

EU counter-terrorism developments

-Master Thesis-

**Author: Letícia Gomes
Montenegro**

Tutor: Josep Muñoz Ibañez

19 de abril de 2019

Table of Contents

<i>List of Abbreviations</i>	5
<i>Chapter I: Introduction</i>	6
<i>Chapter II: Islamist Terrorism Europe</i>	7
Contextual Factors for Islamist Radicalization	7
Homegrown Terrorism in Europe	8
<i>Chapter III: First Responses</i>	10
Post 9/11 EU	10
The Treaty of Lisbon	12
<i>Chapter IV: The New Wave of Terrorism in Europe</i>	13
How terrorist cells operate	14
2015 Paris Attacks	15
<i>Chapter V: EU Counter-Terrorism</i>	17
First Response after the Paris Attacks	17
Counter-terrorism Policies after the Paris attacks	18
<i>Chapter VI: Other mechanisms</i>	20
Europol	20
EU-US cooperation	22
<i>Chapter VII: Conclusions</i>	24
<i>Bibliography</i>	25

List of Abbreviations

CIA	Central Intelligence Service
CSDP	Common Security and Defense Policy
CTTF	Counter-Terrorism Task Force
ECJ	European Court of Justice
ECTC	European Counter Terrorism Center
EC3	Cybercrime Center
EU	European Union
EU IRU	European Internet Referral Unit
EU PNR	European Passenger Name Record
FBI	Federal Bureau Investigation
G20	Group of 20 (richest countries)
ISIS	Islamic State of Iraq and Syria
JHA	Justice and Home Affairs
MLA	Mutual Legal Assistance
SIS II	Schengen Information System
SWIFT	Society for Worldwide Interbank Financial Telecommunications
TEU	Treaty on the European Union
TFEU	Treaty on the Functioning of the European Union
US	United States

Chapter I: Introduction

The European Union (EU) has been actively working as a counter-terrorism actor since the horrendous 9/11 terror attacks in New York. The Europeans noticed they were also threatened by Al Qaeda's violent views on Islam. As a response, the EU adopted counter-terrorism policies and EU leaders started urging for cooperation in this scope. In 2004 and 2005 Europe suffered from two deadly terror attacks, the bombings in Madrid and in London, respectively. The EU reacted by implementing the 2005 Counter terror Strategy, which would shape European counter-terrorism policies.

Furthermore, these events generated the feeling Europe was vulnerable to jihadist terror. European leaders understood the necessity of coming together and co-operating with regards to terrorism. They felt their security, democracy and values were being brutally attacked. Fighting Islamist terrorism became a top priority for the European Union and its Member States. Since 2001 European integration and cooperation in terms of counter-terrorism have significantly developed.

The aim of this paper is mainly to analyze the evolution of European counter-terrorism institutions, mechanisms and policies within the EU system since the 9/11 attacks. Then, a critical view on how deeply Member States were able to cooperate, especially concerning intelligence sharing. Furthermore, aspects such as European integration in security-related areas, particularly Jihadist terrorism, were considered fundamental to the progress of this paper. Subsequently, the efficiency of the European Union counter-terrorism measures was evaluated to answer the question of how effective European integration is against security threats such as Islamist radical violence.

This paper is structured as follows: a brief explanation of Jihadist terrorism in Europe, contextual factors for Islamist radicalization of European individuals and residents accompanied by a short description of homegrown terrorism in Europe. After, the EU's initial responses to Jihadist attacks are divided into two relevant periods. The post 9/11 reaction and the subsequent impact of the Lisbon Treaty on European counter-terrorism. Then, the new wave of terrorism in Europe is addressed in two subchapters. The first chapter details how terrorist cells operate, the second outlines how the 2015 Paris attacks were carried out. Consequently, the EU first responses to the Paris attacks and the counter-terrorism measures implemented post-Paris 2015 are studied in order to understand the EU counter-terrorism policies. Afterwards, an analysis of other EU's counter-terrorism mechanisms such as Europol and how cooperation with the United States is executed. Finally, the conclusions will present the findings with a more critical view.

The research for this paper is principally based on two categories of information: primary sources (official documents of the European Union and of Europol on terrorism-related matters), and literature on European counter-terrorism, on terrorism in Europe in general, on European integration and cooperation as second resources. However, evidence taken from newspapers were also used.

Chapter II: Islamist Terrorism in Europe

This chapter offers a short overview of issues such as radicalization and homegrown terrorism in Europe. The first subchapter describes variables that can lead to the radicalization of European individuals or residents. Some of these key variables such as low integration, discrimination, economic and societal segregation of Muslim minorities help to understand the radicalization process. As a consequence, subchapter two explores the causes of the phenomenon of homegrown terrorism. Homegrown terrorism is the acts of violence carried out by a radicalized individual in their country of residence against their fellow citizens.

Contextual Factors for Islamist Radicalization

Europe has a growing Muslim minority. Originally, Europe received a large flow of Muslim immigrants to help with the reconstruction of the continent post-second world war, which later resulted in family reunification and asylum requests. In France, Muslims constitute the 8.8% of the population, 8.1% in Sweden, 7.6% in Belgium, 7.1% in the Netherlands, 6.9% in Austria, 6.3% in the United Kingdom and 6.1% in Germany. Overall, the Muslim community constitutes 4.9% of the European population (Pew Research Center, 2017). The nationality of Muslim immigrants varies according to the European country. North Africans tend to immigrate to France, Spain and Belgium. South Asians in the United Kingdom while Turks are likely to go to Germany. However, a new wave of Muslim immigrants from Afghanistan, Iraq and Syria in Europe can be noticed. This is due to internal conflicts in these countries.

For many, Muslim immigration in Europe can often be related to the end of the European colonial rule (Gallis et. al., 2005). Furthermore, they are normally poorly educated and unqualified immigrants from rural parts of their home country. In addition, they generally arrived in very traditional and closed societies (Lebl, 2010). Other factors, such as the high rate of birth among the Muslim population and the social and political instability of their home countries are also associated with the increment of Muslims in Europe. Lebl (2010) claims there always was a lack of will on the part of European's government and native citizens in assimilating their Muslim population. This negatively affected the integration process of these individuals.

Likewise, the generous welfare state of the majority of European states and Europe's multiculturalism are also variables that can explain why the integration of Muslims in Europe is low (Koopmans, 2009). Koopmans (2009) claims generous welfare state and multiculturalist policies contribute to the creation of Muslim ghettos. That is because Muslim immigrants prefer to live with their own ethnic groups and speak their own national language. Hence, there is barely any interaction between immigrants and natives. The social interaction between natives and immigrants has a considerable impact on access to the labour market for immigrants (Granovetter, 1973). For Goodhart's Progressive Dilemma (2004), generous welfare states tend to attract unskilled and uneducated workers, once they feel financially protected. As a consequence, immigrants depend on the State which is viewed negatively by native citizens. It causes economic and social segregation and the marginalization of Muslim immigrants.

European commitment to multiculturalism allowed Muslim immigrants and their children to separate themselves from European culture and values such as gender equality, rule of law and liberalism (Lebl, 2010). Even though there is a variety of nationalities and traditions in the Muslim population residing in Europe, the creation of Muslim neighbourhoods outside the European *the way of life* spectrum contributed to the establishment of very traditional and conservative Muslim communities throughout Europe. Accordingly, a new European Islam started being perpetrated.

Education and the treatment of religious institutions by European states are also key factors. For instance, the vast majority of countries in Europe allowed Islamic schools and mosques administrated by imams and Muslim teachers from outside EU to function. Very often, these imams and these teachers have a basic comprehension of the cultural aspects and the language of the EU country they were working in. Additionally, it was proven that in many cases the imams had the intention to spread a more extreme view of Islam. Thus, radicalizing young European Muslims (Gallis et. at., 2005).

A very important aspect is the fact that during many years of Muslim immigration in Europe European authorities did not pay attention to the growing issue of the isolation of their Muslim minorities. Simultaneously, racism and discrimination toward Muslim communities escalated the conflict between Muslims and the native Europeans. Ledl (2010) argues that there was a separated Muslim Europe, where sharia law was not only above European values but replacing it. As a cause of it, the European authorities were unable to successfully address the early stages of the radical Islam issue in Europe.

