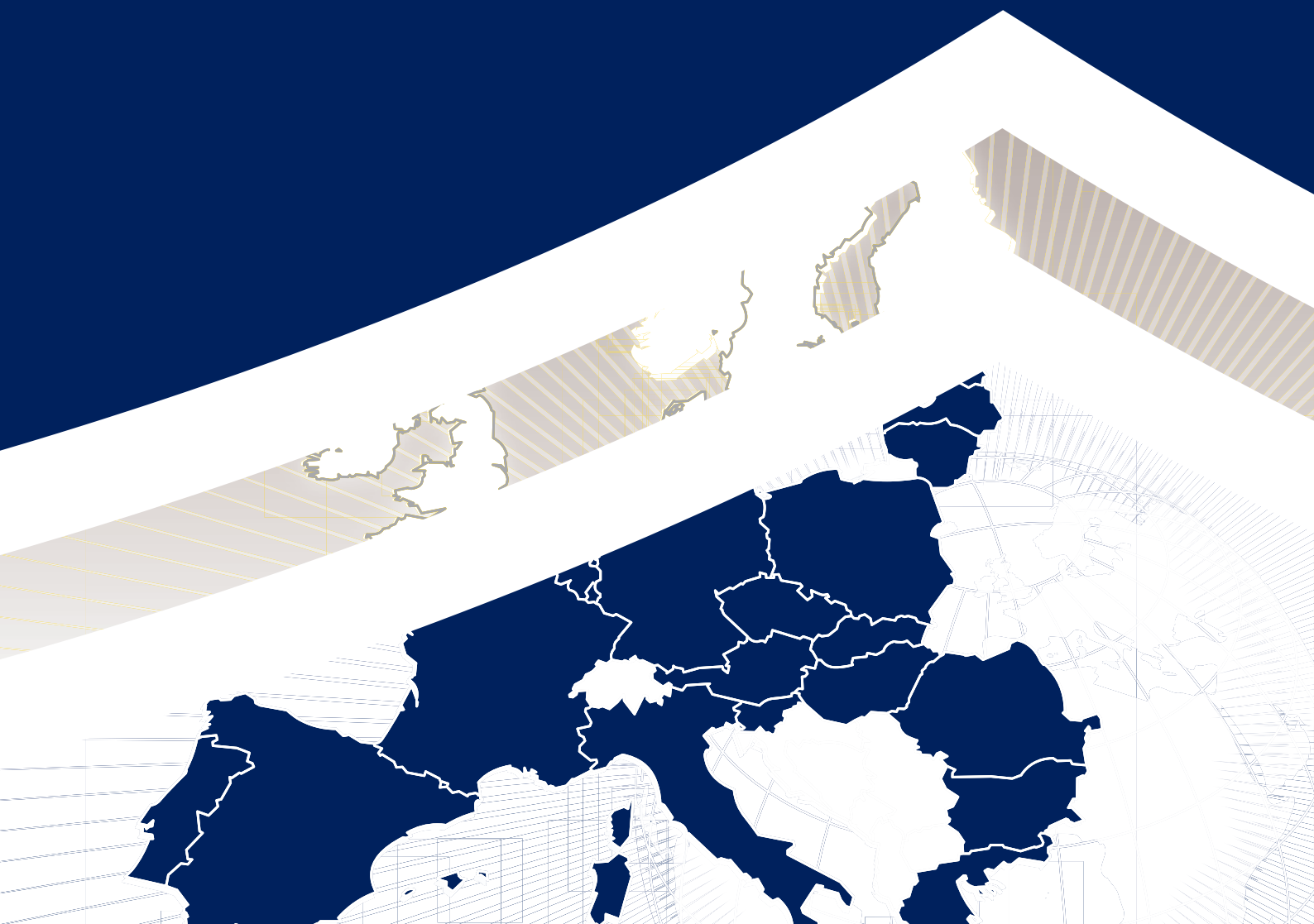




# TE-SAT 2010

EU TERRORISM SITUATION AND  
TREND REPORT





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# 1. FOREWORD BY THE DIRECTOR



The European Union (EU) Terrorism Situation and Trend Report (TE-SAT) 2010 is Europol's first major public awareness product under our new legal framework. On 1 January 2010 Europol became an EU agency, acquiring a broader mandate and an enhanced capability to fulfil its mission of supporting its Member States.

The TE-SAT aims to provide law enforcement officials, policymakers and the general public with facts and figures regarding terrorism in the EU, while also seeking to identify trends in the development of this phenomenon. It is a public document produced annually on the basis of information provided and verified by the competent law enforcement authorities in the EU Member States. The TE-SAT reports are available at Europol's website (<http://www.europol.europa.eu>).

Terrorism continues to impact on the lives of Member States' citizens both inside and outside the EU. In 2009, seven people (five police officers and two soldiers) were killed and scores of individuals injured as a result of terrorist attacks in Greece, Northern Ireland and Spain.

In some cases it is difficult to differentiate between criminality and acts of terrorism or extremism. Terrorism is not an ideology but a set of criminal tactics which deny fundamental principles of democratic societies. EU Member States have agreed to regard terrorist acts as those which aim to intimidate popu-

lations, compel states to comply with the perpetrators' demands, and/or destabilise or destroy the fundamental political, constitutional, economic or social structures of a country or an international organisation. The TE-SAT respects the classifications made by the EU Member States.

In 2009, the total number of terrorist attacks and terrorism-related arrests in the EU continued to decrease. This is a welcome development which, however, must not be understood as an invitation to lower the guard. Islamist terrorists inside and outside the EU continue to aim for indiscriminate mass casualties. Separatist terrorists killed more people in the EU in 2009 than in 2008. Left-wing and anarchist terrorism is increasing in the EU. Extremists, in particular animal rights extremists, have used methods similar to those of terrorists. Thus, the threat from terrorism persists in the European Union.

I would like to take this opportunity to thank all Member States and Eurojust for their continuing contributions of quantitative and qualitative data, which are essential to the annual production of the TE-SAT. I would also like to express my gratitude to Colombia, Croatia, Iceland, Norway, Switzerland, Turkey and the United States of America for their initial contributions.

Last but not least, I would like to thank all members of the Advisory Board, consisting of the 'Troika' (EU Council Presidencies of Sweden, Spain and Belgium), Eurojust, the EU Situation Centre (EU SITCEN) and the representative of the Heads of Europol National Units, for their support throughout the year and their valuable contributions to the 2010 edition of the TE-SAT.

Rob Wainwright  
Director

## 2. EXECUTIVE SUMMARY

The European Union (EU) Terrorism Situation and Trend Report (TE-SAT) contains basic facts and figures regarding terrorist attacks, arrests and activities in the EU. The TE-SAT is based mainly on information contributed by EU Member States resulting from criminal investigations into terrorist offences. Terrorism and related phenomena in the EU are summarised in terms of both quantity and quality, and trends are identified for the period 2007 to 2009.

The Member States of the EU continue to be exposed to a serious threat from Islamist, ethno-nationalist and separatist, as well as from left-wing and anarchist terrorism. However, the overall number of terrorist attacks in all Member States in 2009, excluding the United Kingdom (UK), decreased by 33 % compared to 2008 and is almost half of the number of attacks reported in 2007. For 2009, six Member States reported a total of 294 failed, foiled or successfully perpetrated terrorist attacks, while an additional 124 attacks in Northern Ireland were reported by the UK. Thirteen Member States, excluding the UK, arrested a total of 587 individuals on suspicion of offences related to terrorism, a figure which marks a decrease of 22 % in comparison to 2008 and of about 30 % to 2007. The majority of arrests were carried out on suspicion of membership of a terrorist organisation. Other arrests were made for attack-related offences which include the preparation of attacks, propaganda, financing of terrorism and facilitation.

Substantial amounts of money are transferred, using a variety of means, from Europe to conflict areas in which terrorist groups are active. In relation to Islamist terrorism, financing of terrorism and membership of a terrorist organisation remain the most common reasons for arrests.

Many terrorist or extremist organisations are sup-

ported by active youth branches. These are of particular concern to some Member States as potential targets for radicalisation and recruitment to terrorist activities.

The internet and communication tools that were developed for use over the web, such as social networking sites and instant messaging programmes, are used by terrorist and extremist organisations to promote their agenda, organise campaigns, collect information on future targets, claim attacks, inform other members of the group, and even recruit with greater ease. A terrorist group's ability to communicate and propagate its views is crucial for financing and recruitment.

The number of women arrested for terrorism-related offences remains low. Women accounted for 15 % of suspects arrested in 2009, compared to 10 % in 2007. The majority of these arrests were related to separatist terrorism.

In 2009, a total of 125 court decisions related to terrorism offences took place in 11 Member States. This involved 391 individuals and one non-governmental organisation (NGO). The majority of court decisions pronounced in 2009 were related to separatist terrorism, in contrast to 2008 when the majority related to Islamist terrorism. The percentage of acquittals decreased from 23 % in 2008 to 17 % in 2009. Once more, since 2008, there has been an increase in the number of individuals tried. Of the 391 defendants tried in 2009, 43, i.e. almost 11 %, were women, the majority of whom (29) were tried for offences related to separatist terrorism. Five of the 43 female defendants were acquitted.

