently “strangled their victims with a silk tie” (ibid.), and were quite unselective when it came to choosing a victim (Europeans still barely ever became the victim of their heinous crimes) (cf. ibid.).

As for later times, one group that has to be mentioned is the Ku Klux Klan. Widely thought to have been one group, indeed there were three different ones that may be attributed to terrorism. In the South of the United States, their ideas

very much became part of the mainstream politics. Still, the Ku Klux Klan fought with terrorist weapons: they murdered, stood for white supremacy, but they not only fought against the “recently emancipated Negroes” (ibid., p.10), but they also fought for patriotism or attacked wife-beaters. (cf. ibid.)

Now that a short outline of some historical terrorist movements has been made, it is important to note that contemporary terrorism differs greatly from these historical forms. As Laqueur points out, the systematic terrorism we know today only began “in the second half of the nineteenth century” (ibid., p.11).

Around this time, there were a number of different forms of terrorism all over the world. In Russia, revolutionaries fought against an aristocratic government in the late 19th as well as the early 20th century (cf. ibid.). “Irish, Macedonians, Serbs or Armenians” (ibid.) aimed to gain independence or autonomy and for this purpose used terrorist methods. Another group, mainly in France, Spain, Italy and in the United States was rather anarchistic, and attracted wide publicity because of the assassinations carried out in the 1890s (cf. ibid.).

However, even among these movements, there were a few that became more notorious than others. As for the Russian ‘form’ of terrorism, Laqueur notes, “[o]f all these movements the ‘Narodnaya Volga’ was the most important by far, even though its operations lasted only from January 1878 to March 1881.” (ibid.). Besides the organization ‘Narodnaya Volga’, there was another bout of terrorism that gained a lot of attention. The Social Revolutionary Party carried out a large number of ‘attentats’ in the early 1900s, but most of the revolutionist terrorism in Russia had stopped by the early 1910s. (cf. ibid., p.11f.)

As for Irish terrorism, it has to be said that while the terrorism within its boundaries has been much less impactful, it has continued a lot longer, on and off, starting in the 1790s, again appearing in the 1870s and 1880s, among other periods (cf. ibid., p.12f.). In Armenia, where a similar type of terrorism was carried out, this terrorism began in the 1890s as well, and has continued until

today in a more sporadic way. It was mainly targeted against the Turkish oppression and has even seen such recent incidents as “the murder of the Turkish ambassadors in Vienna and Paris” (ibid., p.13) in 1975, but was, as already said, mainly a movement from the late 1890s/early 1910s.

There were a great many other incidents that may be attributed to terrorism, such as the Haymarket Square bombing that took place in 1886, ‘*ere des attentats*’ in several countries that may partly be attributed to terrorist organizations, many of these considered to have been the acts of rather left-wing groups. (cf. ibid. p.15f.)

And indeed, up until World War I, “terrorism was thought to be a left-wing phenomenon, even though the highly individualistic character of terrorism somehow did not quite fit the ideological pattern.” (ibid., p.16) However, this soon changed after World War I was over, where “terrorist operations were mainly sponsored by right-wing and nationalist-separatist groups” (ibid., p.17).

Also outside Europe, terrorism was carried out: the Muslim brotherhood, known as a ‘predecessor’ of the IS today, operated on a large basis in the 1930s and 1940s. (cf. ibid., p.17)

Since the 1950s, a tendency towards non-state terrorism has become apparent. This was due to several factors: “the flowering of ethnic nationalism (e.g. Irish, Basque, Zionist), anti-colonial sentiments in the vast British, French and other empires, and new ideologies such as communism.” (Zalman, online) There were terrorist groups all over the world: from the Irish Republican Army with the strive for independency, the Kurdistan Workers’ Party (PKK) with its aim of a Kurdish state or the Liberation Tigers of Tamil Eelam from Sri Lanka, an ethnic Tamil minority who are known for suicide bombing in order to try to gain independence over the Sinhalese government, that forms the majority of the population. (cf. ibid., online)

During World War II, individual terrorist attacks did take place as part of the resistance movement, but only in a very limited way (cf. Laqueur 2012, p.18). Some prominent figures were killed, among them “Heydrich, the governor of the Czech protectorate, [...] Wilhelm Kube, the Nazi governor of White Russia, and some minor French collaborators.” (ibid.) However, [o]verall there is no evidence that the German war effort or the morale of the soldiers was affected by terrorist activity.” (ibid.) This may go to show that terrorism activity was not always so very ‘influential’ as it is largely considered to be today.

The late 1960s and early 1970s then, as already mentioned, saw a change towards the internationalization of terrorism. Especially hijacking became a favoured act by terrorists, such as the hijacking of an El Al flight by the Popular Front for the Liberation of Palestine (PFLP) (cf. ibid.). In 1972, during the Olympic Games in Munich, Black September, a Palestinian organization, took several Israeli sportsmen hostage. In an attempt to free the hostages that was later considered to have been very badly planned and organized, eventually, eleven Israelis, one German police officer and five Palestinians died (cf. Reeve 2006, online). For many, this event was symbolic of later terrorist actions: suddenly, terrorism was global, and not only “confined to the Middle East” (ibid.) as had been the case in the 1930s and 1940s with the Muslim Brotherhood.

While the 1990s saw a lot of religiously motivated terrorism such as the 1993 World Trade Center bombing (cf. FBI c, online), the 2000s saw the probably most prominent terrorist attack of today’s living world population. On September 11, 2001, several attacks against the United States took place which essentially meant that “terrorists hijacked four U.S. air liners and crashed them into the twin towers of the World Trade Center (WTC), the Pentagon, and a field in Pennsylvania, killing nearly 3,000 people” (Mickolus & Simmons 2014, p.128). But the incidents of this day require more detail, as the impact it had, especially on the initiatives to combat terrorism both in the US and in the EU, was enormous.

The first target to be hit was the north tower of the World Trade Center in New York. At around 8:45am, Flight 11 operated by American Airlines hit the building, on board were 92 people including the flight attendants and pilots. The North Tower that had been hit eventually collapsed at 10:29 am, with some people choosing to jump out of the windows, and thousands killed in the fire or collapse. (cf. *ibid.*)

Meanwhile, the South Tower was hit by Flight 175 operated by United Airlines, which was en route from Boston to Los Angeles, and this time the collapse, that took place at about 11:10am, was captured live on TV. (cf. *ibid.*, p.129)

On the same day, Flight 77 operated by American Airlines on its way from Washington to Los Angeles was hijacked as well, only a short time after the other two planes, and was eventually crashed into the Pentagon. (cf. *ibid.*, p.129f.)

In the meantime, a fourth plane was hijacked on its way to California, this time Flight 93 of the United Airlines from Newark to San Francisco. It had been hijacked very shortly after the first two planes as well, and eventually crashed on a field in Pennsylvania, with the original target unknown. (cf. *ibid.*, p.130)

These events led to the US starting their ‘Operation Enduring Freedom’ in the quest for the terrorists that were behind these attacks. Generally, the incident of 9/11 is thought to have been a turning point in the way terrorism was from then on combated.

However, these were not the only terrorist activities that happened in 2001. Shortly after the attacks on September 11, 2001, commonly known as ‘9/11’, mail laced with anthrax spurs began to appear in the US. In total, “[f]ive Americans were killed and 17 were sickened in what became the worst biological attacks in U.S. history” (FBI a, online). It is not clear who really was behind these attacks.

Other terrorist attacks took place in the 2000s and did leave misery behind as well. A group of Chechens, e.g., took over a theatre in Moscow on October 23, 2002 and held those inside hostage. They shot some of the hostages; unfortunately, the “Russian troops use[d] gas to subdue the hostage takers, and kill[ed] 50 of them. However, the gas also kill[ed] 179 of the hostages” (Clarke 2005, online).

Only 2 years later, in an attack taking from September 1-3, 2004, Islamists in Beslan, Russia, took over 1,000 hostages in a school, most of them children. The final death toll, even though the Russian troops did eventually storm the building, is at over 330, and 800 more are left injured. (cf. *ibid.*)

In the 2010s, the most tragic events that took place were definitely the terrorist attack on the Westgate Shopping Mall in Nairobi in September 2013 (cf. Mickolus & Simmons 2014, p.175) or the Moscow subway bombings in March 2010 (cf. *ibid.*, p.168).

What becomes very apparent is the ever-changing face of terrorism: it is as much a phenomenon that has always featured some common elements, as it is a phenomenon that can alter its shape quite significantly over just a few decades.

5. The globalization of terrorism

It has already been pointed out a number of times throughout this thesis that terrorism is a phenomenon that has had different forms and different elements of it were more marked than others throughout history. Today, terrorism is considered a global phenomenon – both when it comes to the target of an attack, the financing and the recruitment, among other things. As pointed out by Kiras (cf. 2008, p.374), and as already outlined in the above chapter on the general

history of terrorism, it started with groups such as anarchists or revolutionists that wanted to evoke change largely within their national boundaries. However, with the technological expansion and the mass media, terrorism has changed as well. According to Kiras (cf. *ibid.*), beginning with 1968, terrorism became a global problem: there were diverging interests between extremists, media became more influential and it was now possible to simply board a plane and go to a faraway destination.

Today, there are said to be four different types of terrorist organizations as laid down by Cronin that operate on a global level. Firstly, there is left-oriented terrorism that is closely related to communism, there is a number of ethno-nationalist or separatist terrorist organizations, right-oriented terrorism that can be attributed to fascism and there is also the phenomenon of ‘sacred terrorism’, i.e. militant Jihadism, that is said to currently be the most prominent one. (cf. Elmi 2001, online)

Especially innovations regarding technology have been very influential in the development of terrorism over recent decades. Capacities, security, coordination and mobility have changed drastically, and especially the internet has revolutionized terrorism (cf. Kiras 2008, p.378ff.). Due to the World Wide Web, it is now possible in countries that have less rigid guidelines, together with new soft- and hardware, to make communication easier. It has been shown that there has indeed been a drastic change with the internet: while in 1998, less than half of the terrorist organizations had their own website, by the beginning of the year 2000, nearly all of them operated a website. (cf. Weimann 2003, online) According to Kiras, this helps to maintain a terrorist organization’s face: even when physical setbacks happen, e.g. if a member of a terrorist organization is being captured or killed, they continue to have a presence, an online presence. (cf. Kiras 2008, p.379) By doing so, they reinforce their ‘immortality’. As can be seen here, technological innovations not only make communications easier, but also help to ‘preserve’ a terrorist organization’s ‘image’ or acts.

These new technological innovations are not only used for communication or image purposes, but also to simplify recruitment of new members. Decades ago, it was not even fathomable that a video would circulate in a web accessible from literally anywhere as long as internet connection and a computer are at hand. Today, this is the norm, and terrorist organizations can simply upload a video, e.g. one showing an attack, and by doing so they can produce both fear and also, possibly, support by those who think likewise. As Elmi states, this is considered a new weapon as well: a psychological one that can trigger fear among those targeted (cf. Elmi 2001, online). There have been a number of videos recently by the IS⁴, showing beheadings of civilians in Syria, or of hostages dressed in orange suits, begging for their homelands to offer help and to stop fighting the IS. If these requests were not taken seriously, another video was uploaded, showing the assassination (usually censored) of the hostages, leading to fear and a lack of belief in the governments as to whether they can really ensure the safety of their citizens. The videos are easily accessible, e.g. the website 'LiveLeak'⁵ offers hundreds of videos, from mass shootings to footage of beheadings, of 'abattoirs' or slaughterhouses showing severed body parts, stonings and other gruesomely detailed terrorist acts, accessible literally from anywhere in the world, as long as, again, internet connection and a working computer are available. Apart from the fact that these videos obviously can trigger fear and anxiety, as already pointed out, these new technological achievements may be said to possibly serve as 'inspiration' for likeminded people or groups.⁶

It is a tough task to answer what the reasons as to why this globalization of terrorism is even happening are, or as to the result of what sort of actions it is.