Even though the failure to integrate Muslim immigrants or any other group of immigrants for that matter, could result in social exclusion not much was done by the authorities to

correct this. Thus, resulting in the progress of extremism or criminal activity to all Member States, because of the open borders agreements. The responsibility to create and implement integration policies is primarily of each single Member State. The European Union does not have direct competence on integration. There is, however, a European forum made for EU countries' leaders and relevant stakeholders to debate the challenges that are equal to them. The aim is to seek common solutions and cooperative strategies within the EU mechanisms (Gallis et. al., 2005). Nevertheless, EU officials are concerned that promoting integration initiatives focusing on Muslim communities in order to fight the radical Islam ideology may have the opposite effect. The argument is that it can deepen the feelings of social segregation and discrimination among some Muslim individuals.

The European Commission proposed a "Common Agenda for Integration" in 2005. The main goal of this document was to encourage EU Member States to adhere to the basic principles of the integration policies. It advocated integration measures such as promoting inter-faith dialogue, increasing the presence of immigrant women in the labour market, and allowing the nationals of third countries to participate in local elections (Gallis et. al., 2005). The aim of the European Commission's "Common Agenda for Integration" was to further the assimilation of Muslim and other groups of immigrants residing inside the EU, taking actions at both national and European level. However, the "Common Agenda for Integration" was more of a guideline to be followed by Member States, it was not binding.

Homegrown Terrorism in Europe

Before September 11th 2001 violent Islamist movements were connected mainly to domestic political problems faced by Middle East and North African States (Nesser, 2004). Al Qaida's attack on the United States inspired the expansion of radical Islam in Western countries. The origin of Jihadist groups in Europe was not determined by national borders. The groups follow the Salafi-Jihadi ideology and are motivated by similar grievances to carry out terror attacks on European soil. These radical movements have a sophisticated approach of spreading violent Islam in Europe and cooperate with each other beyond national borders, bringing a transnational dynamic to homegrown terrorism in Europe (Nesser, 2004).

Homegrown terrorism is very complex and especially challenging for European governments. Homegrown terrorism implies that European citizens and residents of European countries are willing to commit horrendous acts of violence against their fellow nationals (Wilner and Dubouloz, 2010). The main target of homegrown terrorism violence is civilians. This tendency appeared after the 9/11 Al Qaeda's attacks as a form of political violence. Homegrown terrorism is a self-generating and self-sustained

phenomenon. It is very easy to conduct an attack and very difficult for authorities to prevent it.

To understand homegrown terrorism in Europe it is important to take four important aspects into consideration (Nesser, 2004). The first one is the globalist ideology present in Jihadist ideology. The second one is how the structure and domestic issues of Middle East and North African countries contribute to transnational violent Islam approach. The third one is the economic and technological inequality present in globalization. The fourth aspect is the international geopolitical events that inspired radical Islamist movements worldwide.

Differentiating itself from traditional Jihadist terrorism, the perpetrators of homegrown terrorist atrocities are European citizens or residents. Wilner and Dubouloz (2010) claim the radicalization process is critical to convince individuals to sign up to jihadist militancy and homegrown terrorism. According to them, radicalization refers to the emotional and mental change that individuals undergo to adhere to the radical views of Islam and international politics. To summarize, radicalization legitimises the use of extreme violence in order to achieve a personal ideal of society, politics and religion. Generally, the second and third generation of Muslim immigrants or long-term residents that did not integrate well in European society (Wilner and Dubouloz, 2010). New Muslim converts also tend to follow radical Islam terrorism as they do not know the basic principles of Islam. Therefore, they are easily radicalized.

Although the radicalization process is different for each person and is as unique as a fingerprint, patterns can be found (Wilner and Dubouloz, 2010). For example, individuals with fragile links to European values have a stronger inclination to adhere to the Jihadist ideology (De Hertogh, 2016). Second and third-generation immigrants of Muslim background who are willing to strengthen their identity and new Muslim converts are generally easily radicalized. According to Wilner and Dubouloz's (2010) transformative learning theory, other triggering factors such as racism, discrimination, unemployment, Muslim identity crisis, international conflict in Muslim countries and troubled family can also facilitate the radicalization process of these individuals.

Once radicalized the individuals accept extremes interpretation of Islam as the truth to be guided by. The jihadist ideology present in radical Islam calls for a "holy war" on Western societies (Precht, 2007). It states "infidels" must be faced with violence to establish Allah's will and rule in the world. The war against the West is a way of living in Jihad. Individuals are indoctrinated by their imams. There is a belief that actions of violence must be taken for the support of the "Muslim cause."

Islamists radicals know exactly what group of people to recruit and radicalized. Park (2006) says radicals target vulnerable groups. Normally, they are young individuals that are lost in the clash between the Islamic background of their family and the multicultural European society. Also, there is the feeling of not belonging or not fitting into the European country they were born or live in. It translates to feeling the need to find or protect their identity. As a consequence, they perceive European values as threatening. In addition, the socio-economic situation is a contributing factor. Data shows Muslims in Europe tend to be concentrated in the middle-low or low class. Most of the time they are

uneducated, unskilled and unemployed. In Europe, a citizen born into a Muslim family is much less likely to be hired for a job than a Christian born European. Studies suggest that in Central and North European countries the native Europeans favour Christian applicants over Muslim ones for a job position (Teich, 2016). Second and third-generation Muslims face the same financial issues their parents had when they first arrived in Europe during the 1970 and 1980s.

There is a significant growth in the number of European individuals eager to join terrorist cells, to commit horrendous terrorist attacks against their fellow citizens and willing to travel to Syria or Iraq to join terrorist cells there. It is estimated that over 5.000 Europeans are directly connected to terrorist cells in Western Europe. Since 2003, over 13,156 European citizens travelled to Iraq or Syria to fight alongside terrorist groups (International Centre for Study of Radicalization, 2019).

Chapter III: First Responses

This chapter focus on two periods of the EU's first response to the Jihadist terrorist threat in Europe. First, the subchapter will analyze the policies made after 9/11, as the beginning of European counter-terrorism institutional cooperation. Subchapter two examines the impact of the Lisbon Treaty on EU counter-terrorism capacities.

Post 9/11 EU

Terrorism is not new to Europe. Anarchist terrorism in the early 1920s was very violent. In the 1970 and 1980s, many European countries suffered terrorist attacks from extreme left and right or separatist organizations. Terrorism was considered a relevant issue in countries like Spain, Germany, Italy, the United Kingdom and Ireland. European leaders knew the sharing of intelligence and the lessons learned from facing terrorism threats were needed (Rehak, Foltin and Holcner, 2007). Accordingly, in the face of the growth of terrorism threats in the 1970s the European Council created the Trevi Group, an informal intergovernmental platform for cooperation in the areas of law and order. Trevi stands for the French words “terrorisme, radicalisme, extrémisme et violence internationale” and its first meeting was held in Luxembourg.

It was proposed by the British government in December 1975 in Rome. It is important to note that the Trevi Group worked outside the structure of the European institutions (Rakovská, 2014). The members of the Trevi Group were the United Kingdom, Ireland, Spain, Italy, the Netherlands, Belgium, Denmark, France, Germany, Portugal and Greece. Their intention was to facilitate police cooperation between Member states. It was the

basis for the creation of Europol. In 1991 Germany formally presented the proposal for the creation of a European Police. Thus, in 1992 the European Police Office (Europol) was established by the Maastricht Treaty. Other tools were also introduced following the Tampere meetings.

Nevertheless, the mechanisms of cooperation that were designed had a voluntary scope. Many European states preferred to maintain issues regarding security as a private domestic matter. Multilateral cooperation was only through informal arrangements (Abdelsamad, 2018). It is relevant, however, to appreciate the historical background at the time these instruments were settled. Terrorism prevention did not have the importance it has today. Terrorism was seen as a domestic matter strongly related to social and political national issues. Thus, there was no need for counter-terrorism policies at the European level.

One event changed the course and the scope of terrorism not only in Europe but around the globe. Al Qaeda's horrendous, yet successful, attacks of 11th September 2001 on American soil. While the news of the United States being attacked was across European media, there was a strong fear the European Institutions would also be targeted. It was the first time Western societies understood they a target for jihadist terrorists.