Islamist terrorism is still perceived as the biggest threat to most Member States, despite the fact that only one Islamist terrorist attack - a bomb attack in

Italy - took place in the EU in 2009. Islamist terrorists have threatened EU Member States with perpetrating attacks aiming at indiscriminate mass casualties. The number of arrests relating to Islamist terrorism (110) decreased by 41 % compared to 2008, which continues the trend of a steady decrease since 2006. The threat emanating from Islamist terrorism inside the EU is influenced, to a certain extent, by developments in conflict zones and politically unstable countries such as Afghanistan, the Afghanistan/Pakistan border area, Iraq, Somalia and Yemen. At the same time, the EU is used as a platform to prepare and initiate terrorist attacks elsewhere in the world.

Separatist terrorism continues to be the type of terrorism which affects the EU most in terms of the number of attacks carried out. This type includes Basque separatist terrorism in Spain and France, and Corsican separatist terrorism in France. Although, in 2009, the total number of separatist terrorist attacks decreased by 40 % compared to 2008, the number of fatalities increased from four to six. The Basque separatist terrorist organisation ETA (*Euskadi ta Askatasuna*) killed three police officers. Ninety per cent of the 237 attacks that were claimed or attributed to separatist terrorist organisations in France (89) and Spain (148) were successfully executed. Portugal appears to be used for purposes of logistical support by ETA. In Spain, *Batasuna* and other political parties, such as ANV (*Acción Nacionalista Vasca*) and PCTV (*Partido Comunista de las Tierras Vascas*), have been classified as terrorist organisations since 15 June 2009. In the UK, Irish Republican and Loyalist groups in Northern Ireland, principally the RIRA (Real Irish Republican Army) and the CIRA (Continuity Irish Republican Army), increased the number of terrorist attacks and killed two soldiers and one police officer.

In 2009, the total number of left-wing and anarchist

terrorist attacks in the EU increased by 43 % compared to 2008 and more than doubled since 2007. Left-wing and anarchist groups were responsible for 40 attacks while 29 individuals were arrested in 2009 in a total of six Member States. In Greece, *Epanastatikos Agonas* continued its violent actions and claimed responsibility for an attack on police officers, which caused serious injuries to one officer. *Sekta Epanastaton*, a newly-active organisation in Greece, claimed another attack which killed a police officer.

Hungary reported four right-wing terrorist attacks in 2009. All other Member States reported right-wing criminal activities as extremism. Individuals motivated by extreme right-wing views who act alone continue to pose a threat.

Two single-issue terrorist attacks were reported in 2009. The illegal activities of single-issue extremism continue to be dominated by Animal Rights Extremism (ARE) activists, whose campaign has intensified with criminal acts perpetrated across Europe. Some violent ARE attacks in 2009 used *modi operandi* similar to those used by terrorists, e.g. improvised explosive devices (IEDs) and improvised incendiary devices (IIDs).

# 3. TE-SAT 2010: INTRODUCTION AND METHODOLOGY

The EU Terrorism Situation and Trend Report (TE-SAT) was established in the aftermath of the 11 September 2001 attacks in the United States of America (USA), as a reporting mechanism from the Terrorism Working Party (TWP) of the Council of the EU to the European Parliament. The contents of the TE-SAT reports are based on information supplied by EU Member States, some third states, and information drawn from open sources.

In accordance with ENFOPOL 65 (8196/2/06), the TE-SAT is produced annually to provide an overview of the phenomenon of terrorism in the EU from a law enforcement perspective. It seeks to establish basic facts and figures regarding terrorist attacks and arrests in the EU. The report also aims to present trends that can be deduced from the information available.

The TE-SAT is a situation report which describes and analyses the outward manifestations of terrorism, i.e. terrorist attacks and activities. It neither attempts to analyse the root causes of terrorism nor assess the threat posed by terrorism. Furthermore, the TE-SAT does not assess the impact or effectiveness of counter-terrorism policies and law enforcement measures taken, despite the fact they form an important part of the phenomenon.

The current methodology for producing the report was developed by Europol in 2006 in consultation with the Advisory Board, which at the time included representatives of the Finnish and German Presidencies of the EU Council. It was endorsed by the Justice and Home Affairs (JHA) Council on 1 and 2 June 2006. This edition of the TE-SAT has been produced by Europol in accordance with the 2010 Advisory Board, composed of representatives of the present, past and future EU Presidencies, i.e. Spain, Sweden and Belgium (the 'Troika'), along with the EU

Situation Centre (EU SITCEN),<sup>1</sup> the representative of the Heads of Europol National Units, Eurojust and Europol.

The TE-SAT is an unclassified document and does not contain confidential information or information that could jeopardise ongoing investigations.

For the preparation of this report, Europol collected qualitative and quantitative data on terrorist offences in the EU and data on arrests of individuals on suspicion of involvement in those offences, provided or confirmed by Member States. Similar data was collected, when available, of offences in which EU interests were affected outside the EU. Eurojust contributed data on convictions and penalties for terrorist offences in EU Member States.

Included as 'arrests' are those judicial arrests warranted by a prosecutor or investigating judge, whereby a person is detained for questioning on suspicion of committing a criminal offence for which detention is permitted by national law. The fact that the person may subsequently be provisionally released or placed under house arrest does not impact on the calculation of the number of arrests.

'Terrorist offences' have been defined as indicated in Article 1 of the Council Framework Decision on combating terrorism of 13 June 2002 (2002/475/JHA), which all Member States have implemented in their national legislation.<sup>2</sup> This Framework Decision specifies that terrorist offences are intentional acts which, given their nature or context, may seriously damage a country or an international organisation when committed with the aim of:

- seriously intimidating a population; or
- unduly compelling a government or international organisation to perform or abstain from performing an act; or

<sup>1</sup> The EU SITCEN provides early warning, situational awareness and intelligence analysis to assist policy development in the areas of the CFSP (Common Foreign and Security Policy), the CSDP (Common Security and Defence Policy) and counter terrorism. Focus lies on sensitive geographical areas, terrorism and the proliferation of weapons of mass destruction. The EU SITCEN functions under the authority of Catherine Ashton, the EU High Representative for Foreign Affairs and Security Policy.

<sup>2</sup> See Annex 3.



- seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or international organisation.<sup>3</sup>

In cases where the wording of Article 1 of the Framework Decision leaves room for interpretation, the TE-SAT 2010 respects the Member States' definitions of terrorist offences on their territories. At times, it can be difficult to assess whether a criminal event qualifies as an act of 'terrorism' or as an act of 'extremism'. Contrary to terrorism, not all forms of extremism sanction the use of violence. Nevertheless, extremism as a phenomenon may be related to terrorism and exhibit similar *modi operandi*. Therefore, the TE-SAT 2010 mentions criminal acts with the potential to seriously destabilise or destroy the fundamental political, constitutional, economic or social structures of a country, when they were reported by the Member States as extremism, in an effort to provide a clearer picture of the phenomenon and its relation to terrorism. However, these cases were not considered in the statistical data of this report, which exclusively reflects incidents reported as terrorism by Member States. In contrast to previous years, Member States reported details on extremism, a fact which is reflected in the TE-SAT 2010.

### 3.1. TYPES OF TERRORISM

The TE-SAT categorises terrorist organisations according to their source of motivation. However, many groups have a mixture of motivating ideologies, although usually one ideology or motivation dominates. The choice of categories used in the TE-SAT reflects the current situation in the EU, as reported by Member States. The categories are not necessarily mutually exclusive.

Islamist terrorism is perpetrated by individuals, groups,

networks or organisations which evoke a certain interpretation of Islam to justify their actions.

Ethno-nationalist and separatist terrorist groups, such as ETA (*Euskadi ta Askatasuna*) and PKK/KONGRA-GEL (*Partiya Karkeren Kurdistan*)<sup>4</sup> seek international recognition and political self-determination. They are motivated by nationalism, ethnicity and/or religion.

Left-wing terrorist groups, such as *Epanastatikos Agonas*, seek to change the entire political, social and economic system of a state according to an extremist left-wing model. Their ideology is often Marxist-Leninist. The agenda of anarchist terrorist groups is usually revolutionary, anti-capitalist and anti-authoritarian. Not all Member States distinguish between activities of left-wing and anarchist terrorist groups in their contributions. For this reason, both categories are discussed in the same chapter of this report.

Right-wing terrorist groups seek to change the entire political, social and economic system following an extremist right-wing model. The ideological roots of European right-wing extremism and terrorism can usually be traced back to National Socialism.

Single-issue terrorism is violence committed with the desire to change a specific policy or practice within a target society. The term is generally used to describe animal rights and environmentalist terrorist groups.