⁴ See, e.g. 'Footage showing the beheading of a civilian in Idlib'. *LiveLeak*, Available from: http://www.liveleak.com/view?i=ccd_1407931049 [Accessed: 28th July 2015];

'Islamic State Beheads British Aid Worker David Haines', *LeakSource*, Available from: <http://leaksource.info/2014/09/13/graphic-video-islamic-state-beheads-british-aid-worker-david-haines/> [Accessed: 28th July 2015]

⁵ See <http://www.liveleak.com> [Accessed: 28th July 2015]

⁶ See, e.g. 'Anders Breivik details Norway massacre plans, cites Al-Qaeda inspiration'. *The Washington Post*. Available from: https://www.washingtonpost.com/world/europe/anders-breivik-details-norway-massacre-plans-cites-al-qaeda-inspiration/2012/04/20/gIQAR21aVT_story.html [Accessed: 28th July 2015]

Some political thinkers have in the past assumed that today, liberalism and social democracy have sort of ‘won’, and the time of conflicting ideologies is over (cf. Elmi 2001, online). Others, however, say that this is definitely not the case; they say that the world has, with the end of the Cold War, changed into an even more West vs. Non-West differentiation than before. (cf. *ibid.*) This fact can then be said to be the cause of conflicts, of differing views and visions, or of clashes. As Elmi points out, this phenomenon can be observed on a smaller scale in the so-called ‘melting pots’ such as in the UK, where clashing ideologies can lead to tumults and conflicts. (cf. *ibid.*) This may be considered a cause of the terrorist attacks against the French satirical magazine ‘Charlie Hebdo’ as well, since it is known for its rather blasphemous caricatures of Islamic prophets and symbols. The reactions to these were often rather negative, especially from the Muslim side. (vgl. Taibi 2015, online) The following terrorist attack may be considered an indirect effect of globalization, as the intermingling groups of people – in this case religious ones – that have distinctly different ideologies and views clash with each other. But not only from the Non-Western side, also from the Western side, have reactions to the globalizing process taken place. The apparent ‘Islamification’ of the West has led some – often right-oriented – groups to try to stop what they consider to be a threat to ‘their values’.

That the background of terrorist activities is nowadays very often a result of globalization is furthermore backed up by the communication of the terrorist organizations themselves, as displayed in, e.g. the videos of the IS recently. All the aforementioned reasons, together with this, definitely speak for the idea that terrorist acts are based on ideological reasons, and are not violent acts due to commodities as it can happen in democracies worldwide today.

Generally, the mutual understanding is that the global, i.e. international terrorism of today is an answer to globalization. The idea is that because of this ‘growing together’ and the mixing of many different cultures, ideologies may be in conflict with each other, and even lead up to terrorist acts. However, there are some scholars, such as Rumford, who believe the negative image of terrorism as the ‘dark side of globalization’ versus globalization as a positive development can be

deceiving and indeed problematic. His opinion is that globalization is not something that should be only positively connoted, as this would further strengthen the dichotomy of good vs. Bad. Rumford believes globalization to be something multi-faceted, all-encompassing, and one has to understand it as such a development for a proper attempt in reacting to terrorism. (cf. Rumford 2001, online)

Now that a brief outline of this development that definitely had an impact on 9/11 and has a large one today has been given, the next chapter shall give an overview of the history of terrorism in the EU and its predecessor organizations/institutions, so as to serve as a background to the following chapters.

6. History of Terrorism in the EU

As the main focus of this MES thesis lies on the EU, what is most important for this chapter are the terrorist attacks that have happened in the EU in the past few decades since the groundwork for its foundation was laid with the Treaty of Rome on January 1, 1958 and the resulting European Communities.

There is a large history of terrorism in Europe, but cases such as the ETA's ('Euskadi Ta Askatasuna', Basque for 'Basque Country and Freedom') fight for Basque independence mainly took place before Spain became a member of the EC in 1986. However, the Basque nationalist organization did carry out terrorist acts after the membership came into force as well: in 1995, a bomb by the ETA nearly killed the then leader of the Spanish Conservative Popular Party, Jose Maria Aznar. (cf. Weinberg 2008, p.43)

Similarly, in Ireland, which became a member of the EC in 1973, the IRA or 'Provisional Irish Republican Army' had the aim of creating an all-Irish state that should include Northern Ireland, which is part of the United Kingdom, as well. While the infamous 'Bloody Sunday', that killed nine people and injured many

more took place a year before Ireland became a part of the EU, the so-called 'Troubles' were a series of terrorist acts lasting roughly until 1997. (cf. Arthur, online)

When these terrorist organizations are considered, another Extremist group comes to mind: the RAF, short for 'Red Army Fraction', a Leftist group that was founded in West Germany in 1968, a time when West Germany, as a founding member, had already been part of the EC for 16 years (cf. Jenkins a, online). Their aim was not only "to trigger an aggressive response from the government, which group members believed would spark a broader revolutionary movement" (Jenkins a, online), but also to bring awareness to the Palestinian movement for independence taking place at this time (cf. *ibid.*). They mainly carried out their acts, such as, e.g. bombings and hostage-taking, during the 'German Autumn', supported by the then-existing GDR. (cf. Smith 2013, p.86)

At the same time in Italy, another founding member of the EC, the 'Brigate Rosse' or 'Red Brigade' sought to bring revolution to the Italian state, and followed a rather Marxist-Leninist ideology (cf. Jenkins b, online). They carried out assassinations, kidnappings and bombings, before the group fell apart in the late 1980s (cf. *ibid.*).

As for more recent terrorist acts within the EC, i.e. since the late 1980s, there were a series of attacks during those years that can be said to have been more influenced by globalisation, which also means that they turned from rather domestic to more wide-reaching incidents.

In 1988, one of the most notorious cases of a terrorist attack in the EC took place: aboard Pan Am Flight 103 en route from London to New York, a bomb exploded, killing all 259 people on board, and 11 people on the ground, when the plane crashed in the town of Lockerbie in Scotland (cf. Encyclopaedia Britannica a, online). Whether this incident may be said to have been a terror attack against the EC/one of its member countries or not is a tricky question: the passengers on

board were from 21 different countries, but the majority of them were from the US, where speculations as to whether this may have been ‘retaliation’ for 1986 bombing in Tripoli by the US government, took place (cf. *ibid.*) Nevertheless, what can definitely be stated is that the attack took place on European soil, or rather, above European soil, so it directly affected the EC and posed as an example of international terrorism carried out in the EC. The incident was never fully resolved, with only one man being prosecuted, Libyan Abdelbaset Ali Mohamed al-Megrahi (cf. *ibid.*).

A few years later, in 1995, in the Parisian Saint-Michel subway station, eight people were killed and many more injured by a bomb attack that was later attributed to the Algerian GIA, the Armed Islamic Group, a militant Islamist organization that carried out a number of other terrorist attacks (cf. Guidère 2012, p.35). In France, Algerian Muslims make up about 1.5 million of the Muslim population, making it the largest part (cf. Rubin 2009, p.452). This, in direct contrast to such cases as those of the RAF or ETA, is an incident of a religiously motivated terrorist attack.

The rather domestic-oriented terrorist organizations that had been the cause behind terrorist attacks in the early years of the EU did not completely vanish: this is apparent when the IRA’s car bomb in the town of Omagh, Northern Ireland from August 15, 1998 is considered. It was the deadliest incident of ‘the Troubles’, killing 29 people. (cf. Encyclopaedia Britannica b, online)

In the 2000s, terrorist attacks seem to have taken place more regularly than ever before. The first decade saw a large number of incidents ranging from bombings in Madrid to suicide bombings in London, among others. The EU was shaken by many, and some of them were not even carried out within the EU, but were a direct attack against member countries.

This happened, e.g., on November 20, 2003, when bombings at the British consulate in Istanbul killed at least 14 people; links to the militant Islamist terror

organization Al-Qaeda were later assumed (cf. BBC b, online). While this may not be considered a terrorist attack within the EU, it definitely was a sign against the EU, and directly affected a member state.

Only a few months later, on March 11, 2004, one of the well-remembered attacks by terrorist organizations of the last decade happened, the Madrid bombings. This incident was described as the “worst ever terrorist attack” (Burridge 2014, online) by the then interior minister, seeing as it killed 191 people that were on board a commuter train, and left more than 1,800 injured (cf. *ibid.*, online). Since Spain has a history of terrorism by the militant group ETA, initial reactions commonly attributed these attacks to the Basque terror organization (cf. *ibid.*). However, claims that links to, or inspiration taken from the Al-Qaeda existed eventually became stronger (cf. *ibid.*).

A year later, 52 commuters died in suicide bombings in a bus and subway trains in London, and hundreds were reported to have been injured; this incident once again was said to have been inspired by Al-Qaeda (cf. BBC c, online). This attack seems very similar to the one in Madrid, and together they are still considered to be some of the worst of the 2000s.

The most recent terrorist attacks of the 2010s so far have proven to be just as extreme. To many, the 2011 attacks on the satirical magazine ‘Charlie Hebdo’ are still very much in mind as a sad indicator for a later happening. The magazine had long been known for its caricatures and jokes, especially those relating to Islam. After an issue which named the prophet Mohammed as its ‘editor-in-chief’, the offices of the magazine were firebombed, leaving nobody injured (cf. Duggan 2015, online). Unfortunately, the magazine turned out to be a target for terrorists once again. In January 2015, two armed men stormed the headquarters of the magazine and killed many of the employees, including caricaturists and the editor (cf. BBC News d, online). They were eventually captured two days later, and claimed to belong to Al-Qaeda (cf. *ibid.*). Similarly, an attack on a kosher supermarket in Paris that is considered to have been carried out by the same

group, may also serve to show that religion can be a motivation for terrorism (cf. Saul 2015, online). These incidents were two of the most recent events, left many citizens of the EU in fear, and triggered new counter-terrorism initiatives.

A number of other terrorist attacks that can be said to have been religiously motivated, or at least showed signs of conflicting religious beliefs took place in the 2010s up to now. In March 2012, a man in Toulouse, France carried out an attack against people of Jewish belief, many of them schoolchildren; links to both Al-Qaeda and possible extreme right groups were suspected (cf. Chazan 2012, online). Another attack against the Jewish population took place in Brussels on May 24, 2014, when a suspect, said to be linked to the IS, killed three people and injured another in the Jewish Museum (cf. BBC News b, online).

Religiously-motivated terrorism took place in other parts of the EU as well. In London, on May 22, 2013, two apparent Al-Qaeda-inspired extremists murdered a soldier, and later attributed it to the country's reaction to radical Islamism in other parts of the world. (cf. Dodd 2014, online)

To conclude, the development of terrorism in Europe from 1950 to the 2000s and beyond may be said to have begun as a rather ethnic-nominated phenomenon with the, e.g. ETA, to a leftist or rightist development with GIA in France, for example, to terrorism largely characterized by groups from the Middle East, such as Al-Qaeda to terrorism that could be considered to be linked to Islamism with the ISIS and recent Île-de-France attacks, for example.

Now that an outline of some of the past terrorist attacks against the EU (or its predecessors) or its member states has been given, the next chapter will deal with the EU's prevention and reaction mechanisms to terrorism prior to 9/11, followed by one on the significance of the 9/11 attacks as a trigger for change in EU counter-terrorism mechanisms, before finally, prevention and response measures after 9/11 will be outlined.

7. EU response to and prevention of terrorism prior to 9/11

The next two subchapters shall give an overview of the way the EU and its forerunner organizations reacted to, and tried to prevent terrorism up until the 9/11 attacks, and give an idea of the importance it had on the agenda. This shall be discussed both regarding internal security as will be the case in the first subchapter, and regarding foreign security, which will be dealt with in the second subchapter. A third subchapter will try to critically evaluate the measures and initiatives taken by the EU for the purpose of counter-terrorism.

7.1 Internal counter-terrorism measures and developments

For many years, within the EU, combating terrorism seemed to be something that was carried out on a national level rather than on a cross-boundary one. This point can be strengthened simply by the fact that for many years, researchers studying the different methods and possible overlaps in counter-terrorism mechanisms in the EU (or EC) member states (or those who became members during these times) have “traditionally [...] analysed principally through national lenses” (Argomaniz 2012, p.3), which is due to a number of reasons.

As Argomaniz (ibid.) points out, “[t]he most commonly mentioned is the fact that European countries have generally had very different experiences with the phenomenon of terrorism”. He goes on to give the examples of the United Kingdom and Spain, who have “suffered an almost continuous onslaught of terrorist violence since the 1970s up until very recently” (ibid.) which was separatist, with such groups as ETA and the IRA (cf. ibid.). In Germany, the RAF was active, while in Italy the Brigade Rosse carried out their leftist-motivated terrorism; Greece and France also were the target of such a type of terrorism, but in all of these countries, this kind of terrorism had mostly disappeared by the 1980s or 1990s (cf. ibid.). Argomaniz also gives the example of France which “was the first European country to experience a sustained campaign of

fundamentalist terrorism, conducted by the Armed Islamic Group (GIA) to punish French support for the Algerian government.” (ibid.)