The European Union (EU) interpreted the 9/11 atrocious attacks as a necessity for further cooperation between Member States, principally in terms of counter-terrorism policies (Den Boer, 2003). The first response to 9/11 was the European Council's Plan of Action on the 21st September 2001. The Plan of Action incorporated the routine exchange of information between Member States, Europol and US authorities and the creation of joint investigation teams of police and magistrates from EU countries and the establishment of a body for coordination, the Eurojust (European Commission, 2002). Following this, the EU initiated the European Commission Action, which adopted a common definition of terrorism within the Union and 64 measures to fight terrorist activities in Europe (memo/02/122). In 2003 terrorism was considered as one of the main threats to the lives of European citizens (European Council, 2003).

In 2004, Al Qaeda detonated 10 bombs on trains in Madrid, killing 192 people and leaving 1,600 injured. It was the most vicious terror attack ever carried out in Europe (Lia and Hegghammer, 2004). A year later, 39 people were murdered in suicide bomb attacks in London. The brutality of these attacks served as a wake-up call for European countries to strengthen their cooperation in matters of counter-terrorism.

The Jihadist ideology was a growing phenomenon in Europe. Factors such as political discontentment with foreign policies, political alienation, unsuccessful integration in the case of immigrants and of second and third generations of immigrants, unemployment, troubled family background, and radical religious views were facilitating the radicalization process. Homegrown terrorism was now a reality in Europe.

European governments discovered Islamist terrorism was even more violent than those of separatist groups, and that there was a growing network of Al Qaeda's devotees in Europe (Argomaniz, 2010). The Islamist terror phenomenon forced the European authorities to recognize they needed to work together. It led the European Union to a

dynamic and progressive institutionalization of counter-terrorism policies. Hence, counter-terrorism cooperation was now seen as a priority to the EU (Edwards and Meyer, 2008). Subsequently, the EU started gaining legitimacy on security-related issues, especially terrorism. As a result, many counter-terrorism strategies were implemented. In 2005 the European Union formulated the Counter-terror Strategy, which was structured in four core pillars: to prevent, protect, pursue and respond to terrorism on a global scale (Lugna, 2006). The aim of the document was to enable a consistent European response to jihadist terrorism. However, Argomaniz (2010) argues the 2005 Counter-terror Strategy was more of a report of the EU's counter-terrorism policy developed since 2001 than a guiding reference on counter-terrorism strategy. Thus, according to Argomaniz (2010), it served more as a marketing instrument.

The EU's counter-terrorism efforts were for many times seen as insufficient and accumulative by critics (Keohane, 2005). Nevertheless, substantial institutional development at the European level could be noticed. For instance, regarding police and intelligence cooperation, the 2005 Counter-terror Strategy advocated the exchange of information and intelligence between Member States. It contributed to the foundation of a dedicated anti-terrorism unit in the Commission, specific counter-terrorism groups within the Council, and the creation of specialized teams in terrorism within Europol and Eurojust (Gregory, 2005).

Consequently, the 2005 Counter-terror Strategy intensified collaboration in other areas of counter-terrorism, such as the judicial cooperation, customs control and border security, infrastructure and transport protection, response management, anti-terrorism financing, anti-radicalization and terrorist recruitment. These seven sectors developed as a response to the Madrid and London attacks form the basis of EU counter-terrorism framework today.

The 2005 Counter-terror Strategy translated into significant structural changes within the EU counter-terrorism policy. The EU bodies responsible for it gained more power and material resources in terrorist-related matters. Also, even though not sufficiently, intelligence exchange improved. In addition, it reaffirms the EU commitment to support Member States in the fight against terrorism.

The Treaty of Lisbon

The Treaty of the European Union (TEU) and THE Treaty of the Functioning of the European Union (TFEU) started a new era for European counter-terrorism policy. The TEU established that one of the main goals of the Union was to provide EU citizens with a greater level of security. Article 3 of TEU acknowledges this goal by declaring the EU must offer justice, freedom and security to all its citizens within its territory. Article 83 of TFEU complements the EU competence on counter-terrorism by offering legal tools

for the EU to act on terrorist matters. It says the European Parliament and the Council must implement directives in order to fight transnational crimes, such as terrorism. Furthermore, article 83 of TFEU explicitly calls for the need to combat such crime on a common basis (Treaty of the Functioning of the European Union, 2007).

These treaties have a relevant impact on European counter-terrorism policies and capacities, especially inside the EU. This is due to the competences and powers the EU gained through the TEU and TFEU in areas of Justice and Home Affairs (JHA). To sum up, the treaties offer the EU three core pillars, the first one is related to intergovernmental capacities, the second one to foreign policy, and the third one to JHA. It is important because the JHA competencies are now shared between Member States and the EU (Renard, 2012).

The EU improved its role in internal security. The post-Lisbon era facilitates the process of decision-making by the EU. The European Parliament and national parliaments benefit from the Lisbon Treaty as well. The European Parliament acquired codecisional and oversight powers. National parliaments gained influence over Europol and the Common Security and Defense Policy (CSDP). Even the European Court of Justice (ECJ) furthered its reach under the Lisbon Treaty. Now the ECJ has extended powers in all areas related to freedom, security and justice. It all results in more counter-terrorism power for the EU. For example, the Commission is now able to initiate proceedings against Member States before the ECJ in security-related matters (Argomaniz, Bures and Kaunert, 2015).

On the other hand, article 4 of TEU states the EU must recognize Member States fundamental rights to essential sovereign matters, such as national security. Article 72 of TFEU complements article 4 of TEU by adding EU competencies in the fields of Area of Freedom, Security and Justice should not affect national security-related policies (European Parliament, 2018). This brings a certain level of institutional complexity to European counter-terrorism. However, the Lisbon Treaty specified how far the EU can legislate in the areas of shared competences and the instruments available to the EU to execute decisions.

Another important aspect the impact the Treaty of Lisbon has on EU counter-terrorism is the development of the Charter of Fundamental Rights. Fundamental rights and the rule of law are two very important principles formalized in Lisbon. Even though the fight against terrorism in Europe is seen as a priority to both EU and national authorities, it should not influence civil rights or the liberties of EU citizens. Nevertheless, many counter-terrorism efforts do affect some civil rights and freedom.

Franke (2017), made a very critical point regarding the efficiency of EU counter-terrorism. He claims that despite the powers the Lisbon Treaty gave to the EU in terms of counter-terrorism capacities, it is still limited by Member States lack of interest in counter-terrorism integration. Thus, according to Franke (2017), EU counter-terrorism is not as effective as it could be. However, Kaunert (2010) disagrees. He argues that Member States' interest in cooperation in areas such as counter-terrorism delivers from cooperation itself. For him, EU countries enthusiasm is, in part, shaped by EU norms. This means the first domestic aspect of Member States are affected by their interaction

with EU institutions and their structures. Thus, conditioning Member States' initial interests to a closer European view.

Other key European counter-terrorism players, such as Europol, Eurojust and Frontex were given legal personality in the Treaty of Lisbon. These agencies gained the capacity to reach international agreements, which is evidenced by agreements between Europol, Eurojust and the US. At times these two EU agencies work closely with the FBI and the CIA. For Frontex, some relevant changes are also noticed after the Treaty of Lisbon. The main one is the establishment of an "integrated management system for external borders" (Renard, 2012). The activities of these agencies are overseen and scrutinized by the European Parliament.

The improvements received by agencies such as Europol and the increment of EU counter-terrorism competences after the Lisbon Treaty gives the EU relevance in the fight against terrorism in the international scenario (Kaunert, 2010). The EU received significant legislative power in police and judicial cooperation, and the strengthening of the ECJ facilitates the European mandate by giving the EU the position to defend its policies at an international level. Kaunert (2010) claims this crucial evolution of the EU capacity to fight terrorism and the international actorness of the EU will improve, for example, the EU-US counter-terrorism cooperation. He says the Treaty of Lisbon harmonizes the EU-US control of security policies. Thus, both the EU and the US benefit from a more integrated European counter-terrorism position.

Chapter IV: The New Wave of Terrorism in Europe

Chapter number four investigate the new waves of terrorism influenced especially by the so-called Islamic State terrorist group in Europe. The initial subchapter explains the tendencies and the new forms terrorist cells operate and the challenges authorities have tracking them down. As a consequence, the second subchapter is about the horrendous Paris attacks of 2015, and how the terrorists involved were able to execute such a deadly attack.

How terrorist cells operate

The American invasion of Iraq after 9/11 helped Jihadist radicals to spread anti-Western rhetoric in the Muslim populations all around the world, including in Europe (Hegghammer and Nesser, 2015).