### 3.2. DATA COLLECTION

Although the UK provided Europol with quantitative data regarding terrorist attacks and qualitative data regarding terrorist activities, the quantitative data is not included in

<sup>3</sup> Article 1 of the Framework Decision includes a list of criminal acts, which has not been printed here due to lack of space.

<sup>4</sup> The names of groups/organisations will be in their original language in the body of this document. For translations and an explanation of acronyms, please see Annex 1.

the figures on attacks because of differences in the statistical criteria applied.<sup>5</sup> All quantitative comparisons made to previous years in this TE-SAT exclude UK data.

The EU Council Decision on the exchange of information and cooperation concerning terrorist offences of 20 September 2005 (2005/671/JHA) obliges Member States to collect all relevant information concerning and resulting from criminal investigations conducted by their law enforcement authorities with respect to terrorist offences and sets out the conditions under which this information should be sent to Europol. Europol processed the data and the result was cross-checked with the Member States and, in case of divergences or gaps, was corrected and complemented, and then validated by the Member States.

Eurojust also collected data on the basis of the aforementioned EU Council Decision, according to which, the Member States are equally obliged to collect all relevant information concerning prosecutions and convictions for terrorist offences and send the data to Eurojust. Eurojust cross-checked the collected data with the Member States and, in case of divergences or gaps, this data was also corrected, complemented and then validated. If convictions that took place in 2009 were appealed, but were concluded before the end of the year, Eurojust counted the decisions as one. The arrests and convictions may be related to terrorist offences that took place before 2009 and, consequently, may not be related to activities and attacks referred to in the TE-SAT 2010.<sup>6</sup>

Ten Member States reported information on concluded trials to Eurojust: Austria, Denmark, France, Ger-

many, the Republic of Ireland, Italy, the Netherlands, Spain, Sweden and the UK.

With the approval of the TE-SAT Advisory Board, neighbouring countries of the EU with a Liaison Bureau at Europol, and other non-EU States with which Europol has signed cooperation agreements, were approached to provide qualitative data for the TE-SAT 2010 when their information could shed light on a certain situation or phenomenon in the EU. Colombia, Croatia, Iceland, Norway, Switzerland, Turkey and the United States of America reported information relevant to the security situation in the EU.

### 3.3. DATA ANALYSIS

The TE-SAT is both a situation and a trend report. A trend can be defined as 'a general tendency in the way a situation is changing or developing'. The TE-SAT 2010 presents trend analysis for the period 2007 to 2009.

Although Member States continue to report on terrorist attacks and arrests with varying degrees of depth, it can generally be stated that the data contributed by the Member States for 2009 was of high quality. The analysis of the quantitative data was, however, affected by the fact that the UK's official statistics do not use the same methodology as that of Europol and other Member States.

Gaps in the data collected by Europol may be due to the fact that the investigations into the terrorist attacks or activities in question are still ongoing. In addition, a number of criminal offences committed in support of terrorist activities are not systematically prosecuted under terrorism legislation.

<sup>5</sup> The UK publishes a fully detailed breakdown of statistics related to persons arrested in connection with terrorism investigations, but they are not included in the TE-SAT due to differences in criteria. However, the statistics for Great Britain (England, Wales and Scotland) can be found at <http://www.homeoffice.gov.uk/rds/pdfs/09/hosb1809.pdf> and for Northern Ireland at [http://www.psni.police.uk/index/updates/updates\\_statistics/updates\\_security\\_situation\\_and\\_public\\_order\\_statistics.htm](http://www.psni.police.uk/index/updates/updates_statistics/updates_security_situation_and_public_order_statistics.htm)

<sup>6</sup> The UK did provide Eurojust with statistics on convictions for terrorist offences.

# 4. GENERAL OVERVIEW OF THE SITUATION IN THE EU IN 2009

## KEY FINDINGS

- In 2009, 294 terrorist attacks were carried out in six Member States and 587 individuals were arrested for terrorism-related offences in thirteen Member States.
- The majority of suspects were arrested on suspicion of membership of a terrorist organisation.
- In 2009, 391 individuals and one NGO were tried on terrorism charges in the Member States, resulting in a total of 125 court decisions.

## 4.1. TERRORIST ATTACKS AND ARRESTED SUSPECTS

In 2009, six Member States reported 294 failed, foiled or successfully executed attacks. Furthermore, an additional 124 attacks were carried out in Northern Ireland.<sup>8</sup>

The number of attacks decreased by 33 % in comparison to 2008 and is almost half the number of attacks carried out in 2007.

The TE-SAT provides an overview for each of the different types of terrorism, as well as extremism linked to that type of terrorism, if it is of added value. This general overview shows the differences and similarities between these types. A complete overview of the number of terrorist attacks and arrests for terrorism-related offences per Member State, between 2007 and 2009, can be found in Annexes 4 and 5.

In 2009, there was only one Islamist terrorist attack, directed at a military target in Italy.

Separatist terrorist organisations were responsible for 237 attacks; all of which were carried out in France and Spain. The decreasing trend in the number of separatist attacks, already noticeable in 2008, continued in 2009.

Greece, Italy and Spain reported 40 attacks by left-wing and anarchist terrorists.

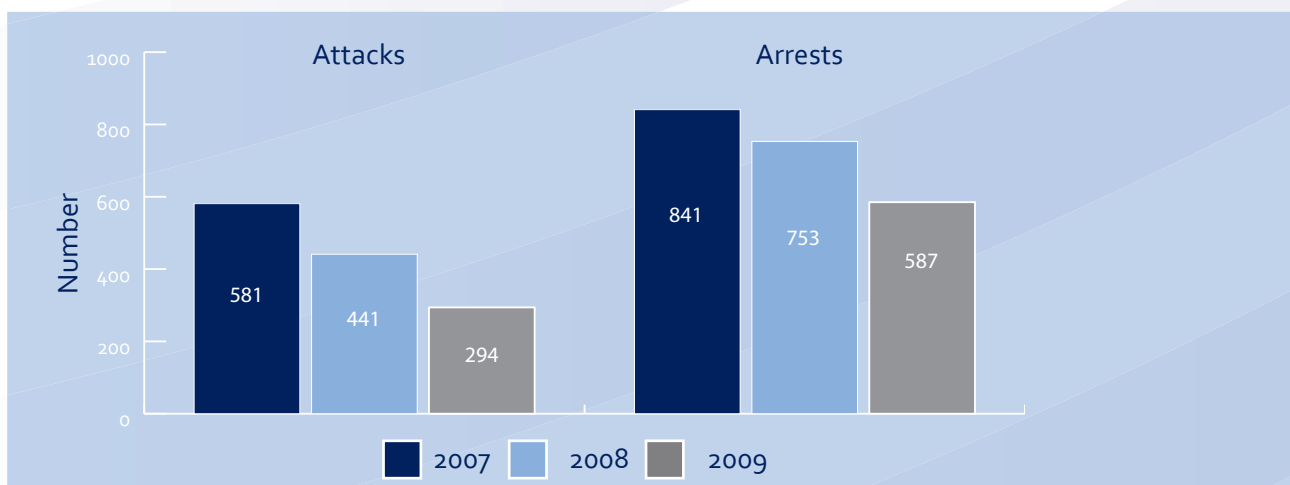


Figure 1: Number of failed, foiled or successful attacks and number of arrested suspects, 2007-2009.<sup>7</sup>

<sup>7</sup> See footnote 5.

<sup>8</sup> In line with the methodology, these attacks are not included in the statistics.

Member State	Islamist	Separatist	Left-wing	Right-wing	Single-issue	Not specified	Total 2009
Austria	0	0	0	0	1	5	6
France	0	89	0	0	1	5	95
Greece	0	0	15	0	0	0	15
Hungary	0	0	0	4	0	0	4
Italy	1	0	2	0	0	0	3
Spain	0	148	23	0	0	0	171
<b>Total</b>	<b>1</b>	<b>237</b>	<b>40</b>	<b>4</b>	<b>2</b>	<b>10</b>	<b>294</b>

Figure 2: Number of failed, foiled or successfully executed attacks in 2009 per Member State and per affiliation.<sup>9</sup>

Member State	Islamist	Separatist	Left-wing	Right-wing	Single-issue	Not specified	Total 2009
Austria	2	0	0	0	0	6	8
Belgium	4	0	0	0	0	0	4
Bulgaria	0	0	1	0	0	0	1
France	37	255	11	6	1	5	315
Germany	4	0	1	0	0	0	5
Greece	0	0	5	0	0	0	5
Hungary	0	0	0	16	0	0	16
Ireland (Republic of)	0	31	0	0	0	0	31
Italy	20	0	9	0	0	0	29
Lithuania	1	0	0	0	0	0	1
The Netherlands	2	0	0	0	0	0	2
Slovenia	0	0	0	0	1	0	1
Spain	40	127	2	0	0	0	169
<b>Total</b>	<b>110</b>	<b>413</b>	<b>29</b>	<b>22</b>	<b>2</b>	<b>11</b>	<b>587</b>

Figure 3: Number of arrested suspects in 2009 per Member State and per affiliation.<sup>10</sup>

Hungary reported four right-wing attacks; Austria and France each reported one single-issue attack.