This alone goes to show that the type of terrorism within the EU/EC states (or those who, as already mentioned, became members) was quite different: separatist in, e.g. the United Kingdom, leftist-motivated in Germany, and Islamist (i.e. religiously-motivated) terrorism in France. Not only the types however, varied, the frequency of attacks was also vastly different (ibid.):

[W]hereas countries such as Spain or the UK have experienced a large number of terrorist attacks in the last three decades, others have suffered this problem more sporadically (i.e. Germany or Italy), and some European countries have had very few or, as in Finland, are yet to register a significant terrorist atrocity within its territory.

One only has to think about these facts: several different countries, with several different types of terrorism that can be attributed to different categories, carried out at very different frequencies. It is thus not very surprising that cooperation regarding counter-terrorism was, for a long time, rather scarce. Argomaniz confirms this by stating that “[t]he absence of a uniform level of terrorism danger made it unlikely that a particular government would find a similar level of support and commitment from their European neighbours.” (ibid.)

Argomaniz (ibid.) furthermore points out that even when there was the willingness to cooperate, it was usually the largest states who did so:

[O]nly a handful of European states, the largest and also generally those most affected by the threat, possessed the resources, experience and ‘know how’ necessary to contribute significantly to cooperation in this area.

According to him, this is still a very prevalent influence in today’s cooperative measures in combating terrorism (cf. ibid.)

The initial counter-terrorism mechanisms for a collaborative Europe – be it the EC or the EU in later years – began in the 1970s (cf. ibid., p.4), but even then, as Bossong points out, “[d]espite numerous terrorist attacks between the 1970s and

late 1990s, counter-terrorism cooperation remained limited” (2013, p.25). However, by that time, a sort of ‘networking’ between terrorist groups and the appearance of international terrorism in Europe had become apparent (cf. Argomaniz 2011, p.4f.).

The 1970s generally were a period where a lot of “nationalist-separatist and Marxist-Leninist groups swept the globe” (Bossong 2013, p.25), such as the IRA, ETA, RAF or the PLO, but it was the attacks carried out at the Olympic Summer Games in Munich in 1972 directed against the Israeli sportsmen that hit the European countries especially hard. As already pointed out in the chapter on the history of terrorism in the EU, this was the first instance of a terrorist activity that had been fully carried out in a foreign country (cf. Hirschmann 2003, p.19). Not only this, but it furthermore received such media coverage all over the world that the impact it had can be said to have been tremendous (cf. *ibid.*).

Over the next two decades, another type of terrorism, namely that coming from the Middle East came to be a threat to Europe (Bossong 2013, p.25), with groups such as the GIA and incidents such as the bombing of a Pan Am flight over Lockerbie, Scotland.

These incidents led to the wish for closer cooperation since there was “high pressure on the individual state governments” (Hillebrand 2012, p.20f.) and the idea for a coordinated approach was seen as a possible improvement, which finally resulted in the first real cooperative measures in the form of **TREVI** (‘Terrorisme, Radicalisme, Extrémisme et Violence Internationale’) group in June 1976 (cf. Argomaniz 2011, p.5). Its aim was to function as a sort of meeting point for the Ministers of the member states of the EC, where they could exchange information regarding “terrorist organisations, equipment and training and anti-terrorist tactics” (*ibid.*). The 12 EC states agreed on intergovernmental cooperation, “a process which exclude[d] the main EC institutions – the European Commission and the European Parliament” (Bunyan 1993, p.15). As Blumenau (2014, p.406) puts it, “[i]ts meetings were set up under the general auspices of the

European Council, although, strictly speaking, they were outside of the EC treaties and not properly institutionalized.”

Prior to the foundation of the TREVI group, “a number of intergovernmental meetings on terrorism” (ibid.) had taken place in the years of 1971 and 1972 (cf. ibid.). In December 1975 then, at a Council of Ministers meeting taking place in Rome, following the proposal by UK Foreign Secretary James Callaghan, an agreement was made on setting up a working group especially for the purposes of combating terrorism within the EC (cf. ibid.). The member states at that time, France, Germany, Belgium, the Netherlands, Italy, the UK, Ireland, Luxembourg and Denmark henceforth had a forum “which provided an informal framework for cooperation in matters of policing and criminal justice, including CT [counterterrorism; note from the author] cooperation” (Hillebrand 2012, p.21). The TREVI proposal was finally formalised on June 29th, 1976 in Luxembourg when the EC Interior Ministers met, and “[t]he decision meant that, in future, Ministers were accompanied by senior police and security service officials at these meetings” (Bunyan 1993, p.15).

To be more precise: In general, the foundation of the TREVI group meant the establishment of a forum “comprising justice and interior ministers, policy experts from the respective ministries, as well as police officers” (Hillebrand 2012, p.21). These were then arranged in five different working groups, at the top the Trevi Senior Officials group that the working groups had to report to (cf. Bunyan 1993, p.15). The task of the Trevi Senior Officials then was to report about the ongoing at the meetings of the 12 Interior Ministers of the members of the EC (cf. ibid.). The TREVI group also had a troika, which was made up of the senior official from the EC Member State that held the current presidency, that who held the last, and that who was to follow, who were mainly responsible for briefing the officials and their Presidency (cf. ibid.).

The structure of the TREVI group was as follows: naturally, at the top were the ministers, who would meet every six months (June, December), below them were

the Trevi Senior Officials that met with the same frequency (but in May and November), followed by the troika that met prior to every working group of Trevi and prior to the meetings of Trevi Senior Officials. At the very bottom of the 'hierarchy' then were the working parties made up of officials from the Interior and Home Ministry, immigration and customs officials, senior police officers and representatives from internal security service. (cf. *ibid.*)

Some European countries that were not part of the EC were later given the status of 'observer' and became 'Friends of Trevi'. The idea was that they would not take part during the meetings of Trevi, but that they would receive information as regard to the discussions. These states were, e.g. Finland, Switzerland, Austria, Sweden, Norway. (cf. *ibid.*).

As already pointed out, there were five different working groups working at the very bottom of the structure of TREVI. They each were responsible for a different field as follows (cf. *ibid.*, p.16):

- Working group 1 (known as Trevi 1): responsible for measures to combat terrorism; [...]
- Working group 2 (Trevi 2): scientific and technical knowledge and police training; [...]
- Working group 3 (Trevi 3): set up to deal with security procedures for civilian air travel; [...]
- Working group 4 (Trevi 4): safety and security at nuclear installations and transport[;]
- Working group 5: (Trevi 5): contingency measures to deal with emergencies (disasters, fire prevention and fire fighting).

However, Trevi 3, 4, and 5 never met, and besides Trevi 3 that later became part of Trevi 1, they never became part of the Trevi issues that were discussed further (cf. *ibid.*).

Even though it seemed like a promising development in counter-terrorism, TREVI saw a lot of criticism. While it "stood as the trigger for increasing European cooperation in the fields of policing, judicial cooperation, and mutual assistance in

civil and criminal law” (Hillebrand 2012, p.21), it was also criticized for apparently being “‘just’ a model of informal cooperation and recommendation with no implementation” (Argomaniz 2011, p.5).

While TREVI was officially established in June 1976 and served for a number of years until the Maastricht Treaty founded the three pillars of the European Union in 1992 (in force from 1993), in 1977, the **European Convention on the Suppression of Terrorism** was another attempt at addressing terrorism within the borders (cf. *ibid.*), this time from the side of the Council of Europe (cf. Bossong 2013, p.26). However, it proved to be rather unsuccessful, as there were constraints:

[A]s limits to mutual confidence continued to exist, the Council of Europe Convention had little practical impact on European extradition practices and it came to be regarded as a failure. (Argomaniz 2011, p.5)

The convention was actually “built on a much older European Convention on Extradition [...] that enshrined the principle of universal jurisdiction [...] in relation to a number of serious crimes.” (Bossong 2013, p.26). It meant that “in the case of ‘political offences’ international extradition could be refused.” (*ibid.*) Its aim was to “severely undermin[e] the effectiveness of the extradition procedure in terrorist cases” (*ibid.*) and “to reduce [...] the political grounds on which an extradition request could be refused among the signatory states” (*ibid.*). However, as already said, it failed to abolish these.

The fact that the agreement was not ratified by some of the main member states such as Italy, France or Belgium before 1986 meant that the eventual results of this convention were more that of a “delimitation of the counter-terrorism measures of individual member states” (*ibid.*) than of a practical nature. The reasons for non-ratification for these countries were both due to human rights reasons as well as the refusal of extradition on certain grounds, such as, e.g. political offences (cf. Council of Europe, online).

While the Convention on the Suppression of Terrorism drawn up by the Council of Europe did not turn out to be exceedingly successful, “the EC and its members gradually stepped up their cooperation” (Bossong 2013, p.26). More specifically, this meant that “[t]he European Parliament made use of its right to issue opinions on any matter of interest even where the EC held no competence.” (Bossong 2013, p. 26f.) Eventually, “[t]his led to a far-reaching parliamentary resolution in 1976 that called for direct European action” (Bossong 2013, p.27).

While the European Parliament as part of the EC institutions slowly but steadily increased cooperation, the Council of Ministers at first “remained reluctant to get involved” (ibid.). According to Bossong (ibid.) it was only after the former Prime Minister of Italy, Aldo Moro, was kidnapped in 1978 that they eventually made a declaration regarding terrorism (cf. ibid.). This declaration was mainly based on the fact that while France had previously not ratified the Convention on the Suppression of Terrorism, it had given initiative to creating a judicial sphere within Europe that would increase the cooperation regarding criminal justice (since at that time, crimes such as kidnapping were still closely linked to terrorism). (cf. ibid.)

Unfortunately though, even though France (as one member state that had not ratified the Convention on the Suppression of Terrorism) had initiated this new proposal for closer cooperation, this second attempt within the framework of the EC also proved to be unsuccessful, mainly due to concerns regarding the individual member states’ sovereignty. (cf. ibid.)

However, the rather limited success of these two ideas did not stop the development of closer collaboration in the realms of counter-terrorism within the EC. Only two years later, another proposal similar to that of the Convention on the Suppression of Terrorism was made: the 1979 **Dublin Agreement** that

had the same objective but never received sufficient ratifications to permit its entry into force, providing further evidence of European governments’ uneasy balance between a need for furthering cooperation in this area and

their reluctance to sign accords that impinged on sensitive areas of their sovereignty (Argomaniz 2011, p.5).

As already stated, in 1976, the TREVI group was founded, which up to then had been the most successful attempt at a collaborative approach regarding counter-terrorism, but outside of the framework of the EC (cf. *ibid.*). With TREVI, there seemed to come a prioritization of collaborative counter-terrorism measures, which eventually resulted in the foundation of other organizations dealing with this problem, such as, e.g. the Club of Vienna or the Police Working Group on Terrorism. (cf. *ibid.*, p.28)

The importance that counter-terrorism received at this time was mainly apparent in the fact that, as already briefly mentioned, not all working groups of TREVI actually became active, but those “on counter-terrorism and police techniques and training” did. The fourth and fifth never did, and the third became a part of Trevi 1 in 1985 (cf. *ibid.*). From a working group “on civilian air travel [it] was revamped to deal with drugs and serious or organised crime” (cf. *ibid.*).

Not long afterwards, the **Palma Document** of 1989 “explained Trevi’s emerging policies on policing, law, immigration and asylum as part of the ongoing development of the European political project.” (Bowling & Sheptycki 2012, p.43). With this document, “TREVI’s work came out into the open” (Bossong 2013, p.28), by serving as a guide to issues relating to border security and migration, presented in 1989 to the European Council (cf. *ibid.*). Nevertheless, TREVI did not completely abandon its focus on combating terrorism, as “[i]nformation about undesirable persons and goods that needed to be passed around in the Single Market area also concerned terrorism suspects and the theft of arms and explosives” (*ibid.*).

TREVI “built up a secure communications system” (*ibid.*, p.28), even though it was eventually replaced by the **three-pillared structure of the EU’s** economic and security-related activities with the transformation of the two communities, the

EC and the EPC to the EU. Indeed the Maastricht Treaty of 1992 proved to be a completely new turning point for counter-terrorism. The mechanism 'par excellence' regarding the counter-terrorism so far had been TREVI, which now became dissolved into the third pillar of the EU, namely Justice and Home Affairs. (cf. *ibid.*, p.29)

Besides this, a new group, the Terrorism Working Group was founded that was now more or less responsible for carrying out the tasks of Trevi 1, "contin[uing] the periodical assessment of the terrorist threat to Europe" (*ibid.*). It later, with Europol's foundation, served as an important link for issues related to counter-terrorism.