Islamist terrorism is widely different than the extreme left or nationalist terrorist movements that terrorized Europe in the years 1970 and 1980s. Even though, both strands of terrorism act with violence and are convinced there are revolutionary aspects in their violence that are going to create a better world. Islamist radicals are motivated by religion and try to kill indiscriminately as many people as possible. Jihadist terrorist groups of the 21st century, Precht (2007) argues belong to much smaller and organizations. Normally of 10 to 20 individuals, with a clear line of hierarchy defined.

The internet plays a significant role in these terrorist groups. It facilitates the propaganda machine of the terrorist cells, making recruitment of individuals very simple. The internet is a cheap and anonymous resource that widely spreads the terrorist propaganda on a scale never seen before. It offers platforms where terrorist cells exchange information and contacts. It is the key tool for the radicalization process of young Europeans. Authorities have an extremely difficult time trying to track down the culprits behind these terrorist pages. As a result, radical Islam is easily globalized.

In the case of the attacks in Madrid in 2004 and London 2005, authorities found over 50 Jihad-related electronic books in the hard drive of the perpetrators (Felter, 2007). Manuals on military operations and guides on how to handle interrogations in case of arrest. were also found. Also, the internet is used by terrorists to find instructions on how to make homemade bombs (Karagiannis, 2017). Spanish authorities believe that the Madrid suicidal bomber was a case of self-radicalization.

Another aspect of how terrorist cells work in Europe are prisons. Bakker's (2007) studies show that over 246 European Jihadists before 2008 were in prisons prior to their radicalization. Mueller (2006) suggests that accepting radical Islam may justify the violent tendencies some criminals have. Therefore, being imprisoned together with radicals may influence individuals to adhere to radicalization Nevertheless, some authors, such as El-Hassan (2007) believe Islam can also offer a moral framework to criminals to re-start their life. Research shows young European tend to be easily radicalized by terrorist groups in prison. Prison imams have a particular power position, which makes them successful when radicalizing individuals in prisons (Van Duyn, 2006).

Furthermore, evidence suggests there are a few mosques associated with radicalization. They may serve as a tool of recruitment for some terrorist cells in Europe. The Fourqaan Mosque in Eindhoven in the Netherlands and the Finsbury Mosque in London in the United Kingdom were directly connected with Jihadist ideology (Karagiannis, 2017). Although, recent studies say terrorist cells are moving away from mosques to work at private homes. A report by the House of Commons (2006) claims attending mosques linked to radical Islam can contribute to the process of pre-radicalization. The report states, extremists search for potential recruits inside these kinds of mosques.

The terrorist cells in Europe train through paramilitary activities at home, camping and martial arts. Even paintball and white-water rafting are used by these groups in order to prepare to travel to Iraq and Syria to join the so-called Islamic State and to get ready for a terror attack. Two of the London 2004 bombers prepared for the attack by joining the National White Water Centre in North Wales a few weeks prior (House of Commons Report, 2006).

Trips to Afghanistan, Iraq, Kashmir and Pakistan are also crucial for European terrorist groups. Not only does it provide a network of contacts and resources but also serves as ideological reinforcement (Karagiannis, 2017). Furthermore, travelling to these countries offers practical experience. Overseas travel is fundamental for small European terrorist cells because it is a way of joining the terrorist groups they are inspired by. For many counter-terrorism specialists, it is the final catalyst for these groups. After their experience abroad, they get ready to carry out attacks in Europe.

Some scholars suggest terrorists use criminal activities to help finance their operations. Drug trade and the commerce of counterfeit products are a significant source of terrorist's incomes (Napoleoni, 2009). Many terrorist groups also have genuine businesses to generate funding, but also to be used as a front for money laundering (Kaplan, 2006). Nevertheless, charity is the biggest resource of money for terrorist groups. According to Kaplan (2004), terrorists receive a lot of donations, especially from wealthy men. For many years, charities based in Saudi Arabia funded Al Qaeda, for example. In addition to that, new technologies, such as the cryptocurrency bitcoin, are also being used by terrorist organizations as a source of income for their criminal activities.

To sum up, this overview of how terrorist cells work can be translated into one conclusion. It is very difficult for European authorities to prevent terrorist attacks in Europe in such conditions. To control internet propaganda, prison and mosque's radicalization, even paramilitary activities and overseas trips are very sensitive matters. Tracking down terrorist money is also a very complex task. It calls for highly sophisticated cooperation between European countries. Not only to give strict security and judicial based response, but also to have a more social approach.

2015 Paris Attacks

The growth of radicalization resulted in the worst acts of violence Europe has faced since the end of World War Two. The operational capabilities of terrorist cells operating on European soil and the facilities they possess to carry out attacks are surprisingly worrying. Even though European countries have been trying to work together through EU mechanisms to fight terrorist activities in Europe, homegrown terrorism is still one big issue to European security.

The truth is the majority of countries still prefer to take counter-terrorism measures at the national level than at the European level. There is a perception that domestic security is a matter of sovereignty, with little space for EU level intervention. This view interferes with the outcome of counter-terrorism cooperation. In addition to that, the appearance of the so-called Islamic State of Syria and Iraq (ISIS) terrorist group in 2011 and its dominance in incentivizing attacks on Western States did not facilitate the effect of counter-terrorism policies in Europe. On the contrary, ISIS seems to be even more

successful in radicalizing Western individuals than Al Qaeda ever was. The 2015 Paris attacks is an example.

The 13th November of 2015 was a dark day in Paris. 130 civilians lost their lives to an atrocious terrorist attack and 494 were left injured. A series of carefully planned and violent attacks designed to murder as many people as possible were executed in crowded spots of the city. Abdelhamid Abaaoud, the orchestrator of these horrendous attacks was well known to European intelligence services for his implications with the so-called Islamic State. He travelled to Syria to fight along the ISIS and was even trained by them. Abaaoud was a Belgian national of Moroccan descent. He was raised and educated in the Brussels' district of Molenbeek. Molenbeek is a fairly poor neighbourhood with high rates of unemployment home to the majority of the Muslim population living in Brussels. According to the former French Interior Minister, Bernard Cazeneuve, the 28 years old Belgian terrorist was confirmed to be involved in four foiled attacks in the spring of 2015 in France (BBC, 2015).

Abdelhamid Abaaoud and other 9 jihadist terrorists heavily armed with assault rifles and explosives were able to bomb inside and outside the stadium, the French national team was playing against Germany, and were the former president of France, François Hollande was. They fired and killed over 58 people in restaurants, bars and even a concert in Paris (CNN, 2015). The sophistication and the organization of the attacks allowed the terrorist to maximise the deaths of civilians with ease.

In 2014 the so-called Islamic State updated a video on YouTube where Abaaoud appears in a vehicle dragging mutilated bodies behind it. Also, before the Paris attacks, he was arrested for his links with terrorist groups in the Belgian city of Verviers (BBC, 2015). Abdelhamid Abaaoud was not worried about keeping his jihadist terrorist tendencies a secret. After returning to Belgium from Syria he gave an interview to the English magazine of the so-called Islamic State *Daqib*. He openly talked about the attacks he was planning on Europe. He said he came back to "set up a safe house while we planned to carry out operations against the crusaders". He bragged "The intelligence knew me from before as I had been previously imprisoned by them. I was even stopped by an officer who contemplated me so as to compare me to the picture, but he let me go, as he did not see the resemblance! This was nothing but a gift from Allah." He keeps "My name and picture were all over the news, yet I was able to stay in their homeland, plan operations against them, and leave safely when doing so become necessary. I ask Allah to accept the fruitful deeds of the martyrs." (The Guardian, 2015).

Abaaoud is just another tragic example of the homegrown terrorist problem in Europe. Furthermore, the Paris attacks carried out by him exposed the European counter-terrorism dilemma. Intelligence agencies failed to classify potential threats. Some of the Paris attacks terrorists were known by both French and Belgian authorities for previous terrorist activities. Nevertheless, they were not considered imminent threats. The fact they were able to bomb the stadium with the President of France inside, demonstrates a huge lack of efficient security measures by the French body of police. The preparators of the Paris attacks moved freely in the Schengen, without being monitored.