The number of reported casualties and fatalities remains limited; however, seven government officials

<sup>9</sup> See footnote 5.

<sup>10</sup> See footnote 5.

(five police officers and two soldiers) were killed in separatist, left-wing and anarchist terrorist attacks in Greece, Spain and the UK.<sup>11</sup>

In 2009, 587 individuals were arrested in 13 Member States for terrorism-related offences. In comparison to 2008, the total number of arrests in Member States decreased by 22 %; in comparison to 2007, the number of arrests decreased by 30 %.<sup>12</sup>

Eight Member States reported 110 arrests related to Islamist terrorism in comparison to 187 arrests reported by 10 Member States in 2008.

The majority of the individuals were arrested for offences related to separatism.

In 2009, 29 individuals were arrested for left-wing and anarchist terrorist offences. Twenty-two individuals were arrested in relation to right-wing terrorism and two individuals were arrested for single-issue terrorist offences.

The majority of arrests were made on suspicion of membership of a terrorist organisation. Almost 30 % of the arrests were related to attacks and 17 % to the financing of terrorism. Other activities of which the suspects were accused include propaganda and facilitation.

The average age of the arrested suspects is 34 years. As in previous years, almost 40 % of the arrested suspects are younger than 30. Suspects arrested for Islamist terrorism are, on average, older than those arrested for separatist terrorism.

Although the number of women arrested for terrorism-related offences remains low, there is a small increase in comparison to previous years. 15 % of the arrested suspects were women, compared to 10 % in 2007. The majority of these arrests were related to separatist terrorism. In Lithuania, a woman was arrested for the preparation of a suicide terrorist attack.<sup>13</sup>

## 4.2. TERRORIST AND EXTREMIST ACTIVITIES

### Financing

No terrorist or extremist activities can take place without the availability of financial resources. It has been established that the cost of terrorist attacks is often very low and can easily be covered; however, all organisations need funds for their daily expenses, including salaries, training, logistics, websites, travel and other expenses.

Illegal sources for the financing of terrorism cover a wide range of criminal activities including fraud, counterfeit products, drugs smuggling, kidnapping, trafficking of human beings, and extortion.

Alongside criminal activities, funds can also be derived from legitimate sources. Charitable organisations, NGOs and media outlets continue to be misused by individuals who misappropriate voluntary contributions destined for genuine purposes in order to fund terrorist activities. Recent research at Europol indicates that women are often involved in the misuse of funds derived from charitable organisations.

<sup>11</sup> Contribution to the TE-SAT 2010: Greece, Spain, UK.

<sup>12</sup> See footnote 5.

<sup>13</sup> Contribution to the TE-SAT 2010: Lithuania.

Information indicates that various means are used to transfer substantial amounts of money from Europe to conflict areas where terrorist groups are active.

Terrorist organisations such as ETA, the PKK/KONGRA-GEL and the DHKP-C (*Devrimci Halk Kurtulus Partisi/Cephesi*), collect funds by methods that include extortion or taxation campaigns. Publications of these organisations are sold and raffles are organised for fundraising.<sup>14</sup>

In November 2009, 17 Algerians were detained by Italian authorities and later charged with a variety of crimes, including forgery of documents, robberies and thefts, providing an estimated turnover of one million euros in three years. The money was used to finance AQIM (*al-Qaeda in the Islamic Maghreb*).<sup>15</sup>

### Youth organisations

Many terrorist or extremist organisations have an active supporting youth branch. These branches have a significant potential for violence, which may be exploited by terrorist organisations for radicalisation, recruitment and the financing of terrorist activities and are attractive to, and approachable by, young people. The social alienation and economic deprivation of youngsters play into the hands of terrorist and extremist organisations interested in recruiting them.

SEGI is linked to ETA and has long been involved in the execution of attacks in Spain. *Komalen Ciwan*, the youth organisation of the PKK/KONGRA-GEL, is

active in protests in the EU.<sup>16</sup> Recent developments in Northern Ireland show that youngsters linked to CIRA (Continuity Irish Republican Army) have begun a new campaign and plan to attack military targets.

Some Member States reported that marginalised Somali youth are of particular concern as a potential target for radicalisation and recruitment to terrorist activities. It has to be noted that their travel to Somalia to join the armed struggle against the Transitional Federal Government (TFG), or to visit training camps, do not always depend on organised radicalisation or recruitment – they can also be self-directed and occur without any clear indications.<sup>17</sup>

### Internet

New and low-cost communication tools such as social networking sites and instant messaging programmes are used by terrorist and extremist organisations for various reasons: to promote their agenda or organise promotion campaigns; to collect information on future targets; to claim attacks; to inform other members of the group, and even recruit with great ease.<sup>18</sup> These modern ways of communication are complementing traditional means, such as telephone and personal contacts. A terrorist group's ability to produce convincing propaganda is crucial for financing and recruitment.

Some Member States reported that radicalisation and recruitment in the EU increasingly take place over the internet and, simultaneously, via traditional communication means.<sup>19</sup> In October 2009, a 20-year-

<sup>14</sup> Contribution to the TE-SAT 2010: Belgium, Spain, Turkey

<sup>15</sup> Contribution to the TE-SAT 2010: Italy.

<sup>16</sup> Contribution to the TE-SAT 2010: Germany, Turkey

<sup>17</sup> Contribution to the TE-SAT 2010: Finland.

<sup>18</sup> Contribution to the TE-SAT 2010: Belgium, Greece, Lithuania, the Netherlands, Spain, UK.

<sup>19</sup> Contribution to the TE-SAT 2010: Belgium.

old Lithuanian woman was arrested before she travelled to Russia to commit a suicide attack there. She had converted to Islam and was self-radicalised via the internet.<sup>20</sup>

The development of social networking websites allows extremist and terrorist groups to retrieve information on people, their families and locations to a degree previously unimaginable.<sup>21</sup>

Many terrorists try to counter government-controlled sources of information and media reporting by propagating an alternative interpretation of events which justifies their violent actions or denies acts for which they are blamed.

In 2009, additional prominent websites advocating Islamist terrorism developed new sections in Western languages. The increased use of languages other than Arabic in propaganda audios and videos is also pointing to the presence of foreigners, including EU nationals or residents, in conflict areas.

### 4.3. CONVICTIONS AND PENALTIES

In 2009, there were 125 court decisions reported in 11 Member States, as opposed to 187 court decisions in 10 Member States for 2008. Greece reported one court decision, in which three defendants were acquitted.<sup>22</sup>

Member State	2007	2008	2009
Austria	0	0	2
Belgium	5	12	0
Denmark	11	16	10
France	54	75	76
Germany	7	10	7
Ireland (Republic of)	6	9	15
Italy	47	25	24
The Netherlands	8	12	2
Spain	231	141	217
Sweden	0	1	1
UK	33	59	37
<b>Total</b>	<b>402</b>	<b>360</b>	<b>391</b>

Figure 4: Number of individuals tried in 2009 for terrorism charges per Member State.<sup>23</sup>

<sup>20</sup> Contribution to the TE-SAT 2010: Lithuania.

<sup>21</sup> Source: Europol 2009, internal report.

<sup>22</sup> This information is not included in any of the figures or text of this section.

<sup>23</sup> According to the information provided by the Spanish national authorities, five persons received three imprisonment sentences in three different court decisions and six persons were tried twice for terrorist offences in two different decisions. The individuals have been counted only once in figure 4, whereas in figure 5 the number of convictions/acquittals is higher due to the double or triple sentencing.



In 2009, 391 individuals were tried on terrorism charges in 10 Member States, an increase compared to 2008. In addition, one organisation was brought to trial in 2009 on charges of financing terrorism in France. Of the 391 individuals, 43 were women. The majority of the women (29) were tried for offences related to separatist terrorism.

The highest number of individuals tried for terrorism charges in 2009 was reported by Spain. In the past three years, France and Germany saw a similar number of individuals brought before court; Italy, the Netherlands, and the UK saw a steady decrease, whereas Austria reported a procedure on terrorism charges for the first time.

A large trial took place in France against 22 LTTE (Liberation Tigers of Tamil Eelam) members, most

of them arrested in 2007,<sup>24</sup> and the organisation CCTF (*Comité Coordination Tamoul France*). They were prosecuted for funding terrorism in Sri Lanka, and sentenced to up to seven years' imprisonment. Only one of the individuals was acquitted. The court also ordered the dissolution of the CCTF, viewed as the 'legal arm' of the LTTE. This judgement is now under appeal.

In another LTTE-related trial in the UK, the alleged leader of the United Tamil Organisation in Britain, before it became outlawed in 2001, was convicted of supplying bomb-making equipment to the LTTE and receiving documents for the purpose of terrorism. He was sentenced to two years' imprisonment. At the time when the offences were committed, the Tamil Tigers were not banned in the UK.