However, with the Schengen agreement coming into force and thus also the abolition of internal borders, the issues the EU had to deal with in regards to security cooperation now shifted from a solely terrorism-focused one to one that also focused on "the illegal circulation of (illicit) goods, money or persons across European member states" (*ibid.*). With Maastricht, terrorism was incorporated in Art. K1.9 of the Treaty, but as already stated, only among other crimes such as drug trafficking. The same article served as a foundation for establishing Europol in later years. (cf. *ibid.*)

The formation of Europol turned out to be quite a complex process, since there was opposition by many member states of the EU. They did not want "a strong Europol with operational powers" (*ibid.*) as had been suggested by Germany; moreover, the issues that Europol should eventually cover were discussed repeatedly (cf. *ibid.*).

Since the details behind Europol's formation for a long time remained a matter of contentiousness, the European Drugs Unit served as a sort of forerunner until 1995 (cf. *ibid.*). Its main aim was to "strengthe[n] cooperation between [sic!] the Member States of the European Union to combat certain types of organised crime at international level" (EUR-Lex b, online). As the Europol website itself puts it:

“The EDU [European Drugs Unit; note from the author] which started operating in January 1994, had no powers of arrest, but was mandated to assist national police forces in criminal investigations.” (Europol, online).

Finally, Europol’s establishment was “agreed in 1995 and, after ratification by the Member States, came into force on 1 October 1998” (ibid.). It was mandatory for every Member State to further designate a unit in their home country that should serve as a connection between Europol and their own authorities (cf. ibid.).

As Bossong (2013, p.29) points out, “[t]errorism and serious crime were only added to [Europol’s] remit in 1999”, a time at which the aforementioned links to the Terrorism Working Group were strengthened in regards to counter-terrorism (cf. ibid.). However, even the foundation of Europol as “some form of cooperation between European police forces to tackle transnational crime” (Europol, online) did not mean that counter-terrorism became a matter of increased interest until the 2000s (cf. Bossong 2013, p.29).

In the chapter on the history of terrorism within the EU and its forerunner organizations, it was pointed out that the 1990s, the years in which both the EU was formally established with the transformation of the EC and the EPC into the EU, and the establishment of Europol, terrorism was still apparent, even if it did not pose to be the main interest of security policy. There were instances of Islamic fundamentalist terrorism organizations such as the GIA in France (cf. Guidère 2012, p.35) or nationalist terrorism such as the ETA in Spain (cf. Encyclopaedia Britannica b, online).

The fact that terrorism seemed to still be an ever-apparent threat to the EU member states, and the fact that terrorist attacks became more aggressive world-wide (such as due to the new chemical weapons used, e.g. Sarin in Tokyo in 1995

by a religious fundamentalist terrorism organization⁷) meant that the EU felt once again compelled to respond.

This it did with the **La Gomera declaration** in 1995 that was based on an informal meeting of the Council (cf. Bossong 2013, p. 30). Again, the main goals were to have “better operational information exchanges, better judicial cooperation and easing of extradition procedures, all of which had been on the agenda since the 1970s” (ibid.). The declaration itself was not a novel work of counter-terrorism initiatives, it was only new insofar that it contained a reference to fundamentalism (cf. ibid.).

Once again, however, as was the case with other initiatives (such as with TREVI, even if it was outside the framework of the EC), the practical output was small. There were “only two legislative initiatives [that] could be directly traced to the La Gomera declaration” (ibid.). The first was to form “a directory of expertise among the different member states” (ibid.), the second was to – along the lines of the Dublin Convention in 1979 – eliminate any sort of reservations when it came to the extradition of criminals across national borders (cf. ibid.).

Again, these efforts largely remained fruitless: the directory was never considered as an important means in counter-terrorism, and the second legislative act proved to be quite unsuccessful in easing extradition issues - in fact, these persisted in the 1990s. (cf. ibid.)

Finally, the Treaty of Amsterdam in 1998 proved to be a step into a new direction in combating terrorism within the EU. Although the newly-established Area of Freedom, Security and Justice (ASFJ) neither prioritized counter-terrorism, “a recommendation for more cooperation on combating the financing of terrorist groups” (ibid.) was passed. The Tampere agenda that set out the main goals of the ASFJ did largely focus on asylum or migration (cf. ibid.).

⁷ See, e.g. Osaki 2015, online.

The ASFJ was the last initiative by the EU that at least partly spoke of counter-terrorism before the 9/11 attacks. However, the EU not only responded and tried to prevent terrorism within its borders, but also internationally in the framework of foreign security policy. Due to the international nature of 9/11 as a turning point in terrorism prevention and response by the EU, the EU's response to international terrorism prior to 9/11 will be briefly outlined in the next subchapter.

7.2 External counter-terrorism measures and developments

As can be pointed out from the previous subchapter, there were a number of different measures and initiatives carried out or proposed to combat terrorism within the EU's and its predecessors' borders prior to 9/11. However, as Bossong (2013, p.31) notes,

a wider international engagement could have been expected from European member states to tackle international terrorism and its root causes in the Middle East. But this external dimension often took a back seat to more uncoordinated national strategies to limit the exposure to international terrorism.

But even if the fight against international terrorism did not pose a main target on the agenda, there nevertheless were a few foreign policy efforts relating to terrorism carried out before the 9/11 attacks on the USA which shall be briefly outlined.

Some of the first instances of a response to international terrorism on the side of the EC took place in the late 1970s and early 1980s. From 1979 to 1981, there was the Iranian hostage crisis (cf. *ibid.*), where “dozens of US staff” (BBC News a, online) were taken hostage (cf. *ibid.*), in reaction to which the USA wanted to increase cooperation; the EPC member states reacted with sanctions (cf. Bossong 2013, p.31) as their reaction to the requests by the US.

In 1984, the Libyan embassy siege was discussed (cf. *ibid.*), a shooting from the Libyan embassy in London that killed a policewoman who was trying to control a demonstration that day (cf. BBC a, online). Furthermore, there were “two particularly bloody terrorist attacks on both Rome and Vienna airports on 27 December 1985” (Bossong 2013, p.31), which were another trigger for an eventual response. The EPC then was inclined to go forward with attempts for more cooperation such as in the field of transport security (cf. *ibid.*).

After a bombing in a Berlin disco and another failed attempt at Heathrow airport suspected to have been carried out by Syria, the EPC by December 1986 had agreed on the London accords (cf. *ibid.*, p.32), “which disallowed concessions to international terrorist groups in return for the release of hostages” (*ibid.*). However, this unified approach was breached by some member states just a year later, and altogether, “the EPC eventually achieved little more than to impose limited sanctions and to release a series of critical statements with regard to Iran, Syria and Libya.” (*ibid.*).

With the Treaty of Maastricht in 1992, the EU was formed and with it, the CFSP with the second pillar. At first, this did not bring about any change in combating international terrorism; the working group on terrorism of the EPC simply continued to operate as it had done before and collaborated with other organizations. (cf. *ibid.*)

One of the major issues discussed at this time was once again Iran, after problems regarding issued death sentences and assassinations arose (cf. *ibid.*, p. 33). Also, the Israeli-Palestinian conflict had long “been central to European foreign policy cooperation” (*ibid.*), and this policy eventually served to “bec[o]me increasingly successful at coordinating common European diplomatic positions on the conflict” (*ibid.*).

By the mid-1990s, the European Mediterranean Partnership (EMP) had been established, whose aim it is to “promot[e] economic integration and democratic reform” (European Union External Action, online), however, “[i]t should also be remembered that the EU had not yet agreed upon a common security and defence policy that could be used for the purposes of peace and stabilisation missions in third countries” (Bossong 2013, p.33f.).

Altogether, in these years prior to 9/11, the EU and its predecessors did not do much to fight international terrorism; this was neither the case for the Balkan wars that were influenced by Iran, nor was the effort for counter-terrorism collaboration with the USA big (cf. *ibid.*, p.34). The common stance was a very cautious one – there were neither impressive actions nor any sort of documents issued to strengthen counter-terrorism on an international level.

7.3 Critical analysis of counter-terrorism measures and developments

In the years prior to 9/11, to conclude, it can be said that the focus of the EU and the predecessor organizations definitely was not on terrorism. Both for internal threats as well as international ones, measures and initiatives were taken, but these may be said to have been mostly superficial.

Even though ‘domestic’ threats such as the IRA and the ETA in the 1970s or the GIA in the 1990s were feared, it can, for the most part, be said that the member states remained doubtful and reluctant. This was the case with the European Convention on the Suppression of Terrorism that dealt especially with extradition and gained little confidence from some states, and eventually was not ratified. The same can be said about later proposals that aimed at judicial cooperation, such as the Dublin Agreement.

When the three pillars were introduced, counter-terrorism yet again remained part of the agenda, but was definitely not a much focused aim, as the agenda included

many other crimes as well. The same is valid for Europol which actually was founded on the framework of the European Drugs Unit, which makes it clear that the intelligence's goals did not lie on counter-terrorism. In fact, this issue was only added in 1999.

Even though new forms of weapons, namely NBRC weapons, came to be increasingly available, and even though terrorism seemed to slowly, but gradually become a more international phenomenon with the occurrence of the GIA in France or the Libyan embassy siege in London, for example, and the ongoing terrorism in the Middle East, the practical output of measures in these years remained relatively small, as had been the case in prior years. This was both the case for internal as well as external security policy.

One exception may be named: TREVI may possibly be said to have been the prime example of an inclusion of counter-terrorism within the EU/EC agenda, which can easily be deferred from the fact that its five working groups did not all come to actually carry out their work. Even though it was fronted by the European Council, TREVI's most important working groups were definitely the first one, which focused on terrorism, and the second one, which focused on police cooperation and the like. This definitely stands for the fact that even though TREVI was a project which was outside of the EC treaties, it nevertheless can be considered the forerunner of efforts regarding counter-terrorism.

Altogether, it can definitely be said that terrorism was not a very important point on the EC's/EU's agenda. Even though in 1998 with the Treaty of Amsterdam, the AFSJ was concluded, efforts remained small, as was the case in previous years. While it may seem as if there actually were a lot of plans and projects initiated, "one could soon make out the gaps between rhetorical commitments and actual policy", as Bossong (2013, p.34) puts it. As it will be shown in the next chapter, the EU's following counter-terrorism initiatives were usually concluded and started only when a major threat took place.

Why this may have been the case is hard to explain, but may possibly be related to several factors. For once, as has been pointed out, terrorism for a long time remained a threat that was largely individualistic in every member state. The frequency and type of terrorism differed considerably, which may have been a reason as to why counter-terrorism efforts were not at the top of the EC's/EU's agenda. Furthermore, as Bossong (cf. 2013, p.35) points out, there was a large number of different international as well as EC/EU organizations that were 'leaders' in combating terrorism, and furthermore, with the EPC at the time, there was "a lack of a common ideational basis" (ibid.) i.e the EPC eventually failed altogether as France did not want to give away any of their sovereignty by means of ratifying the European Defence Community, a ratification that was required for the ratification of the EPC.

These three factors then may have largely been the reason as to why the sheer shock of terrorist attacks and threat was not sufficient enough to trigger significant development in counter-terrorism. However, there were other factors at play as well: TREVI mainly was a forum for information sharing, and the international terrorist threats that started to appear in the 1990s were simply 'too early' – the EU had not yet "develop[ed] a more comprehensive and ambitious counter-terrorism agenda" (ibid., p.36).

As will furthermore be seen in the next chapter, the role that the Commission and the Council Secretariat played in post-9/11 counter-terrorism was most valuable in that they finally served as a catalyst for actual measures. Another factor that has to be named is that prior to 9/11, and this has already been hinted at, counter-terrorism often seemed to be a national matter, and the lack of desire by the USA for more collaboration did not help in changing this view.

Again, as already stated, efforts regarding internal as well as external security policy may be said to have largely been fruitless, or lacked the practical output, or was sometimes little more than rhetoric. Terrorism was not conceived as one of

the major points on the agenda, and would not be included as such until actual major threats took place in later years.

8. The significance of 9/11 for EU counter-terrorism

The EU has been actively trying to make progress regarding its counterterrorism ever since its foundation, but also “had the most difficulty in developing [...] its role as a security actor in both external and internal matters” (den Boer & Monar 2002, p.11), and often lacked the impetus for actual developments, as can easily be seen from the previous chapter.