Quite often suspects of terrorism are known by authorities. In the case of the Paris attacks, the Turkish intelligence alerted Europe that these individuals fought in Iraq and in Syria alongside the so-called Islamic State. Nevertheless, no cooperation measure was taken by the European authorities. There was no interest in sharing information or coordinating efforts to keep these individuals monitored. They were arrested and stopped for terrorism previous to the Paris attacks. Still, national intelligence agencies were not willing to share this kind of information with the other Member States, with the EU or even with Europol. Clearly, there is a need to strengthen counter-terrorism intelligence, mechanisms and institutions within the European Union. To increase efficiency in counter-terrorism there must be a higher commitment for coordination and cooperation. A borderless response to borderless terrorism (Bures, 2016).

Chapter V: EU Counter-Terrorism

This chapter focuses mainly on the EU counter-terrorism measures adopted after the Paris attacks, and the subchapter is divided into two periods. The immediate response to the 2015 Paris attacks and the EU counter-terrorism policies developed after it. This chapter also explores the need to respond to the vulnerabilities caused by the lack of cooperation anterior to the attacks.

First Response after the Paris Attacks

The 2015 Paris attacks atrocities called for emergency measures. It resulted in debates about the EU's role in fighting terrorism in Europe (Bigo et. al., 2015). Because the refugee crisis was also going on at the same time, many people questioned the benefits of freedom of movement within the Schengen Area and the EU asylum system. On 20th November 2015, the Council came up with the Conclusions on Counter-Terrorism. The measures included to strengthen the control of the external borders and to monitor cross-border movements. Public opinion called for the regulation of individuals consistently travelling inside the EU borders and also overseas, especially to countries like Iraq and Syria.

The connection between terrorist activities and cross-border free movement became very clear after the Paris attacks. To prioritize intelligence gathering and surveillance was the first EU response to the attacks. An example of it was the EU Passenger Name Record (EU PNR) which created a database of transcripts on the travels of EU citizens and EU residents flying inside and outside EU countries. It also led to reform of the judicial and police approach to transnational criminality. EU leaders concluded these methods of dealing with the current security challenges were insufficient and inefficient. One more

time they perceived the necessity in deepening intelligence sharing between Member States.

The terrorist attacks in Paris exposed the difficult relation between fundamental rights, freedom of movement, privacy and security (Carrera and Guild, 2014). The European Commission's Recommendation after the attacks centred on the further the use of existing mechanisms such as the SIS II (Schengen Information System). Finally, the Commission suggested to urgently return to the system of tracking the movement of third countries nationals across the EU external borders, the "smart borders package" (Bigo et. al., 2015). Similarly, the Commission urged Member States to collaborate and harmonized models of border administration, in order to intensify effectiveness in the fight against terrorism in Europe.

Boosting the works of Europol and Eurojust were also seen as an important measure to respond to the Paris attacks. The Europol gained a European Counter Terrorism Center (ECTC) and an EU Internet Referral Unit (EU IRU). The EU IRU established propose is to coordinate criteria of identification of terrorist and extreme violent individuals online, working closely with significant stakeholders. Plus, to provide strategies and support competent authorities. Other initiatives, such as the European Cybercrime Center (EC3) had their importance reinforced. The implementation of the Prüm Decision (Bigo et. al., 2015). The Prüm decision intends to increase cross-border cooperation within EU States' judicial and police bodies to fight terrorist operations and other criminal activities more efficiently. The main proposal of the decision is to automatise the exchange of intelligence (Decision 2008/615/JHA).

The Justice and Home Affairs Council backed the Commission Conclusions on Counter-Terrorism. Furthermore, it campaigned for the Member States to adopt these measures before the end of 2015. Likewise, the Council asked the Commission to include EU citizens in the decision-making of the smart borders proposal and to reexamine article 7 of the Schengen Borders Code (Bigo et. al., 2015). Additionally, to give a more solid base for the mandate of Frontex in order to challenge terrorist and criminal organizations in Europe. Another judicial measure taken by the EU Council was to complement criminal justice in terrorist-related matters, such as radicalization. The measure was focused on 3 main points of orientation. First one was to structure and organize detention regimes. The second one was to establish an alternative to detention regimes, especially for those foreign fighters returning to the EU. The third one was to create measures to improve integration, rehabilitation and reintegration of radicals (Bigo et. al., 2015).

The European Parliament participated in the EU response to the Paris attacks by emphasizing the above-cited orientations and voting on the draft on prevention of radicalization and recruitment of European citizens by terrorist organizations (2015/2063(INI)). Likewise, the European Parliament underlined the relevance of the improvement of the EU PNR proposal. Foreign fighters homecoming was also of concern to the Parliament. Therefore, a blacklisting system to establish judicial control over the fighters was requested. Subsequently, a call for Member States to not place radicals together with other criminals in prison in order to prevent prison radicalization was made. The European extreme right reacted to the Paris attacks by criticizing the EU's freedom of movement and the EU's approach to the ongoing refugee crisis. The French National Front's Marine Le Pen campaigned for the reestablishment of national border controls.

Meanwhile, more conservative Member States such as Poland, Hungary and Slovakia, required the EU to stop the implementation of the EU temporary relocation system of redistribution of asylum seekers (Carrera and Guild, 2015). That is because, Ahmad al Mohammad (not his real name) used a fake Syrian passport to return to Europe and carry out the attacks on the 13th November 2015 in Paris (CNN, 2017).

The EU was then facing a dilemma. Its initial reaction was to accept the criticisms and the requests made by European extreme right and conservatives. Nevertheless, the EU leaders recall on Member States' responsibilities in the refugee crisis. During the G20 meeting on November 2015 Commission's President, Jean-Claude Juncker said *"I try to make it crystal clear that we should not mix the different categories of people coming to Europe. The one who is responsible for the attacks in Paris cannot be put on an equal footing with real refugees, with asylum seekers and with displaced people. These are criminals and not refugees or asylum seekers. I would like to invite those in Europe who are trying to change the migration agenda we have adopted – I would like to invite them to be serious about this and not to give in to these basic reactions. I do not like it."* The cross-border policies were, however, closely related to transnational mobility and external border control.

Counter-terrorism Policies after the Paris attacks

The EU counter-terrorism policies are based on four main pillars. To prevent, to protect, to pursue and to respond. The first one refers to the prevention of radicalization of individuals. The second pillar consists of the protection of citizens and infrastructure. The third one is in relation to the investigation and the dismantling of terrorist organizations. The fourth pillar commits to control and reduce the consequences of acts of terrorism (Boutin et. al., 2016). In order to achieve these four goals, the EU establishes well-defined policies to accomplish each one of them.

To address the prevention of radicalization, the EU extended the list of terrorist offences (Sadet, 2017). For example, to travel or help someone to travel inside or outside the EU for extreme intentions, to train or being trained for terrorist purposes, or to finance or collect funds for Jihadist aims are crimes. Member States are now obligated to make checks on EU and non-EU citizens entering the EU's borders. Then, this information must be verified on the SIS II and the Interpol database (Cerdeira, 2017). Another measure taken by the EU is to further control of firearms. The Council amended the directive 91/477(EC) on control of the acquisition and possession of weapons by adopting the Directive 2017/853. The purpose of the directive 2017/853 is to efficiently trace firearms and make access to firearms difficult for terrorists and other criminal organizations. Also, it limits the use of various semi-automatics by putting them in categories, in this case, category A, banning their use by civilians.

To protect, the second pillar is sort of an extension of the first one. External border control is also an aim. However, It incorporates the goal to secure transport and critical infrastructure. The Council approved the Directive 2016/681 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of

terrorist offences and serious crime. By adopting this directive, the EU intends to fulfil security gaps in the combat of transnational crimes. Intelligence must be processed at the national level and shared within EU institutions and Europol (European Council, 2017). Nevertheless, critics argue the EU cannot advocate for the protection of fundamental rights while it is increasing securitization measures. According to them, it is paradoxical and the effectiveness of these measures can be easily questioned.

In order to make it difficult for a terrorist to plan and carry out attacks in Europe, the third pillar advocates disturbing the access of terrorist organization to funds. By improving transparency and to assist linkage in terms of trust ownership and company (Abdelsamad, 2018). In addition to that, the EU wants to remove the anonymity factor of cryptocurrencies such as Bitcoin by forcing virtual currency exchange platforms to apply to EU norms. Azan and Liv (2018) claim it is difficult to make crypto money platforms comply with EU law for two reasons. Firstly, they are not subject to any national jurisdiction and have a global range. Secondly, being anonymous is the basic nature of these kinds of currencies.