Member State	Islamist	Left wing	Right wing	Separatist	Not specified	Total
Austria	2					2
Denmark	3				7	10
France	18			59		77
Germany	3	3		1		7
Ireland (republic of)				15		15
Italy	3	21				24
The Netherlands	2					2
Spain	25	15		190	3	233
Sweden	1					1
UK	32		1	3	1	37
<b>Total</b>	<b>89</b>	<b>39</b>	<b>1</b>	<b>268</b>	<b>11</b>	<b>408</b>

Figure 5: Number of convictions/acquittals for terrorism charges in 2009, per Member State and per affiliation.<sup>25</sup>

<sup>24</sup> TE-SAT 2008, page 31.

<sup>25</sup> Some cases are pending appeal, such as the LTTE judgement in France. The court decision against the organisation CCTF has been included in figures 5 and 6.



In a judgement regarding the dissolution of the political parties *Herri Batasuna* and *Batasuna* by virtue of a decision by the Spanish Supreme Court, the European Court of Human Rights considered that the national courts and the Supreme Court in Spain had arrived at reasonable conclusions that there was a link between the applicant parties and ETA. This link could objectively be considered as a threat to democracy. The judgement became final on 6 November 2009.

The majority of reported court decisions relate to separatist terrorism, in contrast to 2008 when the majority related to Islamist terrorism. As in 2008, the UK had the highest number of trials for offences related to Islamist terrorism and Spain had the majority of separatist cases. The highest number of individuals tried for left-wing terrorism offences was in Italy.

A court in the UK convicted three individuals who had plotted to blow up transatlantic planes with home-made liquid bombs in 2006. The men had

prepared a home-made mixture, intending to take it on board in sports drinks bottles stored in hand luggage. The defendants were found guilty of conspiracy to murder using explosives on an aircraft and were sentenced to life imprisonment with a minimum to be served of between 32 and 40 years. Four other defendants received hung verdicts in relation to the plot and another was cleared of all charges. In a related trial later in the year, the court convicted three more individuals. One of them was found guilty of conspiracy to murder and sentenced to life imprisonment, with a minimum of 18 years to be served. The other two were sentenced to 8 years and 15 months respectively.

The percentage of acquittals decreased from 23 % in 2008 to 17 % in 2009. Of the 43 known women defendants, five were acquitted. One of the women received three convictions.

Reported court decisions related to separatist and left-wing terrorism have the highest acquittal rate (15 %). Austria, Germany, Ireland and the Nether-

Member State	Convicted	Acquitted	Total	Acquitted %
Austria	2		2	0%
Denmark	8	2	10	20%
France	71	6	77	8%
Germany	7		7	0%
Ireland (republic of)	15		15	0%
Italy	20	4	24	17%
The Netherlands	2		2	0%
Spain	182	51	233	22%
Sweden		1	1	100%
UK	30	7	37	19%
<b>Total</b>	<b>337</b>	<b>71</b>	<b>408</b>	<b>17%</b>

Figure 6: Number of verdicts, convictions and acquittals per Member State in 2009.

Member State	Average
Austria	3
Denmark	3
France	6
Germany	4
Ireland (republic of)	5
Italy	8
The Netherlands	≤1
Spain	10
UK	8

Figure 7: Average penalty per convicted individual.<sup>26</sup>

lands have a full conviction rate. France has had mostly successful prosecutions.

As in previous years, not all arrested individuals in one year will be brought to trial in the following year. It is clear that national authorities still try to prevent acts of terrorism from occurring, which explains the relatively high number of arrests. Investigations into terrorism suspects may have been prematurely unsuccessful or may have led to charges other than terrorism, such as falsification of documents, possession of weapons or illegal entry into a country; trials have either not yet started or not come to a conclusion.

In any event, judicial authorities have to find evidentiary support for the charges of planning, intent, membership of a terrorist organisation or promotion of terrorism, which is less tangible than evidence of a successfully executed terrorist attack. As was the case in previous years, no consistent information is available on the charges and offences for

which a sentence was given, so that a comparison of convictions or acquittals is perhaps rather abstract.

The average penalty imposed in Europe is now approximately five years.<sup>27</sup>

In the UK, there were four so-called hung verdicts, where the jury was unable to reach a verdict. In the airline bomb plot case, life sentences were given for conspiracy to murder.

<sup>26</sup> Please note that, aside from imprisonment, France often imposes a penalty of banishment from the national territory. Also, in some cases a financial penalty was imposed. Spain has a similar type of punishment, taking away individuals' civil rights.

<sup>27</sup> Eurojust made a calculation of the reported sentences imposed in Figure 7. For the purpose of the overview, sentences exceeding 40 years have been counted as 40 years.

# 5. ISLAMIST TERRORISM

## KEY FINDINGS

- In spite of the fact that only one attack was committed in the EU, Islamist terrorists still aim to cause mass casualties, as demonstrated by the attempt to create an explosion on a flight between Amsterdam and Detroit in December 2009.
- Islamist terrorism is often facilitated through transnational contacts between individuals residing in many EU Member States and other parts of the world.
- Self-radicalised individuals may, if undetected, become serious security risks.
- EU nationals travelling to conflict areas or attending terrorist training camps may pose a serious threat to the security situation in Member States on their return.
- The security situation in the EU with regards to Islamist terrorism is influenced by political developments in countries and areas outside the EU that include Iraq, Afghanistan, the Afghanistan/Pakistan border area, Somalia and Yemen.
- Islamist propaganda is attempting to influence Member States' policies, including the outcome of general elections in EU countries.

The number of attacks worldwide that have caused mass casualties have confirmed that there is still a willingness by Islamist terrorists to commit mass murder. An example of this intention is the attack on 25 December 2009, when a Nigerian national aboard a US airliner flying from Amsterdam to Detroit attempted to blow up the aircraft. The suspect

failed to detonate an IED that he had assembled in-flight from component parts he managed to carry, undetected, on his body. The suspect, who had studied mechanical engineering in the UK and later went to Yemen after becoming radicalised, was in possession of a valid visa for entering the USA. The airline company had been granted permission by the US authorities to carry the suspect. The man claimed to have been armed and dispatched on his mission by AQAP (*al-Qaeda in the Arabian Peninsula*).<sup>28 29</sup>

This incident marked the end of a year in which only one Islamist terrorist attack occurred in the EU, in Italy. However, arrests of individuals on suspicion of terrorism-related crimes committed indicate that a range of activities took place in 2009.

Similar to previous years, Member States reported that the threat remains real and serious, despite the fact that none of them, with the exception of Italy, had been directly affected by an Islamist terrorist attack. The arrests in October 2009 in the US of two men charged with preparing terrorist attacks against the newspaper that published cartoons of the Prophet Muhammad, and other targets in Denmark,<sup>30</sup> are an illustration of terrorists from abroad focusing on Member States of the EU.<sup>31 32</sup> The attack on the US airliner showed how the EU can be used as a platform for launching attacks on the US, and demonstrated the ability of terrorist groups to employ explosives that are not detected by conventional scanning equipment.

<sup>28</sup> Stratfor Global Intelligence, December 28, 2009.

<sup>29</sup> AQAP claimed responsibility for this attack in the media in January 2010.

<sup>30</sup> NRC Handelsblad, 28 October 2009.

<sup>31</sup> Contribution to the TE-SAT 2010: Denmark.

<sup>32</sup> The reprinting of the cartoons of Prophet Muhammad in February 2008 has rendered Denmark and Danish interests prime potential terrorist targets for leading militant extremists abroad. The attack of 1 January 2010, on the artist who created the cartoons in 2005, is proof of the acuteness of this threat.

Member States' contributions show a common understanding that global trends contribute to the specific risks to which Member States are exposed. These include the situation in Iraq and Afghanistan but are also determined by developments in Somalia, the Maghreb and Yemen.

EU Member States with a military presence in Afghanistan and Iraq, or which participate in the United Nations Interim Force in Lebanon (UNIFIL), once more report being at risk of being targeted by Islamist terrorism,<sup>33</sup> but with less emphasis on that specific issue in comparison to previous years. While considered a 'legitimate' target by Islamist terrorists for being part of the 'Western crusade' - as evidenced by the country's participation in the international forces in Afghanistan - France is also specifically threatened because of its support to Algeria's 'apostate' leaders. It is also held accountable for its alleged 'hostility' toward Muslims, symbolised by a law against veils in schools and, more recently, the debate about the use of the full-body veil (*niqab* or *burqa*) by Muslim women.<sup>34</sup>

Other circumstances that give cause for vigilance are video messages published on the internet targeting specific Member States. The presence of individuals suspected of, and convicted for, terrorism-related offences in jails could also act as a trigger for extremists to take action against the Member States concerned.<sup>35</sup>

Another point of interest is the fact that the threat against Western states, in general, and Member

States and EU interests in particular, is increasingly likely to originate from self-radicalised individuals and a diversity of militant extremist groups, including those who are, or claim to be, affiliated with al-Qaeda as a movement, rather than linked to AQSL (*al-Qaeda's senior leadership*) on a personal level.