But as the twin towers of the World Trade Center and the Pentagon were hit by planes, and another plane crashed into a field in Pennsylvania, there was shock and helplessness among many. While the terrorist attacks had not taken place within the boundaries of the EU, the USA was regarded as “the world’s only remaining superpower” (ibid.), and the attacks were directed against a country that had seemed to be “invulnerable” (ibid.) and was one “of the European Union’s closest partner and ally” (ibid.).

Following the attacks, the EU had a difficult position:

The EU had simultaneously to respond to the needs of being a credible partner of the US in a situation of crisis, make an effective contribution to international political and military action against global terrorism, and to upgrade its own internal security measures and capabilities in the face of a dramatically increased terrorist threat (ibid.).

For the first time now, the reality of “the increased linkage between external and internal security – much postulated and discussed, though little acted on during the last few years – had suddenly become very much a reality.” (ibid.) As Argomaniz (2010, p. 5) points out, “9/11 acted as a catalyst for the rapid approval of measures that had been progressing at a disappointing pace at the Council”.

Within a short time, all three pillars of the EU became important in combating terrorism, and this is mainly due to the 9/11 attacks on the US as a “transnational threat” (ibid.): “11 September must be regarded as the first truly cross-pillar test of the Union’s role as a security actor, involving not only the second and third pillars, but even the first insofar as the fight was also against the financing of terrorism.” (den Boer & Monar 2002, p.11).

Now that it has briefly outlined that 9/11 was not only seen as a threat against a close partner of the EU, but indirectly also as an immediate threat to the EU’s security that required closer cooperation along all three pillars of the EU, the next chapter shall explain how terrorism prevention and response was carried out after 9/11.

9. EU response to and prevention of terrorism after 9/11

As already explained in the previous chapter, 9/11 was a big turning point for terrorism prevention and response by the EU. Bures (2011, p.63) states that “[t]he counterterrorism dynamics prevalent in the aftermath of 9/11 were seized by the EU as both opportunity and proof of the necessity to further reinforce its internal coherence”.

While counterterrorism strategies and initiatives prior to 9/11 had proven largely unsuccessful or were even formulated or laid out in a way that would likely result in this, and terrorism itself was an issue that had not been a main discussion point within the EU (and its predecessor institutions), 9/11 proved to be a motor for continuous developments in this respect. This was both the case with regard to internal security policy as well as foreign security policy. In the following subchapter, the initial response to the 9/11 attacks will be discussed in both these matters in the year 2001, before chronologically moving on to later years. Contrary to the developments in counter-terrorism before 9/11, the subchapters

will be divided by chronological means, as it is most interesting to see how the initial response to 9/11's terrorist attacks changed ever since. A last subchapter will critically analyse the way counter-terrorism response changed from the initial, post-9/11 one to the ones leading up to 2015.

9.1 The initial response to 9/11

Already on September 13, 2001, the EU focused on the European Arrest Warrant and the Framework Decision on Terrorism that had both been previously prepared, especially as means against Spain's ETA, and should henceforth serve as the EU's main counterterrorism strategies (cf. Bossong 2013, p.41). Even earlier, on September 12, 2001, the General Affairs Council – the first formation of the Council that got together – “underlined this threat [...] [i.e. the 9/11 attacks and the terrorism behind it; note from the author] for the entire EU” (Bossong 2013, p.39). The Framework decision was especially important in that it addressed the fact that prior to the attacks, “only six member states had specific anti-terrorist legislation [...] i.e. legislation that targeted the terrorist intent behind serious crimes such as murder” (Bossong 2013, p.42), and it was now high time for the EU to collaboratively address these issues.

Regarding both the European Arrest Warrant and the framework decision, “on 17 September Commissioners Vittorino and Patten presented an internal strategy paper to maximise the Commission's input to the EU's counter-terrorism policy” (ibid., p.42). They argued that both the Framework decision and the European Arrest Warrant mainly targeted internal dimensions of terrorism – i.e. within the EU – and that cooperation with key partners (such as the USA) was necessary (cf. ibid.).

It can be said that this strategy paper by the Commissioners ultimately served as a guideline for the subsequent Action Plan as discussed a few days later. It outlined many points, “from enhancing both the internal and international role of

EUROPOL [...], to improving instruments against money laundering or non-proliferation” (ibid.) – i.e. activities related to terrorism.

On September 20, 2001, an extraordinary JHA Council took place that “agreed on a wide range of proposals and measures” (Bossong 2013, p. 45), including the framework decision, the EWA and the action plan set out on September 21, 2001, which will be discussed in further detail later. The JHA Council was very important in “setting the EU’s own counter-terrorism agenda” (ibid.).

Although previously, there had been many failures in regards to counter-terrorism measures, these proposals made by the JHA Council served as an initial starting point for the actions carried out after 9/11; both the Commission as well as the Council Secretariat⁸ were very important in moving forward with this aspect. (cf. ibid.)

To briefly summarize the main three points that were agreed on by the JHA Council at this meeting on 20 September, 2001: “First, the Council underlined the need to complete the implementation or ratification of a number of existing measures and conventions” (ibid.), such as those relating to extradition that had already existed in previous years (cf. ibid.).

Second, the idea was that “a variety of measures aimed at improving operational counter-terrorism” (ibid.) should be carried out, mainly in relation to intelligence or police cooperation or cooperation with the USA (cf. ibid.). This, for example, should give Europol more support, including “the creation of a unit of anti-terrorist specialists that would be seconded from member states” (ibid., p.46), and the permission for data exchange with US authorities, among other competences (cf. ibid.). But not only Europol, also the so-called Police Chiefs Task Force (PCTF) was destined to be given a greater role with the meeting of the JHA

⁸ The Council Secretariat especially had influence, e.g. during the creation of the Tampere agenda for the creation of the AFSJ in 1999, as initial starting points for after 9/11; see Bossong 2013, p.49f.

Council. It had initially been created in 2000 “to share best practices and to bridge the gap between the analytical work of Europol and operational police work” (ibid.), and these aims were now again considered more important than before. Furthermore, transatlantic bonds should also have been strengthened with a six-monthly meeting of the Working Party on Terrorism and the COTER (Commission for Territorial Cohesion Policy and EU Budget) [which deals with such issues as economic, territorial and social cohesion; note from the author] in regards to closer cooperation with the USA. (cf. ibid., p.47)

Third, the JHA Council also decided to “identify a number of seemingly new legislative measures” (ibid., p.45). The European Arrest Warrant that was agreed on meant that there would be new ways of combating terrorism, and this time, on a judicial level; more specifically, this meant that one country’s ruling automatically meant the acceptance by another (principle of mutual recognition) (cf. ibid., p.47). It required very intense negotiations, as the crimes that would be listed in and covered by it were a matter of much discussion, as e.g. Italy did not want to include corruption and fraud (cf. ibid., p.55). There were also plans on increasing legislative in regards to civil protection (cf. ibid.) or money laundering that had previously been a matter of the European Single Market (cf. ibid., p.47f.). Even though the cooperation within the EU member states increased, there were constraints as to some areas, such as the freezing of assets (cf. ibid., p.48), which long remained a matter of controversy, however, it was eventually decided that the freezing of these would “be dealt with through EU Community instruments rather than more intergovernmental police and criminal justice cooperation” (ibid.).

Eventually, the member states of the EU applied so much pressure that on September 21, 2001, an Extraordinary European Council Meeting took place (cf. Bures 2011, p.64) that would result in the final **Action Plan**. The idea behind the Action Plan was to adopt measures and instruments in five areas (Council of the European Union 2001, online):

- Enhancing police and judicial cooperation;
- Developing international legal instruments;

- Putting an end to the funding of terrorism;
- Strengthening air security;
- Coordinating the EU's global action

Indeed, the idea was received very well: there were “431 votes in favour, 45 in opposition and 24 abstentions” (Bures 2011, p.64) in the European Parliament. Compared to the reservations that some member states of the predecessor EC had had e.g. with the Dublin Agreement, this was a big victory for closer collaboration in counterterrorism.

Still, the frenzy that 9/11 had caused and the pressure that had formed led some “EU policy entrepreneurs led by the European Commission [...] to advance older policy proposals by loosely matching them to the new salient problem” (ibid., p.65). Furthermore, the Action Plan itself was criticized for the fact that it did not actually provide any practical insights, i.e. it did not give any definite actors, targets, aims or any time schedules (cf. Bossong 2008, p.35f.).

The Action Plan, however, was later on revised in this aspect: on September 26, 2001, the Council Secretariat once again proved that it was invaluable in the developments regarding counterterrorism after 9/11, when it supplied a so-called ‘Anti- terrorism Roadmap’ that stated more than 60 measures in direct link to the Action Plan. The idea was to continuously update this roadmap when the Council of the JHA would meet (cf. Statewatch 2001, online). Eventually, the Action Plan and the roadmap were combined into one (cf. Bures 2011, p.66).

Yet, as Bossong (2008, p.35) points out, “[d]ue to its short and general nature, this initial Action Plan did little more than give a green light to various initiatives that had already been put on the agenda in the immediate aftermath of 9/11”. Interestingly enough, the measures laid out in the Anti-Terrorism Roadmap furthermore closely resembled those of the Tampere scoreboard that had been considered important for the JHA policy (cf. ibid., p.36), which once again reiterates the point that both the Council Secretariat as well as the developments regarding counterterrorism prior to 9/11 were crucial in the EU's response to the

incidents of 9/11. This furthermore means that by that time, the JHA Council was the leader when it came to counter-terrorism within the EU, “instead of the General Affairs council as had been called for by the European Council on 21 September” (Bossong 2013, p.52). The JHA Council had long been accustomed to dealing with complex issues, especially due to its “multi-layered and cross-pillar institutional structure” (ibid.), and this meant that “[t]hese institutional factors only added to the fact [...] that Europeans had primarily regarded the fight against terrorism as a law enforcement and internal security issue” (ibid.).

The Anti-Terrorism Roadmap was “extended [...] to include the work of the Transport, ECOFIN and General Affairs Councils” (ibid.); altogether, “the Presidency [of Belgium; note from the author] roadmap marked the end of the definitional phase of the EU’s response to 9/11”, as Bossong (ibid.) puts it.

As already stated, aviation security was also included in the roadmap. The Transport Council of the EU was actually one of the first to meet and discuss security measures. On 14 September 2001, “[f]ollowing a proposal by the Belgian Presidency [...], the Council agreed to build on a set of security standards [...] and created an ad hoc working group to incorporate them into EU regulatory law” (Bossong 2013, p.43), which at the following Transport Council in October dealt with “the first Commission proposals emerged in early October” (ibid.).

Regarding foreign security policy, there was an “initial meeting of EU Foreign Ministers on 12 September” (ibid., p.44), however, most of the EU member states’ heads of government or state focused on individual, bilateral cooperation or contact with the USA (cf ibid.). Furthermore, Belgium, who held the EU Presidency at that time “did not have the international stature to represent other major European countries during this critical security crisis” (ibid.). This resulted in the fact that

the incumbent EU Presidency, the President of the EU Commission and the High Representative for the EU’s Common Foreign and Security Policy [...] were bound to wait until a regularly scheduled meeting in

Washington on 20 September to discuss the EU's collective contribution to the US War on Terror (ibid.),

This meeting led to a joint, i.e. common declaration on the matter of terrorism, which stated the points that the US and EU would aim to tackle together (US Department of State Archive 2001, online):

- Aviation and other transport security
- Police and judicial cooperation, including extradition
- Denial of financing of terrorism, including financial sanctions
- Denial of other means of support to terrorists
- Export control and non-proliferation
- Border controls, including visa and document security issues
- Law enforcement access to information and exchange of electronic data

Interestingly enough, once again, main issues that had long before been (even if minor) points of discussion proved to be those that were addressed in response to 9/11 in relation to foreign security policy too, such as points that had been previously discussed by the G7 (cf. Bossong 2013, p.44).

Altogether, the roadmap was probably, as already stated, the most important tool in the EU's counterterrorism measures. It effectively aimed to target the following (ibid., p.53):

- Strengthening transatlantic relations
- Non-military aid to Afghanistan
- Intensified diplomatic engagement around the world
- EU support for the UN counter-terrorism measures

As for increased diplomatic activity, at the Ghent European Council in 2001, the war in Afghanistan led by the US brought about lots of discussion, as it was not clear whether a common, collective military engagement by the EU was to be agreed on or not (cf. ibid.). France, Germany and the UK had previously, in secret, "coordinated their stance on the war in Afghanistan" (ibid.). However, the President of the USA at that time, George W. Bush did not ask for any help by

any other partners, and so the “Ghent European Council resorted to a low-profile role for the EU” (ibid., p.54) that would mainly focus on humanitarian aid.