The European Council aims to promote the fourth pillar, to respond, by increasing efficiency and coordination when dealing with a terrorist attack situation, focusing mainly on the victims' necessities (European Council, 2017). It aims to broaden the response apparatus and showcase the best practices on "assistance to victims of terrorism" (European Council, 2017). Additionally, the EU seeks to strengthen cooperation with third countries. It has agreements on the transfer of personal data with Lebanon, Jordan, Algeria, Egypt, Israel, Morocco, Tunisia and Turkey (European Union External Action, 2017).

The Council of the European Union, the Eurojust and the Europol are the most important counter-terrorism institution at the European level (Rehak, Foltin and Holcner, 2007). Nevertheless, the Member States have much more competence individually in counter-terrorism than any EU institution. In terms of the design, creation, implementation and the adherence of counter-terrorism policies EU countries are responsible to determinate what they will or will not adopt. The same goes to intelligence sharing (Boutin et. al., 2016). Abdelsamad (2018) argues the EU authority is purely to coordinate counter-terrorism strategies within Member States and try to make them apply similar counter-terrorism schemes. However, the EU still dominates regarding intelligence sharing, counter policy control and cooperation support.

While Eurojust and Europol's role is to provide support to Member States in counter-terrorism issues, the EU counter-terrorism coordinator has to recommend, provide legal assistance to EU members and prioritize fields of counter-terrorism operational plan (Boutin et. al., 2016). The counter-terrorism coordinator works under the supervision of the Council of the European Union. Nonetheless, the European Counter Terrorism Center (ECTC) was created in 2016 by the Justice and Home Affairs Council and it is administrated by the Europol (Europol, 2017). The aim of the ECTC is to share and analyze intelligence and also to integrate and organize action plans in terrorism-related matters (Burkov, 2016).

Regardless of all the counter-terrorism apparatus, the EU has created in order to fight terrorism in Europe, the lack of political will of the European governments in cooperating, thus, making them work is still very low. If there is no change in the attitude of Member States in terms of cooperation and information sharing, EU mechanisms to fight homegrown terrorism and radicalization will demonstrate themselves to be limited to short-term responses with no continuous counter-terrorism outcome. It is extremely challenging to keep a borderless and terrorist free Europe if the EU Member States do not decide to take strong action regarding counter-terrorism policies and cooperation. Terrorist groups have proved they have a sophisticated engine to execute violent attacks on European soil. Likewise, terrorist cells have a very complex network of material, propaganda and contact. They have outsmarted European intelligence agencies on many occasions. The 2015 Paris attacks and the 2016 Brussels attacks are examples of it.

Chapter VI: Other mechanisms

Chapter number six analyzes other counter-terrorism mechanisms within the EU system. It considers two aspects of it as the most important. The first subchapter, explains the role of Europol in the fight against Islamist terrorism. The second one, and subchapter number 2 of this chapter is about the cooperation among the European Union and the United States. Hence, how aligned interests convert into efficient counter-terrorism measures.

Europol

The European Police Office (Europol) was formally established in 1995 by the Europol Convention signed by Representatives of the Governments of EU members (Council, 1995). The idea was to create a European law enforcement organization to assist cooperation among Member States in matters of drug trafficking, human trafficking, terrorism and other security-related issues. The main aim of Europol was to promote effective cooperation between national police of Member States in order to prevent and combat organized crime acting inside the EU's borders. Like Interpol or other international police organization, Europol cannot carry out arrests or conduct its own investigations (Kaunert, 2010).

In the beginning, countries like Belgium and France did not want to include terrorism in the competences of the Europol, as they considered it a matter of national sovereignty. However, other members, such as Spain was advocating for terrorism to be included among Europol's responsibilities (Kaunert, 2010). It was only in 1999, before all EU members ratified the Europol Convention, that terrorism was incorporated to the tasks of Europol. Nevertheless, it was not until the events of 9/11 that EU members adopted a common definition of terrorism.

After 9/11 the Council approved measures of counter-terrorism that strengthened the role of Europol in it (Bosilca, 2013). Home Affairs and Justice ministers from all over the EU called for more information sharing and cooperation between domestic intelligence services of Member States and Europol (European Council, 2001). In November 2001 a Counter-Terrorism Task Force (CTTF) also developed from the EU's response to 9/11. The aim of the CTTF was to receive and collect intelligence, while Europol was responsible to coordinate counter-terrorism tasks within the Task Force and Member States national authorities (Bensahel, 2003). Nevertheless, the CTTF failed to deliver its works efficiently and it was eventually suspended. With the suspension of the CTTF, Europol received many of its responsibilities (Bosilca, 2013). EU Member States could not agree on the size of the scope of Europol's work. Germany, for instance, wanted Europol to be an autonomous FBI-like organization, while other countries, like the United Kingdom, argued Europol's role should only be coordination. It soon became clear that national intelligence services were not keen to cooperate with Europol (De Kerchove, 2008).

Following the Madrid attacks of 2004, European leaders acknowledged the need to improve intelligence sharing and to strengthen Europol in terms of counter-terrorism capacities. Nonetheless, the attacks demonstrated the lack of interest on the part of domestic intelligence services to cooperate with each other. In this case, for example, the Spanish police declined to pass information onto the French authorities on the type of bombs used in the attacks (Fägersten, 2010). In addition, domestic intelligence services were resistant to transfer important information and data to Europol. Even though, the EU's countries leaders themselves advocated for the improvement of cooperation with Europol. Europol communicated to the Council its frustration with the lack of support from national security and intelligence agencies of the Member States. According to Europol, the unwillingness of domestic services to collaborate was an obstacle in its exercising of competence as a counter-terrorism actor (Europol, 2005).

Prior to the London attacks in 2005, the Council of the European Union adopted the European Union's Counter-Terrorism Strategy, which included objectives such as increasing information exchange and the assistance of the EU members' national intelligence and security services (Bosilca, 2013). The European Commission campaigned for compulsory information sharing to Europol on terrorism-related matters. Nevertheless, Member States were reluctant to support it. Fägersten (2010) argued they provided Europol with very limited information or simply did not adhere to the Commission's initiative, which led consequently to its withdrawal. 2009 was an important year for Europol in many aspects. On the legal basis, Europol developed officially into an EU agency by becoming EU's competence under the Lisbon Treaty (Council Decision 2009/371/JHA). As a consequence, Europol was able to act in the areas of information collection, storage, processing, analysis and exchange, and in police cooperation matters. It was decided Europol had the relevant operational capability to deal with terrorism-related issues, thus, Member States were encouraged to work closer to it for counter-terrorism purposes. Europol was slowly gaining relevance on European counter-terrorism.

On 11th May 2016, the European Parliament voted to strengthen Europol's powers, and together with the Council, it adopted the Europol new Regulation, which established Europol as the European Union Agency for Law Enforcement Cooperation. The new Regulation came into effect on May 2017 and offered significant structural reforms on Europol's functionality (Europol, 2017). The main task of Europol would be to continue to support Member States in the prevention of transnational criminal activities, such as terrorism and other forms of organized crimes. However, the new Regulation was formulated to facilitate Europol's preparation of specialized units in order to improve its response to terrorist threats.

The European Counter Terrorism Centre (ECTC) and the European Union Internet Referral Unit (EU IRU) were also established in 2017, under Europol control (Regulation (EU) 2016/794). The main tasks of the ECTC are to supply Member States with operational support for counter-terrorism investigations when requested, intelligence exchange and terrorism expertise, to boost international cooperation on counter-terrorism, to stop foreign fighters and illegal arms trafficking. The ECTC together with the Internet Referral combat online Jihadist propaganda. It counted with a great number of specialist and analysts on terrorism activities (Europol, 2019).

Nevertheless, some barriers to counter-terrorism intelligence exchange within Europol can still be noticed. Bures (2016), claims one thing is Europol's counter-terrorism mandate, another thing is relevant national actors to complying with it. According to him, the issue with Europol is that it was not formed by security authorities, such as police officers but it was a top-down decision by the EU's political elite. Thus, national law enforcement and intelligence services of Member States have a degree of distrust on Europol as it can be sometimes perceived as more of a political than law enforcement body. Moreover, the difference in the organizational structure of national political, administrative and judicial bodies of each Member States increases bureaucracy within Europol's mechanisms of intelligence sharing (Bures, 2016). That is because in some EU countries the police are responsible for counter-terrorism while in others, intelligence services are. As a consequence, different types of information are gathered depending on the interests of each institution.