Of particular concern are radicalised EU nationals who travel to conflict areas with the intent to take part in acts of illegal violence or join training camps. On their return, they may use their newly-acquired skills and experience to act on their terrorist intentions, in actions that may be ordered by terrorist organisations from abroad. Furthermore, they can encourage others to follow their example. Several Member States specifically mention their concerns regarding this phenomenon.<sup>36</sup>

Several Member States also mention the fact that, despite the lack of terrorist incidents in their country, there are indications that individuals or groups are active in facilitating terrorist activities abroad, for instance through financial and/or logistical support.<sup>37</sup> This is yet another illustration of the transnational character of Islamist terrorism.

## 5.1. TERRORIST ATTACKS AND ARRESTED SUSPECTS

On 12 October 2009, a Libyan national tried to gain access to the Santa Barbara military barracks in Milan while vehicles were entering the compound. When the soldiers on guard duty intervened, the suspect started shouting in Arabic and then explod-

33 Contribution to the TE-SAT 2010: Czech Republic, Finland, the Netherlands, Spain.

34 Contribution to the TE-SAT 2010: France.

35 Contribution to the TE-SAT 2010: Spain.

36 Contribution to the TE-SAT 2010: Belgium, Finland, France, Germany, Italy, the Netherlands, Sweden, UK.

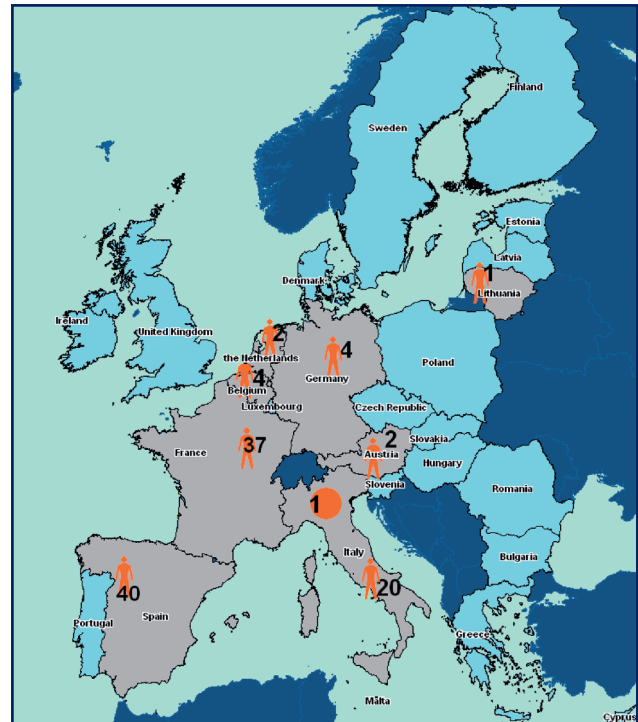
37 Contribution to the TE-SAT 2010: Czech Republic, Finland, Germany, the Netherlands, Slovakia, Slovenia, Spain, Switzerland, UK.

ed the device he was carrying with him. One of the guards trying to stop him was slightly wounded. The suspect himself suffered severe burns in the explosion. Shortly after the incident, the authorities arrested an Egyptian and another Libyan national who were believed to be involved in procuring the explosives and manufacturing the device. The attacker had been in possession of an Italian residence permit since October 2003 and had never before drawn police attention in a political-religious context.<sup>39</sup>

According to information from the Member States, of the 587 persons that were arrested in the EU in 2009, 110 individuals were reported as having been arrested in relation to Islamist terrorism. This is a decrease of 41 % compared to 2008, when 187 persons were arrested, and continues the trend of a steady decrease since 2007 when the number of arrested persons was 201. Once more, and similar to previous years, the largest number of arrests took place in Spain (40) and France (37).

The number of Member States which reported arrests related to Islamist terrorism decreased from ten in 2008 to eight in 2009. The Member States reporting arrests in 2009 were Austria, Belgium, France, Germany, Italy, Lithuania, Spain and the Netherlands.

Individuals born in North African countries<sup>40</sup> represent 42 % of all arrested persons. Nearly one-third of all suspects (30 %) were EU citizens. The proportion of 'home-grown' terrorists<sup>41</sup> remained unchanged compared to 2008 at around one-fifth of all arrested suspects.



**Figure 8: Number of failed, foiled or successful attacks and number of arrested suspects for Islamist terrorism in Member States in 2009.<sup>38</sup>**

Suspected membership of a terrorist organisation and the financing of terrorism were the two most common reasons for arrests related to Islamist terrorism. Further reasons for arrests included the forging of documents and other acts of facilitation, as well as the planning, preparation of, and attempt to carry out attacks. As in 2008, two-thirds of the individuals arrested on suspicion of involvement in Islamist terrorism could not be linked to specific terrorist organisations known to the authorities. This is consistent with the existence of individuals or groups unaffiliated to a terrorist organisation but

<sup>38</sup> See footnote 5.

<sup>39</sup> Contribution to the TE-SAT 2010: Italy.

<sup>40</sup> Algeria, Libya, Morocco and Tunisia.

<sup>41</sup> 'Home-grown' terrorists are terrorists that have been born in the EU and are citizens of one of the EU Member States.

adhering to an ideology similar to those promoted by Islamist terrorist groups such as *al-Qaeda* and its affiliates.

## 5.2. TERRORIST ACTIVITIES

### Radicalisation and recruitment

Radicalisation, especially among the young, and the adoption of extreme views are significant problems in several Member States.<sup>42</sup> The internet is a facilitating factor for (self-) radicalisation,<sup>43 44</sup> a functionality that is aided by the development of social networking sites. In 2009, prominent websites advocating Islamist terrorism also developed new sections in Western languages, to widen their reach.

### Propaganda

The Netherlands were targeted in a video released on 12 April 2009 by *al-Sahab*, the media outlet of AQSL. In this video, an individual is making a threat in German against the Netherlands and Denmark, because these countries allegedly insulted the Prophet Muhammad.<sup>45</sup> The extent to which Islamist terrorist groups rely on the internet for disseminating their message became apparent in the summer of 2009, when several *al-Qaeda*-affiliated internet forums experienced technical problems, culminating in their ultimate closure on 10 September. This resulted in a delay of several days in the dissemination of propaganda addresses commemorating the eighth

anniversary of the attacks of 11 September 2001.

Germany has become the focus of a determined propaganda campaign, in which threatening videos featuring German nationals are being broadcast on the internet.<sup>46</sup> This campaign was an attempt to influence the outcome of the general elections in Germany and the country's foreign policy.

## 5.3. THE SITUATION OUTSIDE THE EU

In 2009, several EU nationals became victims of Islamist terrorist acts outside the EU. In January 2009, a group of four tourists, including a German and a British national, were abducted in the Niger/Mali border region. The British national was killed. AQIM claimed responsibility for the abduction and the killing.<sup>47</sup> The kidnappings of a French national in Mali in November 2009, of three Spanish volunteer workers in Mauritania on 29 November 2009, and of two Italians in December 2009, are other examples of terrorist activity directly victimising citizens of Member States.

Unlike many other forms of terrorism, Islamist terrorists invoke transnational links for justifying their actions: terrorist attacks in Europe or against European interests abroad are legitimised as retaliation for crimes allegedly committed, condoned or tolerated by the targets in other parts of the world. Devel-

<sup>42</sup> Contribution to the TE-SAT 2010: UK.

<sup>43</sup> Contribution to the TE-SAT 2010: Belgium, the Netherlands, Sweden.

<sup>44</sup> The EU Action Plan on Terrorism reflects the concern of Member States on this issue - it states that, to prevent radicalisation and recruitment, further measures against illegal extremist literature and other media have to be considered. In this context, the role of the internet remains central. In summer 2009, the European Commission contracted two studies on non-legislative measures to prevent the distribution of violent radical content on the internet, and on methodologies or adapted technological tools to efficiently detect content promoting violence on the internet (15358/09 ENFOPOL 277, 26/11/2009).

<sup>45</sup> Contribution to the TE-SAT 2010: the Netherlands.

<sup>46</sup> Contribution to the TE-SAT 2010: Germany.

<sup>47</sup> Contribution to the TE-SAT 2010: Germany.



opments and events in relation to Islamist terrorism in certain regions or countries which have impacted Member States, or could become of relevance to the EU, are briefly described in the following paragraphs.