The EU did however strengthen its diplomatic activity with Asian and Middle Eastern countries as a response to 9/11, especially in relation to the Israeli-Palestinian conflict by conducting visits, or promising help for Pakistan who was supporting the war in Afghanistan. Furthermore, the foreign policy with neighbouring areas was also intensified, as can be seen from joint statements on terrorism with Russia, for example. (cf. ibid.)

As Bossong (ibid.) puts it, “the most notable aspect of the EU’s external counter-terrorism policy was dictated by developments in the UN”. There was a large number of “existing policy lines and legal commitments” (ibid.) that were a matter of discussion in this respect, and

[a]part from underlining its support for widespread ratification and the further development of a number of relevant UN conventions, the EU intensified its engagement in the UN-led fight against the financing of terrorism (ibid.),

as was the case with financial sanctions against the Taliban, initially agreed on in 1999, but taken up again as a matter of discussion in 2001 (cf. ibid.). Furthermore, measures regarding “the freezing of terrorist assets beyond the Taliban” (ibid., p.55) were discussed and a common position relating to a UN Security Council resolution was adopted by the General Affairs Council, that “in turn, served as a legal foundation for the Commission to enact an asset freeze under its first Pillar competences” (ibid., p.55), which later proved to be a matter of controversy (cf. ibid.).

The matters of discussion regarding foreign policy were not dramatically changed in the months directly after 9/11, as there were no agreements made on such issues as non-proliferation, where a lack of support by the US was apparent (cf. ibid.).

When the measures and initiatives of the EU that were taken immediately after 9/11 are considered, it becomes obvious that 9/11 was an incident that generated so much shock that immediate response was necessary, and finally, it “induced member states to overcome the regular constraints on decision-making” (ibid., p. 56). Furthermore, the “deepening integration in JHA and other policy areas” (ibid.) meant that there were many proposals ready for discussion and eventual implementation in the weeks after 9/11 (cf. ibid.).

The EU’s initial response to 9/11 in relation to foreign policy, i.e. in relation to counter-terrorism on an international level proved

that EU member states kept control of transatlantic relations and critical developments in military security. Instead, the EU made some effort [...] in its ingoing diplomatic relations and actively supported all new counter-terrorism initiatives that emerged at the UN level. (ibid.)

Besides these features of post-9/11 terrorism response and prevention in the ‘early days’, it is crucial to once again note that the Council Secretariat and the European Commission were the main actors involved in the development of the Anti-Terrorism Roadmap (cf. ibid.). Altogether, the EU’s response was largely internally generated, but also not very consistent (cf. ibid., p.57).

9.2 2002-2004

In the years after the initial Anti-terrorism Roadmap had been drawn up as a direct response post-9/11 – i.e. starting from 2002 – this measure quickly came to be regarded as unrealistic. There was furthermore more and more pressure by the USA in relation to border security policy, as well as other political crises (cf. ibid., p. 58); the USA, to put it simply, desired more cooperative efforts.

While in 2002, the Roadmap had been frequently updated, by 2003 it had disappeared (cf. ibid.). This was mainly due to problems that meant delays, such

as with the European Arrest Warrant where there were national reservations regarding scrutiny (cf. *ibid.*, p.59).

In 2002, Spain held the Presidency, and already at the first JHA Council of the year, the creation of EUROJUST, a judicial cooperation unit, was decided, which meant that finally, closer cooperation with the US regarding legal matters was possible (cf. *ibid.*). However, there were also problems ahead, as the European Arrest Warrant and the framework decision on combating terrorism were both delayed, as already mentioned. Not only were there scrutiny reservations with the Member States, but also, the increasing distance to 9/11 meant that progress with e.g. the newly presented Framework Decision on Attacks against Information Systems was much slower (cf. *ibid.*).

The most opposition was voiced in relation to “the retention of communication data for criminal investigations” (*ibid.*, p.60), which would only be picked up again for discussion after the London bombings in 2005 (cf. *ibid.*). There was another proposal that also did not receive a positive response: the framework decision on mutual recognition of measures on the taking of evidence, also called European Evidence Warrant (EEW), as a complement to the European Arrest Warrant, again received opposition by the member states, especially Italy (cf. *ibid.*).

By the time the Anti-terrorism Roadmap had disappeared in 2003, the Council Secretariat began to inquire as to the implementation of the European Arrest Warrant within the member states (cf. *ibid.*). However, by the deadline proposed, only eight member states had implemented this warrant, similarly to the framework decision combating terrorism in earlier days (cf. *ibid.*, p. 61). This was mainly also due to the fact that for the European Arrest Warrant, legal problems as to the implementation of this warrant in regards to, e.g. the European Convention of Human Rights, existed (cf. *ibid.*).

There were also problems in relation to the lack of trust of the national authorities regarding the EU counter-terrorism working channels (cf. *ibid.*), which best manifested itself with the reaction to the Counter-terrorism Task Force that was specifically set up within Europol, but was dissipated by the end of 2002 (cf. *ibid.*, p.61f.). This furthermore meant that “the USA would pull out its new liaison officer from Europol” (cf. *ibid.*, p.62).

As for diplomatic measures, in 2002, the EU tried to increase the cooperation and compliance with third countries in the framework of an anti-terrorism clause that was signed by Egypt and Algeria, among others (cf. *ibid.*). However, Iran that by then had been uncovered as actively carrying out a uranium enrichment programme did not conclude the clause with the EU, as was the case with other potential key partners (cf. *ibid.*).

Mostly, in the realms of diplomacy, the EU again, as was the case with its initial response after 9/11, remained active when it came to supporting UN resolutions, conventions and blacklists (cf. *ibid.*, p. 62f.), and eventually focused on “the fight against the financing of terrorism” (*ibid.*, p.63).

During this time, “[t]he USA would [...] exert more focused pressure to step up transatlantic counter-terrorism cooperation and border security” (*ibid.*), however, “[d]eep divisions over the Iraq War eventually gave rise to a EU internal window of opportunity that generated the European Security Strategy” (*ibid.*) under the auspices of Javier Solana (cf. *ibid.*, p.70), which will be discussed in more detail.

While Spain who held the Presidency of the Council of the EU in the first half of 2002 was very pro-Bush and favoured “more European counter-terrorism cooperation” (*ibid.*, p.64), this could not prolong the EU’s anti-terrorism fight. The Spanish Presidency proposed “the introduction of a ‘standard form for exchanging incidents caused by violent radical groups with terrorist links’” (*ibid.*), which did not gain acceptance by all member states (cf. *ibid.*). The second proposal by the Spanish Presidency dealt with “the creation of ‘multinational ad-

hoc teams for gathering and exchanging information on terrorists” (ibid.), and the third one with freezing assets, but both of them were also not successful (cf. ibid., p. 65).

As already stated in the beginning of this subchapter, other internal issues arose that partly put the focus off of terrorism, and in this case it was migration that once again became an important topic, especially border control, which remained an issue discussed independently of terrorism (cf. ibid.).

The Danish Presidency in the second half of 2002 then remained unsuccessfully alike, as did the Greek Presidency in early 2003 (cf. ibid., p.66). As Bossong (2013, p.66) points out, “[i]n short, there was little interest in new counter-terrorism initiatives, while the existing Anti-terrorism Roadmap could not be enacted as planned” (ibid.).

As already mentioned, the USA wanted more cooperation with the EU in regards to counter-terrorism, some measures of which were successful. Even though the so-called Passenger Name Records (PNR) posed a considerable threat to EU law, negotiations eventually led to the EU accepting the exchange of this data, provided that the USA would handle this information safely (cf. ibid., p.66f.).

The other measure that the USA wanted to implement was the exchange of biometrical data, which was partly in favour with some of the EU member states’ stance on migration. Some standards were eventually agreed on in 2003 (cf. ibid., p.67).

As a result of the Iraq crisis at this time, the European Security Strategy (ESS) was issued, which would mean effort in both the US’ as well as the EU’s counter-terrorism ideas, “str[iking] a delicate balance between reasserting European support for the US War on Terror and constructing an independent EU profile that could mobilise the EU’s member states” (ibid., p.70), issues that had previously

been a matter of controversy, especially whether or in how far the USA should be supported (cf. *ibid.*, p.69). Also, in the face of the Iraq War, a document on non-proliferation of WMD (Weapons of Mass Destruction) was issued (cf. *ibid.*, p.70), which eventually led to the EU Action Plan against Proliferation of Weapons of Mass Destruction (cf. *ibid.*, p.71).

Together, these developments meant a change in the EU's counter-terrorism policy – especially the European Security Strategy and the non-proliferation policy meant a significant turn (cf. *ibid.*).

Only a short while after the 9/11 attacks, however, the EU should have to face terrorism on their own soil, which would finally act as a catalyst for renewed discussion and developments in counter-terrorism strategies by the EU.

9.3 The Madrid bombings

Much alike the 9/11 attacks, the Madrid attacks left the EU in shock and proved to be a motor for change in counter-terrorism policy. The “series of blasts [that] killed more than 200 train passengers in Madrid” (Bures 2011, p.66) were the first terrorist attack that was linked to Al-Qaeda on EU soil (cf. *ibid.*), and led many EU politicians to become increasingly critical of the previously agreed on and implemented (or not) measures, also in relation to the “lack of intelligence data sharing” (*ibid.*, p.67) and called for a review of the existing ones (cf. *ibid.*, p.66f.).

Consequently, regarding the sharing of intelligence data, “five communications formulating policies in three separate areas: terrorism financing, critical infrastructure protection and response management” (*ibid.*, p.67) were issued. Austria and Belgium proposed a CIA-type intelligence agency for the EU, but this idea never gained enough support (cf. Argomaniz 2012, p.25).

Even though some member states such as the UK supported the idea that the measures initially agreed upon by the EU after 9/11 should be implemented, a number of new initiatives were agreed on, “including the need to improve border control, response management, infrastructure protection, judicial cooperation and information exchange” (ibid., p.68), as well as “on the establishment of the Situation Centre (SitCen)” (ibid.), whose aim it was to “produce intelligence reports in counterterrorism”. Furthermore, there was a “need to appoint an EU counterterrorism coordinator” (ibid.) for a better coordination of measures. Both the SitCen and the coordinator “were to work under the High Representative for Common Foreign and Security Policy (CFSP) at the Council’s Secretariat.” (ibid.).

One of the biggest developments made post-Madrid was the “**Declaration on Combating Terrorism**, which outlined seven EU strategic objectives to combat terrorism in a **Revised Plan of Action**” (ibid.). These included the following main aims (Council of the European Union 2004, online):

- to deepen the international consensus and enhance international efforts to combat terrorism;
- to reduce the access of terrorists to financial and other economic resources;
- to maximize capacity within EU bodies and MS to detect, investigate and prosecute terrorists and prevent terrorist attacks;
- to protect the security of international transport and ensure effective systems of border control;
- to enhance the capability of the EU and of MS to deal with the consequences of a terrorist attack;
- to address the factors which contribute to support for, and recruitment into, terrorism;
- to target actions under EU external relations toward priority third countries where counterterrorist capacity or commitment to combating terrorism needs to be enhanced.

As Bures (2011, p.69) points out that

[w]hile it is clear that the primary aim of the Revised Plan of Action was to eliminate the previous EU counterterrorism policy’s tactical shortcomings, the wording of objectives 6 and 7 [i.e. the latter two; note from the author] seemed to suggest that some changes are also necessary at the strategic level.

There was also a Solidarity Clause (cf. Argomaniz 2012, p.24) that meant that any member state who was under attack would receive help by others; however, much of the efforts did not prove to be fruitful before the London terrorist attacks a year later, in July 2005 (cf. Bures 2011, p.69).

The EU nevertheless finally wanted to fully achieve the goal of the area of freedom, security and justice (AFSJ) as it had adopted in 1999 in Tampere by implementing the points previously laid out in the Revised Plan of Action. It did so at another meeting of the European Council in November 2004 in the Hague, where the so-called Hague Programme was developed. Furthermore, in May 2005, the “five-year Action Plan for Freedom, Justice and Security was launched” (ibid.), that only strengthened this programme by finally laying out what many other proposal prior to the Hague Programme failed to do: naming “concrete actions, including a timetable for their adoption and implementation” (ibid.). There were details regarding counter-terrorism, but also on visa policies, privacy or migration, among others. To give a practical example, this meant, e.g. that the exchange of information of the law-enforcement authorities of the individual member states of the EU should be increased. (cf. ibid., p. 69f.)