EU-US cooperation

As a consequence of the 9/11 terrorist attacks on the United States (US) and the increase in the terrorist threat in both the US and Europe, deeper cooperation in regards to counter-terrorism was developed between the two. Since then, meetings between EU and US officials on counter terrorism-related matters have become more and more habitual. Plus, the EU and the US adopted many agreements on the exchange of information between European and American intelligence agencies and police officers. Treaties on mutual legal assistance and extraditions were signed by both parties. The list of cooperation between the EU and the US also includes airline passenger data, terrorism financing,

transport security and the phenomenon of foreign fighter and accords on container security (Archick, 2014).

Dialogues between all levels of officials working on border control, police or judicial matters from both the EU and the US has strengthened the European-Americans relations. Meetings between EU and US high-level officials are held at least once a year and every six months between working-level officials. In addition to that, Europol sent two liaison officers to the American capital to work on counter-terrorism and 14 US officers were posted in the headquarters of Europol and Eurojust in The Hague, the Netherlands.

In relation to strategic information exchange, such as crime patterns and threat evaluation, Europol is the EU agent in terms of EU-US counter-terrorism partnership (Kaunert, 2010). Europol signed two agreements with the US in 2001 and 2002 on intelligence cooperation. These agreements consisted of the transfer of intelligence such as names, addresses and criminal records. The negotiation of these agreements was especially challenging to the US since the EU has higher standards of data protection. In the EU, the privacy of personal data is considered as a basic right, which means regulations were adopted in order to keep this kind of information private and away from law enforcement authorities. In 2007, both the European Union and the United States agreed to approve common standards for strategic and classified information.

When it comes to law enforcement the EU and the US have a number of mutual legal assistance and extradition agreements. However, the US had to agree on not applying the death penalty on any suspect individuals extradited from an EU member, since it is against EU law. Also, under these agreements, EU citizens must be extradited to European soil. Even if there is a bilateral agreement between a Member State and the US on the matter of extradition the EU-US agreement had to prevail. In terms of mutual legal assistance treaties, the EU and the US have established to facilitate the purchase of evidence between both parties ((Archick, 2014). It includes access to bank account and other financial information in case of a criminal investigation. This means the EU and the US would allow each other to participate and collaborate in investigations related to transnational crimes, especially terrorism. In 2015 Europol and the US agreed on to cooperate in fighting foreign fighters and illegal immigration (Archick, 2014).

Nevertheless, the difference in capabilities of law enforcement institutions of the EU and the US may disturb the efficiency of the EU and US counter-terrorism cooperation. For example, the FBI and the CIA have much more autonomy and capacities than Europol. Europol depends on the work of national security authorities of Member States and their inclination to share information with it. Thus, the FBI and the CIA have more chances to provide relevant information and to foresee terrorist threats. Another related issue is, Europeans complain the US is willing to receive intelligence but also a bit resistant when it comes to sharing their information.

Regarding terrorist financing, the EU had agreed to guarantee the US means of access to the Society for Worldwide Interbank Financial Telecommunications (SWIFT), which is a consortium of international banks based in Brussels. The US Treasury Department's Terrorist Finance Tracking Program (TFTP) is able to access the information of SWIFT, which has helped in over seven thousand investigations of both EU and US authorities.

In addition to that, the EU and the US collaborate through other instruments, such as the United Nations and the intergovernmental Financial Action Task Force (Congressional Research Service, 2016).

Concerning terrorist groups and individuals the EU and the US cooperate by sharing their list of suspect groups and individuals operating in Europe and in the United States (Congressional Research Service, 2016). The list consists of names of individuals and groups associated with terrorist groups such as Al Qaeda, the Taliban in the post 9/11 and more recently to the so-called Islamic State and Boko Haram. Critics argue that is important because it presents a united front against terrorists. The EU elaborates two lists, one with individuals and one of the groups. For someone or an entity to be part of the EU common terrorist list, all Member States must agree. It has caused some occasional disagreement between European and American authorities. For some EU members, for example, Hamas-related charities are not to be considered terrorist, while Hamas itself is. However, the EU generally accepts to add to its lists an individual or an entity the US considers as terrorists.

In terms of aviation, air cargo security the EU and the US have implemented a significant number of security measures. Since the 9/11 aviation and air cargo safety became a concern to both Europeans and Americans. EU and US regulations have coincided on these matters many times. However, two other events increased the EU and the US attention on these matters. In 2009, when a flight from Amsterdam to Detroit received terrorist threats from one Nigerian passenger and in 2010 when two packages containing explosives were found on cargo planes and a passenger flight. In 2012 the EU and the US signed an agreement to deepen cooperation on air cargo security. The agreement consists of recognizing each others air cargo regimes and exchange the progress of it. Another measure is when in 2011 the European Parliament voted in favour of body scanners at EU airports as a safeguard measure. The US had implemented the same measure in 2009. The EU and US cooperation in counter-terrorism are perceived by both parties as having a significant effect on the fight against terrorist activities in Europe and in the US.

According to Rees (2008), the EU and the US counter-terrorism cooperation is the best example of its kind in the international scenario. Some challenges are still noted, especially on how the EU and the US interpret some terrorism threats and the response to it. For instance, the EU is less in favour of taking military actions for counter-terrorism measures while Americans seem to be very comfortable with it. However, as appointed to Rees (2008) one can say the EU-US counter-terrorism cooperation has been very effective.

Chapter VII: Conclusions

The European Union (EU) has certainly become an important actor in terms of counter-terrorism, especially inside Europe. Since the events of 9/11, the EU managed to dramatically improve its counter-terrorism institutions and mechanisms. When Europe suffered from its first big Jihadist attacks the EU accomplished to react rapidly. In addition, the Treaty of Lisbon was truly game-changing regarding the EU capacities in implementing more efficient counter-terrorist measures. Most importantly, the EU gained the legal basis necessary to legitimately act in the fight against Jihadist terrorism in Europe and outside it. Nevertheless, an analysis of official EU documents and of the literature suggests the EU's power over counter-terrorism policy is not as great as its instruments suggest.

Some relevant structural problems can still be noticed concerning EU's ability in answering to Islamist terrorism threats. For instance, Member States still feel reluctant when it comes to information sharing. Primarily because there is a strong perception that security is highly related to sovereignty. Even though the Treaty of Lisbon gives the EU the capacity to take measures of security and justice into its own hands, Member States prefer to make decisions of counter-terrorism at the national level. It means that all the counter-terrorism mechanisms the EU have created depend on the political will of the Member States.

Furthermore, some authors suggest there is a certain degree of distrust among EU members' police and intelligence bodies and the European Union. For example, strategic information should be exchanged with EU agencies, such as Europol. But, because of its political weight, and because Europol was created through a top-down decision, police and intelligence services do not really perceive Europol as equal.

In addition to that, each Member State has its own institutional structure regarding counter-terrorism police. In some EU countries, the police are responsible for gathering information and fighting radical Islamist terror, while in other countries there are diverse institutions in charge of the same tasks. It translates into two distinct problems. Firstly, the quality of information. Different institutions can have divergent interests concerning information gathering and exchange. Secondly, is the institutional bureaucracy it imposes to EU agencies.

Another challenge is the fact the EU does not have an institution solely responsible for counter-terrorism. The institutional structure of the EU again plays a role here. Counter-terrorism measures are taken on different levels. It has to pass through all the administration configuration of each Member States and also through the bureaucratic organization of the EU. The outcome is these measures need a bit more centralization. For that, more autonomy for Europol and Eurojust could have a more effective impact. It would also ease the cooperation between US agencies such as the FBI or CIA and Europol, for example. It would balance Europol's capacity when comparing to one of these agencies.

Nevertheless, when put in context, European integration and counter-terrorism cooperation are still very inspiring accomplishments. There are things that need improvement, however, to harmonize 28 different countries' counter-terrorism police is an extremely difficult task. Plus, over the last decades' integration and cooperation in all

areas have only increased, which is a good sign. For instance, terrorist attacks have considerably decreased. It is difficult to prove through data that the cause of this downturn in terrorist attacks is only due to European integration. Other variables have to be taken into account like the many lost the so called-Islamic State have suffered in Iraq and Syria. Nevertheless, the improvements in the EU counter-terrorism cannot be denied. Trends show it will continue to do so.