### Iraq

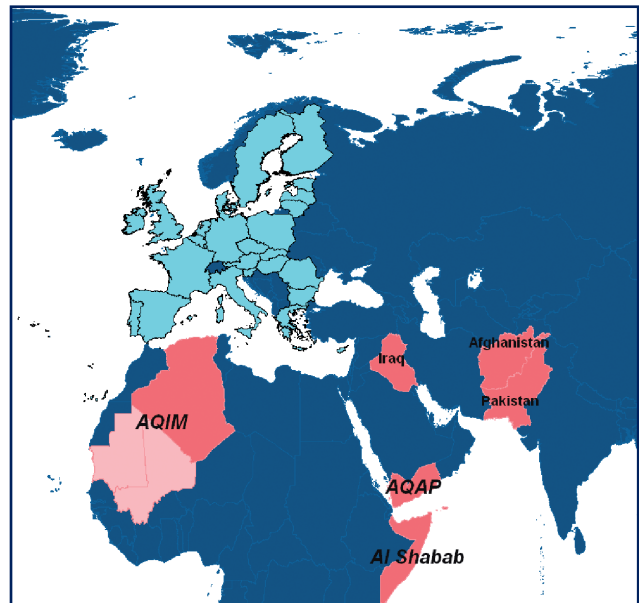
The potential threat to the EU from trained fighters returning from Iraq has been significantly reduced as Iraq is being replaced by other theatres of conflict as the focus of attention. In 2009, terrorist discourse, while continuing to portray Iraq as a legitimate *jihād*, focused mostly on Afghanistan or Somalia. The shift, already observed in 2008, was confirmed by statements of AQSL and by coalition forces on the ground.

Following a decrease in the number of civilian casualties as a result of inter-faction violence near the end of 2009, the parliamentary elections to be held in March 2010 may reignite terrorist violence. The deadly attacks of 8 December 2009, claimed by the Islamic State of Iraq (ISI), could be an early example of such resurgence of terrorist acts.<sup>48</sup>

Over the years, a number of EU nationals have been held hostage in Iraq. On 30 December 2009, the only survivor of a group of five British nationals captured in 2007 by *Shia* militants was released in Baghdad, having spent 31 months in captivity.<sup>49</sup>

### Pakistan

Government bodies and security forces remain the primary targets of attacks by the Pakistani *Taliban*, as indicated by attacks on the police training centre in Manawan and the military headquarters in Rawalpindi. The attacks committed on the Pearl Continental Hotel in Peshawar in June 2009 and the



**Figure 9: Terrorist organisations and conflict regions outside Europe influencing terrorist activities in the EU.**

Shalimar Hotel in Rawalpindi in November 2009 are examples of terrorist acts partly aimed at foreigners, as both hotels provided accommodation to foreign businessmen and women. The attack on the Sri Lankan cricket team in Lahore in March 2009 is an example of terrorist groups targeting sports events. A number of EU citizens were arrested in Pakistan for involvement in activities related to Islamist terrorism. Pakistan remains one of the important areas for *al-Qaeda* and its affiliated groups. AQSL is believed to be in hiding in the Pakistan/Afghanistan border area.

### Afghanistan

The number of terrorist incidents in Afghanistan more than doubled in 2009 compared to 2008; these incidents included the attack on the German Embassy in Kabul in January 2009. The majority of

<sup>48</sup> 'Iraq Status Report', US Department of State, 16 December 2009 and 27 January 2010.

<sup>49</sup> <http://www.guardian.co.uk/world/2009/dec/30/peter-moore-iraq-hostage-freed>, accessed on 7 February 2010.

suicide attacks were committed using IEDs in suicide belts or rucksacks, as well as Vehicle-Borne Improvised Explosive Devices (VBIEDs). Such attacks mainly focused on military targets, closely followed by Afghan security and governmental targets.

Since 2001, 23 EU Member States have deployed troops to the NATO International Security Assistance Force in Afghanistan (ISAF). Separately, several Member States are also contributing to the US-led Operation Enduring Freedom coalition, conducting counter-insurgency and counter-terrorism operations in Afghanistan. The EU military presence in Afghanistan, as well as in other conflict zones, is believed to be putting Member States at risk of being targeted by Islamist terrorist attacks. Several Member States<sup>50</sup> have indicated that such presence is a factor that could bring about terrorist acts against their country and its interests abroad.

## Yemen

There are growing concerns that Yemen is developing into a new area of operation for terrorist activities as evidenced by recent events, including the establishment of AQAP in January 2009. AQAP's stated goal is to bring down the Yemeni Government and to turn the country into a caliphate. Their reported strategy is to attack the tourism and oil industries. AQAP has been accepted by AQSL as one of its affiliates and has declared its solidarity with AQIM in Algeria and *al-Shabab* in Somalia, thereby confirming its transnational orientation.

AQAP targets non-Muslims, including foreign tourists and diplomats, in line with its maxim of 'expelling the unbelievers from the Arabian Peninsula',

which it uses as justification for attacks on individuals and groups from countries considered to be engaged in a war against Islam. Civilians from these countries, the group claims, are not to be differentiated from soldiers. Hostages taken by AQAP in Yemen in 2009 include a British citizen,<sup>51</sup> seven Germans and a South Korean.<sup>52</sup>

AQAP also claimed attempted terrorist attacks outside Yemeni territory. On 27 August, a suicide attack in Saudi Arabia, subsequently claimed by AQAP, targeted the Saudi Arabian deputy interior minister in charge of counter terrorism matters, who was only slightly injured. The attack was perpetrated by a Saudi member of the group with a concealed IED. AQAP also claimed responsibility for the failed suicide attack on 25 December 2009 aboard a trans-Atlantic airliner flying from Amsterdam to Detroit, discussed earlier.

## Somalia

Violence by several militant Islamist groups against the forces of the Transitional Federal Government (TFG) and African Union Mission (AMISOM) in Somalia escalated further in 2009. The main Islamist terrorist group associated with this violence is *Harakat al-Shabab al-Mujahidin*, or *Mujahideen Youth Movement* in Somalia, generally referred to as *al-Shabab*. This is the militant wing of the Somalia Islamic Courts Council, which took over most of southern Somalia in the second half of 2006. *Al-Shabab's* senior leadership is affiliated with al-Qaeda and some of its members are believed to have trained and fought with the latter in Afghanistan. The self-proclaimed goal of *al-Shabab* is the establishment of an Islamic state in Somalia. Nev-

<sup>50</sup> Contribution to the TE-SAT 2010: Czech Republic, Finland, France, the Netherlands.

<sup>51</sup> Contribution to the TE-SAT 2010: UK.

<sup>52</sup> Aljazeera.net, 15 June 2009: <http://english.aljazeera.net/news/middleeast/2009/06/200961453254571859.html>, accessed 15 February 2010.



ertheless, *al-Shabab* has also professed to be part of a transnational movement. In several messages released in 2009, *al-Qaeda's* leadership praised the activities of *al-Shabab* in Somalia and encouraged the group to continue its struggle. AQAP also commended *al-Shabab* and urged Muslims to support them. The Yemeni *al-Qaeda* affiliate called on Islamist terrorists in Somalia to step up their attacks in the Gulf of Aden and Djibouti.

The country continues to attract volunteers who, in most known cases, travel there to join *al-Shabab*. It is estimated that around 300 foreign nationals are presently in training camps or fighting with *al-Shabab* or other radical groups in Somalia. As a consequence of the increasing pressure on AQSL and its affiliates in western and north-western Pakistan, some terrorists view Somalia as a safer place to receive military training and combat experience.

The situation in Somalia is relevant to the Member States for several reasons, which include the targeting of non-governmental organisations (NGOs) and co-operation missions providing humanitarian and development aid. A number of foreigners were kidnapped in Somalia in 2009. As a result of a number of suicide bombings in 2009, four government ministers and 17 soldiers of the AMISOM were killed. In December 2009, a Danish-Somali man dressed in women's clothing committed a suicide attack in Mogadishu, killing at least 22 people.<sup>53</sup> *Al-Shabab* denied involvement in the attack. The worsening humanitarian and security situation in Somalia leads to increasingly large numbers of refugees travelling to the EU. The threat posed to the EU by individuals returning from Somalia who either have combat experience or specific tasking to carry out terrorist attacks in Europe is of concern.

The transnational orientation of *al-Shabab* is manifested in its statements and demands. On 17 September 2009, *al-Shabab* demanded that France stop its financial and military support for the TFG and end anti-piracy patrols in Somali waters in exchange for the release of a French security adviser held hostage since July. The group also called for the withdrawal of AMISOM forces. On 30 October, the commander of *al-Shabab* protested against Israel's recent raid on the *al-Aqsa* Mosque in Jerusalem and threatened to attack Israel. The group also threatened Ethiopia, Djibouti, Kenya, Eritrea, Ghana, Sudan and Uganda.

#### North and West Africa

In 2009, AQIM tried to further promote its image as the regional representative of *al-Qaeda* in North Africa and the Sahel and received ideological support from AQSL. In June, a member of the younger generation of AQSL urged Muslims in North Africa to offer support to their brethren in Algeria, particularly those belonging to AQIM.