However, even though it proposed the actual implementation of agreed points into actions, there were some problems, plus, it was not considered innovative in its content, much alike the Revised Plan of Action (cf. ibid.).

Once again, the Madrid incident served to show that

the EU’s response to terrorism after 9/11 continued to be largely ad hoc and re-active in its nature, whereby a major terrorist attack provided the impetus for a sudden proliferation of counterterrorism measures, only to be followed by decelerations and inertia once the memories of the attack began to fade. (ibid., p.71).

This would once more prove to be the case in a later attack, the London terrorist attack in 2005, which is the matter of discussion of the next subchapter.

9.4 The London bombings

The London bombings that happened in July 2005 proved not to be as effective when it came to the development of the EU's counterterrorism measures as 9/11 and those of Madrid had been (cf. Bossong 2013, p.92). Contrary to those of Madrid however, no direct link to Al-Qaeda could be proved, but for the first time it were 'EU-grown' terrorists, in this case British men, that posed the threat, which generally changed the perception of terrorism (cf. Bures 2011, p.71). Nevertheless, "other political crises competed with the focus on terrorism" (Bossong 2013, p.92) and the UK that held the Presidency at this time was rather Euro-sceptic, "which set a more cautious climate for formal legislative cooperation" (ibid.).

One of the ways the EU responded to the terrorist attacks in London was "a Council Declaration where they reiterated the need to accelerate the piecemeal implementation of the EU Action Plan on Combating Terrorism" (Bures 2011, p.71). It was the British Presidency then that eventually drew up "a new **EU Counterterrorism Strategy**" (ibid.), which was adopted in December 2005 (cf. ibid.) and consisted of the following targets (ibid.):

- prevent new recruits to terrorism;
- better protect potential targets;
- pursue and investigate members of existing terrorist networks;
- improve the capability to respond to and manage the consequences of terrorist attacks.

Accordingly, the EU should then help its member states implement these targets by (Council of the European Union 2005a, online) :

- promoting international partnership;
- developing collective capabilities;
- promoting European cooperation; and
- strengthening national capabilities.

It was clear, so Bures (cf. 2011, p.72) that this was first, modelled on the UK's national strategy regarding counterterrorism that aims to protect, pursue, prevent

and prepare; second, that the EU had once more picked up on the idea that not only was direct address of terrorism necessary, but also the prevention and the protection (cf. *ibid.*). Many criticized that this attempt to meet terrorism prior to its implementation was too late (cf. *ibid.*), or that it was too encompassing (cf. *ibid.*, p.72f.).

When talking about the **Prevention** pillar, there were a few attempts at tackling terrorism: the Commission issued a communication in September 2005 that dealt with the features of the terrorist suspects behind or linked to Madrid and London, and the fact that the issue at hand was Islam interpreted in an abusive way (cf. *ibid.*, p.73). Building on this then, The **European Union Strategy for Combating Radicalization and Recruitment to Terrorism** was adopted (*ibid.*). It aimed to:

- disrupt the activities of the networks and individuals who draw people into terrorism
- ensure that voices of mainstream opinion prevail over those of extremism
- promote yet more vigorously security, justice, democracy and opportunity for all. (Council of the European Union 2005b, online)

In order for these main targets to be implemented, a number of measures were carried out that covered a wide stretch of different elements:

- The Council approved a Media Communication Strategy aiming to improve the portrayal of EU policies across the world by challenging inaccurate depictions of EU measures.
- The European Monitoring Centre on Racism and Xenophobia (EUMC) has been tasked with the production of periodic reports on Islamophobia in order to avoid the stigmatization of European Muslims and ensure the protection of the Muslim minority rights.
- Several expert meetings have been convened by Council, Europol and SitCen to allow for the comparative analysis of national experiences on issues such as radicalization in prisons, jihadists' use of the Internet, satellite channels disseminating terrorist propaganda and strategies to encourage recruits to leave terrorist groups.
- An academic experts group on violent radicalization was established by the Commission in April 2006 and produced a report on the state of play of academic research in the field in 2008. (Bures 2011, p.74)

The role of the EU regarding the Prevent pillar is still very weak, which may be due to a number of reasons: first, the EU has to know who has to be addressed, which is still a matter of discussion (cf. *ibid.*, p.75); second, the political momentum has to be maintained in order to bring about significant change, which proves to be a tough point (cf. *ibid.*); third, “combating radicalisation and terrorist recruitment lies primarily with the MS” (Council of the European Union 2005b, online) Furthermore,

at the supranational level the EU faces several crucial structural obstacles: it is almost completely excluded from operational intelligence-sharing; it has a weak external foreign and security policy; and it has almost no competences in matters of integration, education and social policy. (Bures 2011, p.76).

As for the **Protect** pillar, the information exchange regarding passenger name records can be named, and issues relating to aviation security were further discussed in regards to, e.g. the use of sky marshals (cf. *ibid.*). Similarly, developments in maritime security and the establishment of Frontex as a common border agency in May 2005 or the inclusion of biometrical data in ID’s by 2012 as well as information exchange regarding stolen or lost passports were other measures taken within the realm of this pillar (cf. *ibid.*, p.77). Furthermore, the EU focused on “critical infrastructure protection, which is intended to protect all core transport, energy and communication networks against all kinds of hazard, including terrorism” (*ibid.*).

The **Respond** pillar “has mostly focused on civil protection measures such as information exchange and emergency response coordination” (*ibid.*, p.78), and “[c]oncrete measures include the installation of an EU-wide Early Warning System, which should notify the relevant national authorities of any potential threats following missing or stolen explosives, and a Network on the Detection of Explosives” (*ibid.*). Directives in this respect have also been adopted (cf. *ibid.*, p.78f.).

Altogether, the time after the London bombings at that time proved to be “the last focal moment for the evolution of EU counter-terrorism policy” (Bossong 2013, p.109) as “[s]ince then different subfields of the EU’s fight against terrorism, such as aviation security or civil protection, developed at separate and mostly incremental speed” (ibid.).

9.5 Post-London

In the years after the London attacks, it can generally be said that terrorism was not the most prominent issue discussed by the EU. However, even at this time, counter-terrorism developments continued to be a matter of importance, even if “one could identify further limited responses to new terrorist plots and growing control over EU security policy by national governments” (Bossong 2013, p.109).

Most of the terrorist attacks in the years leading up to 2015 were smaller or failed altogether (cf. ibid., p.110), which meant that there were only limited developments observable in counter-terrorism within the EU: firstly, “limited initiatives to expand the EU’s arsenal to protect from, and respond to, different forms of attack” (ibid.), and secondly, “a growing programmatic emphasis, but slow substantial progress, on the prevention of radicalisation and recruitment into terrorism” (ibid.).

One of these new measures was introduced in 2006, when the EU, following the averting of a terrorist attack on board a plane with liquid explosives, changed its aviation security regulation from 2003, by banning any major containers on board that held liquid (cf. ibid.).

Even though a foiled attack with explosives in Germany and the image that Madrid with its bombing still had left for many people meant the renewed discussion of measures regarding terrorism, “the Council only passed ‘strategic guidelines’” (ibid., p.111), which once again reiterates the idea that the EU was

usually dominant in counter-terrorism directly after an attack, but not in times of – relative – peace.

As CBRN (chemical, biological, radiological and nuclear) weapons were increasingly, with the technological innovation as pointed out in previous chapters, more available, strengthened response and prevention were aimed at on an EU policy level (cf. *ibid.*). However, “policies were [...] slowed down by the great diversity systems for civil protection” (*ibid.*).

The EU also once again picked up on the topic of radicalisation “via more long-term and indirect research policies and knowledge exchange mechanism” (*ibid.*, p.113).

When new threats emerged in 2007 in Germany and the Netherlands, the EU member states were quick to look for a successor of de Vries, who had been the first Counter-terrorism Coordinator, and was eventually replaced by de Kerchove (cf. *ibid.*). It was him who, “[b]eyond underlining the implementation deficits in the EU’s existing counter-terrorism agenda, and the coordination deficits between different committees and aspects in this complex policy field” (*ibid.*), exchanged the Action Plan for new documents, which should focus on the need for more effort in terrorism prevention (cf. *ibid.*).

The Counter-terrorism Coordinator should “support more indirect approaches that should overcome the EU’s limited legal competences” (*ibid.*), and instead of new proposals in legislature, some member states were henceforth named leaders in certain areas, such as Germany in relation to the monitoring of the internet (cf. *ibid.*).

An important aspect that was picked up in the years following the London bombings were the pre-actions to terrorism, namely training in camps and material support, which became criminalised in the years post-London (cf. *ibid.*,

p. 114). There was an increasing number of national efforts regarding counter-terrorism as well, such as handbooks on radicalisation processes or on community relations (cf. *ibid.*), but one of the biggest achievements was the revision of the Action Plan in 2009, which is unfortunately not publically available (cf. *ibid.*, p.115). Other efforts in counter-terrorism focused on the exchange of best practices in terrorism prevention (cf. *ibid.*, p.116).

One major change in the EU's counter-terrorism approach was the 2011 establishment of the European External Action Service (cf. *ibid.*, p.123). By 2007, the new Instrument for Stability (IfS) had been developed under this framework, which should serve as a foreign policy instrument for crises and other issues, not only terrorism, and has by now been used in, e.g. Pakistan for the improvement of criminal justice institutions (cf. *ibid.*, p.118f.). Furthermore, the fight against financing of terrorism was also targeted, mainly in cooperation with other states or institutions such as the USA (cf. *ibid.*, p.119).

When Barack Obama became the new President of the USA, there were high hopes for improving the observance of human rights in relation to prisons such as Guantanamo Bay (cf. *ibid.*, p.120), however, there was opposition in the USA itself. In general, "the USA and the EU continued and deepened their security cooperation on border security and information or intelligence exchanges" (*ibid.*, p.120).

As for developments and crises in other parts of the world and the EU's response, the example of the Arab Spring can be given. Again, it

did not lead to a swift and dynamic transformation of EU foreign policy. This underlines the persistent rhetorical-reality gap in the EU's rhetoric on its global or regional role and potential contribution to address (*ibid.*, p.122).

9.6 Critical analysis of post-9/11 counter-terrorism measures and developments

The initial reaction to 9/11 was one that the EU had never seen before – it was fast, very much all-encompassing and very detailed. In the first few days after the attack, many different initiatives and proposals were laid out, which were mainly based on already existing or previously discussed ideas and proposals, such as one on extradition.

The most important tools used were probably the European Arrest Warrant and the framework decision on terrorism. The JHA Council that took place just a week after the attacks agreed on new measures, both practical and legislative ones. A following Extraordinary Council Meeting agreed on the Action Plan that would henceforth serve as ‘the’ approach to counter-terrorism within the EU. While at first, it was rather theoretical, a practical dimension was soon added with the Anti-Terrorism Roadmap, that even included such issues as aviation security that had previously been mostly neglected.

Regarding foreign policy, there were mostly bilateral agreements, but stronger bonds were made with other continents. Most of the measures very much relied on developments by the UN; altogether, foreign policy did not make a very significant impact.

While the efforts seemed wide-reaching, once again the proposals agreed on turned out to be very much rhetorical. The Anti-Terrorism Roadmap proved to be unrealistic in later years, which was mainly due to national reservations and legal problems. The EU may have been said to lay out plans, but rarely were these new or did not encounter some sort of restraint by member states.

In the years after 9/11, there was little interest in new measures, and the Anti-Terrorism Roadmap could not be enacted. Other internal issues may have been the

reason for this, as many member states at this time focused on such issues as migration or border control.

Altogether though, the reactions by the EU can be said to have again been largely reactive and ad hoc. This was once more shown when the first attack by Al-Qaeda on EU soil was carried out in Madrid, which resulted in ideas reaching from establishing an intelligence agency to once again revising existing proposals and using them for this cause.

The years after 2001 did not really bring about much change. When London became the target of terrorist attacks, once again many other issues were more focused on, however, the EU Counterterrorism Strategy proved to be an innovation in the sense that it is still used today. New areas linked to terrorism were included on the agenda with this strategy, such as radicalisation and research regarding it, or more information exchange. Nevertheless, the efforts were rather weak and confirmed the notion that the EU largely responds to terrorism after it has happened.

This was no different in later years, as there were relatively few incidents, which also meant limited developments. One of these is the prohibition of large liquid quantities on board of planes, another one the strengthened role the Counter-Terrorism Coordinator has. Furthermore, pre-actions to terrorism such as training in camps became criminalised, but foreign policy remained largely neglected again.