Bibliography

1. Abdelsamad, H. (2018) "Terrorism and counterterrorism in the EU"
2. Archick, K., (2014) "US-EU Cooperation Against Terrorism"
3. Argomaniz (2010) "The European Union post 9/11 counter-terror police response: an overview"
4. Argomaniz, Bures and Kaunert (2014) "A decade of EU Counter-Terrorism and Intelligence: A Critical Assessment"
5. Bakker, E. (2015) "EU Counter-radicalization Policies: A Comprehensive and Consistent Approach, Intelligence and National Security". 30:2-3, 281-305
6. Bartoszewicz, M. (2012)"Controversies of Conversions: The Potential Terrorist Threat of European Converts to Islam". Perspectives on Terrorism 7, no. 3. 17-29
7. Bean, H. (2011) "No More Secrets. Open Source Information and the Reshaping of US Intelligence"
8. Bensahel, N. (2003) "The Counterterror Coalitions: Cooperation with Europe, NATO and the European Union"
9. Bigo, D., Brouwer, E., Carrera, S., Guild, E., Guittet, E-P., Jeandesboz, J., Ragazzi, F., and Scherrer, A. (2015) "The EU Counter-Terrorism Policy Responses to the Attacks in Paris: Towards an EU Security and Liberty Agenda"
10. Bolsica, R. L. (2013) "Europol and Counter Terrorism Intelligence Sharing"
11. Boutin, B., Chauzal, G., Dorsey, J., Jegerings, M., Paulussen, C., Pohl, J., and Zavagli, S. (2016) "The foreign fighters phenomenon in the European Union- Profiles, threats and policies"
12. Borjas, G.J. (1989) "Economic theory and international migration" International Migration Review". 23(3): 457-485
13. Bures, O. (2016) "Intelligence sharing and the fight against terrorism in the EU: lessons learned from Europol", 57-60.
14. Burkov, Y. (2016) "Counter-terrorism intelligence cooperation in the EU: "The case of the European Counter Terrorism Center" (Unpublished Master's thesis-Central European University. Budapest)
15. Carrera, S., and Guild, E., (2014) "The Juncker Commission: A New Start for EU Justice and Home Affairs Policy?"

16. Cerdeira, V. H. (2017) “Schengen borders code: Council adopts regulation to reinforce checks at external borders”
17. Council of the European Union (2005) “Extraordinary Council Meeting, EU Response to London Bombings”
18. Council of the European Union (2009) “Decision establishing the European Police” Office (Europol).
19. Deflem, M. (2006) “Europol and the Policing of International Terrorism in a Global Perspective”
20. De Hertogh, J. F. (2016) “Homegrown terrorism in Belgium: A comparison with the recommendations provided by Barlett, Birdwell and King in the book ‘The Edge of Violence’”. 2-10.
21. De Kerchove, G. (2008) “Oral Evidence in Europol: coordinating the Fight against Serious and Organized Crime”
22. Den Boer, M. (2003) “9/11 and the Europeanisation of anti-terrorism policy: A critical assessment”
23. Edwards, G. and Meyer, E. (2008) “Introduction: Charting a Contested Transformation”
24. Spalek, B., and El-Hassan, S, (2007) “Muslim Converts in Prison”
25. European Parliamentary Research Service (2018) “The fight against terrorism- Cost of Non-Europe Report”
26. European Commission. (2005) “Proposal for a Council Decision on the Transmission of Information Resulting from the Activities of Security and Intelligence Services with Respect to Terrorist Offences”
27. European Council. (2004) “Declaration on Combating Terrorism”
28. Europol (2009) “Ten Years of Europol”
29. Europol (2012.) EU Terrorism Situation and Trend Report.
30. Europol (2005) “Note to the Council: EU Plan of Action on Combating Terrorism”
31. Europol (2012) “General Report on Europol's activities in 2011”
32. Europol (2018) “European Union terrorism situation and report 2018”.
33. Fägersten, B. (2010) “Bureaucratic Resistance to International Intelligence Cooperation - The Case of Europol”
34. Franke, R. (2017) “Explaining the EU’s Ineffectiveness as an International Actor in Counter Terrorism”
35. Gallis, P., Archick, K., Miko, F., Woehrel, S., (2005) “Muslim in Europe: Integration Policies in Selected Countries”
36. Goodhart, D. (2004). “Too diverse? Is Britain becoming too diverse to sustain the mutual obligations behind a good society and the welfare state?” 95: 30–7.
37. Granovetter, M.S. (1973) “The strength of weak ties”, *American Journal of Sociology*, 78(6): 1360-1380
38. Gregory, F (2005) “The EU’s Response to 9/11: A Case Study of Institutional Processes with Special Reference to Issues of Accountability and Humans Rights”

39. Hegghammer, T. and Nesser, P. (2015) “Assessing the Islamic State’s Commitment to Attacking the West”
40. Kaplan, E., (2006) “Tracking Down Terrorist Finance”
41. Karagiannis, E., (2017) “The New Political Islam: Human Rights, Democracy, and Justice”
42. Kaunert, C. (2009) “The External Dimension of EU Counter-Terrorism Relations: Competencies, Interests, and Institutions, Terrorism and Political Violence”, 22:1, 41-61,
43. Keohane, D. (2005) “Rhe EU and counter-terrorism”
44. Kleinmann, S. and S. Flower. (2013) “From Convert to Extremist: New Muslims and Terrorism”. The Conversation
45. Koopmans, R., Statham, P., Giugni, M. and Passy, F. (2005) “Contested Citizenship. Immigration and Cultural Diversity in Europe”, Minneapolis and London: University of Minnesota Press
46. Lebl, L., “Radical Islam in Europe”
47. Lia, B. and Hegghammer, T. (2004) “Jihadi Strategic Studies: The Alleged Al Qaida Policy study Preceding the Madrid Bombings”
48. Lugna, L. (2006) “Institutional Framework of the European Union Counter-Terrorism Policy Setting “
49. Mueller, J., (2006) “Is There Still a Terrorism Threat? The Myth of the Omnipresent Enemy”
50. Napoleoni, L., (2009) “The intricate economics of terrorism” (TED talk)
51. Nesser, P. (2004) “Jihad in Europe: A survey of the motivations for Sunni Islamist terrorism in post-millennium Europe”
52. OSCE Transnational Threats Department (2018) “Status of the Universal Anti-Terrorism Conventions and Protocols as well as other International and Regional Legal Instruments related to Terrorism and Co-operation in Criminal Matters in the OSCE Area”
53. Park, W. (2006) “Conference: Towards a community-based approach to counter-Terrorism”
54. Pew Research Center (2017) “Europe’s Growing Muslim Population”
55. Pons Soler, M. (2016) “La analogía entre la radicalización islámica y una campaña de marketing exitosa”, Instituto Español de Estudios Estratégicos
56. Precht, T., (2007) “Homegrown terrorism and Islamist radicalization in Europe: from conversion to terrorism”
57. Rakovká, P. (2014) “Assessing the effectiveness to ‘prevent’ pillar of the EU counter-terrorism strategy” (Unpublished thesis-Charles University. Prague)
58. Rees, W., (2008) “Inside out: the external face of EU internal security policy”
59. Rehak, D., Foltin, P., and Holcner V., (2007) “International Counterterrorism Cooperation-Global View”
60. Renard, T. (2012) “EU Counterterrorism Policies and Institutions After the Lisbon Treaty”

61. Sadet, R. (2017) “EU strengthens rules to prevent new forms of terrorism”
62. Teich, S. (2016) “Islamic Radicalization in Belgium”. 3-44.
63. The European Parliament and the Council of the European Union (2017) “DIRECTIVE (EU) 2017/541 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA”
64. UK House of Lords, Eu Committee. (2005). *After Madrid: The EU’s response to terrorism*. 5th report of Session 2004–05
65. Wilner A. S. & Dubouloz C. J. (2010). “Homegrown terrorism and transformative learning: an interdisciplinary approach to understanding radicalization”, 31-51.
66. <https://www.heritage.org/terrorism/impact/heritage-expert-terror-europe-growing-spreading-changing>
67. <http://www.europarl.europa.eu/news/en/headlines/security/20180703STO07125/terrorism-in-the-eu-terror-attacks-deaths-and-arrests>
68. <https://www.theguardian.com/world/2015/nov/16/abdelhamid-abaaoud-suspected-mastermind-of-paris-terror-attacks>
69. <https://edition.cnn.com/2015/12/08/europe/2015-paris-terror-attacks-fast-facts/index.html>
70. <https://www.bbc.com/news/world-europe-30717580>