It was once again a similar situation to the one prior to the 9/11 attacks: the EU drew up plans and proposals, but many of them remained ineffective or did not even pass the ratification process due to, e.g. national reservations. Possibly, the sheer number of member states and their diverse interests and willingness to give away some of their sovereignty remained a problem. All in all, the EU initially set out all-encompassing plans that were the first instance of wide-reaching counter-

terrorism strategies directly after 9/11, however, they largely failed to be carried out or were very much neglected after ‘the storm had passed’.

The next chapter will conclusively show in the first subchapter what counter-terrorism looks like today, shall then give an idea of how recent terrorist attacks and possible future or imminent threats may be tackled in the second subchapter, before finally, these measures and current efforts shall be viewed in a critical way.

10. Recent EU counter-terrorism efforts and current issues

Due to reasons of space, the following subchapter will only be able to briefly outline some of the EU’s more recent mechanisms used to tackle the problem of terrorism, before the second subchapter will give an outlook on recent developments and issues that the EU has to deal with. The final subchapter shall once again critically analyse these recent efforts in the light of recent, and possible future threats.

10.1 Recent counter-terrorism measures and developments

Today, the main counter-terrorism strategy used by the EU is still the one modelled along the lines of the British Prevent, Protect, Pursue and Respond, which was adopted in the year 2005 (cf. European Commission a, online), a strategy that “commits the Union to combating terrorism globally, while respecting human rights and allowing its citizens to live in an area of freedom, security and justice.” (ibid.). To do so, it uses a number of different measures, for once, the Internal Security Strategy in Action that was adopted in November 2010, which “requires solidarity in response and responsibility in prevention and preparedness” (European Commission b, online). The solidarity clause of course is also a principle by which the EU member states have to abide, and a rapid alert system for coordinating responses called ARGUS is being used (cf. ibid.).

As for radicalisation, the 2005 Strategy for Combating Radicalisation and Recruitment is still being used; furthermore, research into this issue has continuously been carried out in order to better understand this problem (cf. European Commission c, online).

In the field of financing, the recommendations by the “Financial Action Task Force (FATF), the global standard setter in this field” (European Commission d, online), were implemented so as to ensure that wire transfers are accompanied by identifying information (cf. *ibid.*).

As for explosives, the 2008 Action Plan on Enhancing the Security of Explosives contains 48 measures relating to the prevention, response and detection of these, while a number of regulations such as Regulation 98/2013 on the marketing and use of explosives precursors are also currently at hand in reducing the risk coming with terrorism and explosives (cf. European Commission e, online). Similarly, efforts to react to the rather new threat of CBRN weapons were made with the CBRN Action Plan that “consists of 124 actions. Its main objective is to complement national measures that address existing gaps and promote exchanges of information and best practices” (European Commission f, online). The EU furthermore makes use of measures regarding critical infrastructure and researches in security (cf. European Commission a, online).

The TFTP, or Terrorist Finance Tracking Programme had originally been established in 2001 by the USA after the 9/11 attacks and “[s]ince then, [...] has generated significant intelligence that has been beneficial for both the U.S. and EU” (European Commission g, online) by “detect[ing] terrorist plots and trac[ing] their authors” (*ibid.*).

As can easily be seen, the EU developed a number of new measures and initiatives in more recent years, yet this did not mean it was prepared for very recent attacks such as the terrorist attack in Paris in January 2015.

10.2 Current issues and possible future response

The Île-de-France terrorist attacks on both the satirical magazine Charlie Hebdo and the kosher supermarket in Paris proved one thing: terrorism was, and still is an issue that has to be addressed by the EU, and likely, what with the IS and other international terrorism recruiting all over the world, needs more cooperation than ever before.

Directly in response to these aforementioned attacks in the region of Paris, France in January 2015, discussions by both national governments as well as the EU came up, which uniformly agreed that new measures were necessary (cf. Mortera-Martinez 2015, online).

The eventual outcome of these statements resulted in the April 2015 Agenda for Security, spanning the years from 2015 to 2020, which specifies three main issues that will be dealt with, namely terrorism and radicalization, cybercrime as well as organized crime, and includes both setting up a so-called European Counter Terrorist Centre with the role of information exchange among the member states, fronted by Europol, as well as a forum with IT companies on EU level with the role of developing tools in the fight against terrorism propaganda (cf. Cardash 2015, online). The finances of terrorists should also be more closely monitored and fought, this with the help of financial intelligence units (cf. *ibid.*).

10.3 Critical analysis of recent counter-terrorism measures and developments

The EU has very much relied on the counter-terrorism measures and strategies laid out since the mid-2000s, and can be said to have largely been slack in their continuous effort of improving counter-terrorism mechanisms. The January 2015 attacks in the region around Paris (Charlie Hebdo and a kosher supermarket) showed this, as discussion regarding new projects and proposals only began after the attack had been carried out, while in the years prior, once more little had been done to strengthen the combating mechanisms.

Again, the Île-de-France terrorist attacks serve to quintessentially describe the EU's approach in counter-terrorism: it is usually after an attack (or a series of attacks) that the EU really moves forward with the combating of terrorism, and these attacks are usually of the same nature: they attract intense attention, as was the case with the London and Madrid bombings. With IS as an imminent threat and the general increasing emergence of international terrorism, it will likely only be a question of time until the EU will have to find ways to strengthen its counter-terrorism measures and developments.

11. Conclusion

How does the EU respond to terrorism, and how does it try to prevent it (current and past threats)? was the guiding research question for this MES thesis, and to put it in a nutshell, a rather complex one that required many different aspects to be discussed and outlined.

Terrorism is itself a complex phenomenon, almost shape-shifting and very hard to respond to, and the EU and its predecessor organizations have definitely experienced this. From the earliest attacks on EU soil such as domestic ones in Northern Ireland by the IRA or wide-reaching ones such as the Libyan embassy siege that had an international element to it, to later attacks including such

notorious attacks as the Madrid bombings, continuous efforts have been made with regards to counter-terrorism.

Many different ideas and proposals were laid out, documents drafted and revised, plans set up and measures taken. Some of them were based on previously discussed or already existing proposals, others were more innovative.

Probably the most prominent counter-terrorism measures since the Treaty of Rome were TREVI as one of the first responses to terrorism in early years, the European Convention on the Suppression of Terrorism, the EAW and the Action Plan set out after the 9/11 attacks with its roadmap, and finally the plan still in use today, the EU Counterterrorism Strategy. Some of these put more focus on prevention, other on response, newer ones on issues related to terrorism such as radicalisation, information exchange, or the like.

But what many of these failed to do – and one can go as far as saying all of them – is actually being able to prevent, at least partly, terrorist threats. This may sound illusionary in itself, and it may indeed be illusionary. However, what this essentially points to is one certain aspect that the EU and its predecessors have so far not been successful at: continuously triggering new impulses for development, for revision of existing plans and measures, for counter-terrorism initiatives that are more than just rhetorical.

Up to now, counter-terrorism has always been reactive and ad hoc. The 9/11 attacks proved this, when just a year later, some of the provision made seemed rather unrealistic, and from then on, counter-terrorism plans decreased in importance. Only with new attacks, especially the Madrid bombings, new ideas were laid out.

Just recently, the Île-de-France attacks proved that terrorism is still an ever apparent threat, and with the IS and Boko Haram currently being a threat to many

parts of the world, including the EU, it is crucial for the EU to finally start counter-terrorism where it should begin: with prevention, as has lately been targeted with initiatives against radicalisation, with better monitoring of finances, as has also been recently initiated, with better cooperation with other major players, with more willingness by the member states' governments to give away some of their sovereignty, and most of all, with continuous improvements and developments, independently of any major threats or attacks happening.

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DEUTSCHES ABSTRACT

In den vergangenen Monaten kam es wieder zu aufsehenerregenden Terroranschlägen in Frankreich; insbesondere der Fall „Charlie Hebdo“ wurde überall diskutiert und zeigte erneut auf, dass Terrorismus in der Europäischen Union eine unmittelbare Gefahr ist, und nicht etwa lediglich außerhalb der Grenzen stattfindet. Gerade deshalb gilt es, Terrorismus als eine Bedrohung zu sehen, auf die die EU antworten muss – sowohl präventiv als auch reaktiv.

Deshalb ist es Aufgabe dieser MES-These, Antworten auf die folgende Forschungsfrage zu geben: *How does the EU respond to terrorism, and how does it try to prevent it (current and past threats)?* Es war anzunehmen, dass sich im Laufe des Bestehens der EU bzw. deren „Vorreiter“ die Herangehensweise bezüglich Terrorismusbekämpfung und dessen Prävention stark geändert hat, insbesondere aufgrund der immer stärker werdenden Internationalisierung, wie z.B. am 11. September 2001 in den USA zu sehen war. Zur Beantwortung dieser Hauptforschungsfrage wurde Literaturrecherche durchgeführt; aus Gründen der Aktualität des Themas wurden auch vermehrt Onlinequellen herangezogen.

Wie sich gezeigt hat war die Herangehensweise der EU sehr stark von den Ereignissen des 11. September 2001 in den USA geprägt, vor Allem weil dies ein klarer Fall von internationalem Terrorismus, der heute stark vorherrscht, war. Grundsätzlich aber war die Terrorismusbekämpfung und Terrorismusprävention der EU bisher sehr stark davon geprägt, dass erst ein terroristischer Anschlag dazu geführt hat, Maßnahmen zu setzen, anstatt dass dies ohne unmittelbare Bedrohung passiert. Zu diesen Maßnahmen sind als bekannteste TREVI, die European Convention on the Suppression of Terrorism, der Action Plan nach dem 11. September 2001 und die EU Counterterrorism Strategy zu nennen. Trotz der immer wiederkehrenden Bemühungen scheiterten Initiativen oftmals, so auch besonders an nationalen Bedenken, besonders bezüglich der Souveränität. Weiters kann das Phänomen des Terrorismus generell als ein sich stetig wandelndes verstanden werden, ausgehend vom ethnischen, zum rechts- bzw. linksgerichteten, zum durch den Nahen Osten geprägten Terrorismus hin zu islamistisch geprägtem

verstanden werden, was es wiederum schwierig macht, adäquat darauf zu reagieren.

Wie hier leicht erkennbar ist Terrorismus noch immer ein Thema, dessen sich die EU annehmen muss, und bezüglich dessen sie weiterhin versuchen muss, insbesondere präventiv zu wirken, und nicht nur reaktiv, besonders auch aufgrund des immer stärker werdenden internationalen Terrorismus.

ENGLISH ABSTRACT

In recent months, once again, sensational terrorist attacks took place in France; especially the case of ‘Charlie Hebdo’ was discussed everywhere and again showed that terrorism can be seen as an immediate threat to the European Union, and that it does not only happen outside, but indeed also inside the borders. Especially because of this, terrorism has to be seen as a problem that the EU has to tackle – both in terms of prevention and combating.

This is the reason why this MES thesis tries to answer the following main research question: *How does the EU respond to terrorism, and how does it try to prevent it (current and past threats)?* It was assumed that in the course of the existence of the EU and its predecessors, the approach towards combating and preventing terrorism has changed, especially due to the ever more intense internationalization, as was the case with, e.g. September 11, 2001 in the USA. In order to answer the main research question, literature research was carried out; due to the topicality of the issue, online sources were used as well.

Indeed, as could be seen, the approach of the EU was very dependent on the happenings of September 11, 2001 in the USA, especially since this was a clear case of international terrorism that is very apparent today. Generally though, terrorism combating and prevention by the EU changed only when a terrorist attack took place, which only then in turn led to measures being set, instead of this happening prior to an attack, in the absence of an immediate threat. Some of the most prominent measures include TREVI, the European Convention on the Suppression of Terrorism, the Action Plan after September 11, 2001, and the EU Counterterrorism Strategy. Even though efforts were continuously made to prevent and combat terrorism, often, initiatives failed due to national restraints, especially regarding sovereignty. Furthermore, terrorism can in general be seen as a phenomenon that is ever-changing, with its beginnings as an ethnically-motivated, to a leftist/rightist phenomenon, then one very much marked by the Middle East, up to the one that is apparent now, which can be assumed to be motivated by Islamism, which in turn makes it very hard to react adequately.

As can easily be seen here, terrorism is still an issue that the EU has to deal with, and one that it has to try to tackle more effectively, especially in regards to prevention, i.e. not only reactively, especially when the increasing internationalization of terrorism is considered.

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