Contrary to 2008, the number of suicide attacks committed and claimed by AQIM in Algeria in 2009 was limited. AQIM claimed a suicide attack on a military barracks in Algeria on 7 March 2009. Nevertheless, in 2009, AQIM continued its claims of a high number of ambushes, assassinations and bomb attacks targeting members of the Algerian security forces. This strategic change can be understood as a reaction to the negative publicity linked to the use of suicide attacks, which may have impacted on the organisation's capacity to recruit volunteers.

In 2009, as in 2008, AQIM placed particular importance on Mauritania. On 23 June, an American aid worker was assassinated in the Mauritanian capital of Nouakchott. AQIM claimed responsibility for the

<sup>53</sup> Contribution to the TE-SAT 2010: US Naval Criminal Investigative Service.

attack, saying the victim was known for his missionary activities. On 8 August, a suicide attack targeted the French embassy in Mauritania. Three people, two of them French gendarmes, were slightly injured. In its claim of responsibility, AQIM stated that the attacker was a Mauritanian and that the attack was a response to the aggression of the 'crusaders', particularly France, and Mauritanian leaders against Islam and Muslims. In addition to Mauritania, AQIM seems to have also expanded into Mali.

In addition to attacks, AQIM also remains involved in the abductions of nationals of Western countries in the Sahel region. In December 2008, two Canadian UN diplomats were kidnapped in Niger, an incident followed by the abduction, in January 2009, of four European tourists - one British, one German and two Swiss nationals - also in Niger; responsibility for the kidnappings was claimed by AQIM in February 2009. In March, the media reported that AQIM demanded that 20 Algerian, Mauritanian and Moroccan AQIM members detained in Mali and other countries be freed as a condition for releasing the six western hostages. In April, the two Canadians, a Swiss and a German were released. In a communiqué released on 2 June on the internet, AQIM announced the execution of its British hostage on 31 May. The remaining Swiss hostage was freed on 12 July in northern Mali.

A second wave of abductions took place in late 2009. On 25 November 2009, a French citizen was abducted in Mali. On 29 November, three Spanish aid workers were kidnapped in Mauritania. AQIM claimed responsibility for the abductions in early December, arguing that the kidnappings were a reaction to the West's war on Islam and Muslims. On 18 December 2009, two Italian nationals were kidnapped in Mauritania. In late December 2009, AQIM claimed responsibility for the kidnapping of the Ital-

ian couple, linking it to Italy's military engagement in Afghanistan and Iraq.

# 6. ETHNO-NATIONALIST AND SEPARATIST TERRORISM

## KEY FINDINGS

- Separatist terrorism continues to target government officials. In 2009, a total of four police officers and two soldiers died in attacks in Spain and the UK.
- The number of attacks and arrests continued decreasing in 2009. A total of 237 terrorist attacks were carried out in continental Europe and 124 in Northern Ireland, while a total of 413 individuals were arrested.
- The majority of the arrests and attacks were carried out in France and Spain, where several ETA cells were dismantled. France remains the most important logistical base for ETA; Portugal also appears to be used for logistical support.
- Europe is important for financial and logistical support to the PKK, the LTTE and the FARC.
- Youth organisations related to separatist terrorism or extremism have a significant potential for violence.

## 6.1. TERRORIST ATTACKS

In 2009, 237 attacks were claimed or attributed to separatist terrorist organisations in France and Spain, while a further 124 attacks were carried out in Northern Ireland (UK).<sup>54</sup>

The number of separatist attacks decreased by 40 % compared to 2008, with 90 % of the attacks successfully executed.

In Spain, 14 attacks were carried out by ETA, where this organisation had claimed 35 attacks in 2008. The number of *Taldes Y* attacks also decreased in 2009. *Resistência Galega* and *Independentismo Radical Galego*, who operate in the Spanish autonomous region of Galicia, carried out nine attacks.

In France, 89 attacks were carried out by separatist terrorist groups. The vast majority of the attacks were linked to Corsican separatist terrorism; eight

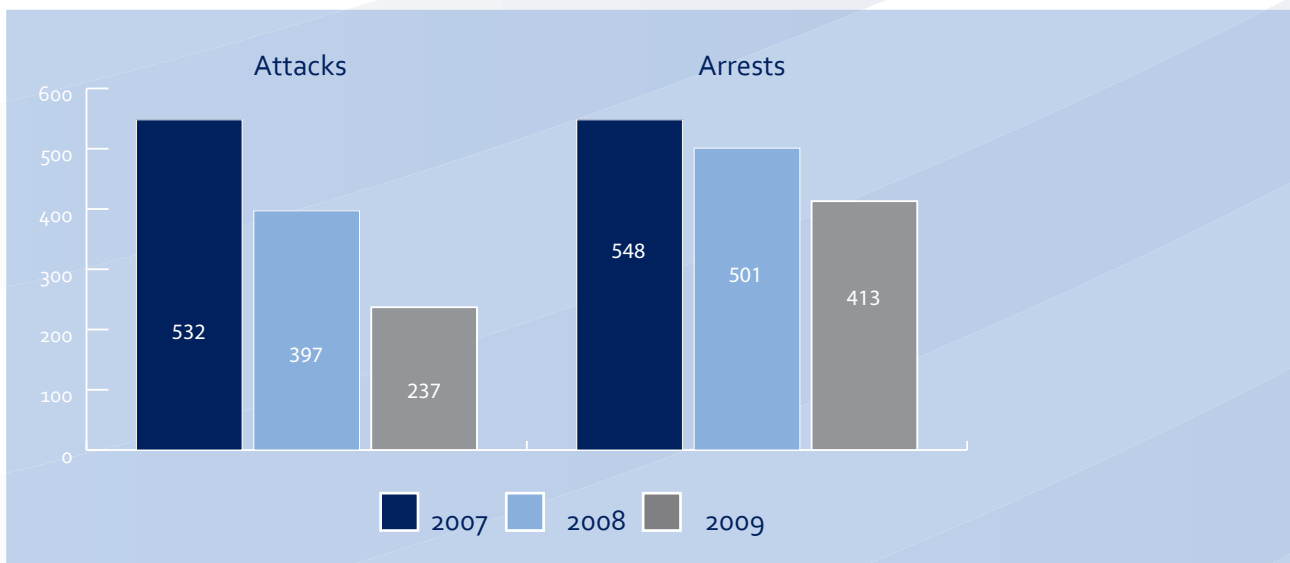


Figure 11: Number of failed, foiled or successful attacks and number of arrested suspects for separatist terrorism in Member States, 2007-2009.<sup>55</sup>

<sup>54</sup> See footnote 5.

<sup>55</sup> See footnote 5.

attacks were committed by Basque separatist terrorist groups.

Despite the decrease in number of attacks, the number of fatalities increased from four in 2008, to six in 2009. As was the case in previous years, government officials are still a target for separatist terrorist organisations.

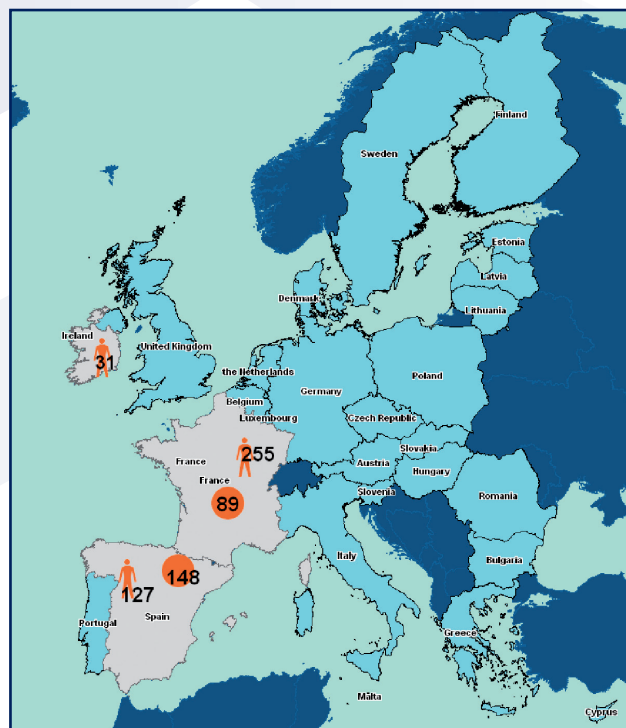
In June and July 2009, three police officers died in two separate ETA bombings in Spain.

On 19 June, an IED located under the private vehicle of a member of the National Police exploded in Arrigorriaga. The explosion caused the immediate death of the police officer.

On 29 July, a van loaded with about 200 kg of explosive materials went off in Burgos, targeting the provincial headquarters of the Guardia Civil. The targeted building, used as residence for officers and their families, was totally destroyed and more than 60 people were injured. In this case, no warning call was made, which indicates ETA's intention to carry out indiscriminate attacks. The van used in the attack was stolen in France and carried Spanish licence plates instead of the original French ones.<sup>57</sup>

On 30 July, two Guardia Civil agents were assassinated in Palmanova (Balearic Islands) when an IED placed under a patrol vehicle parked outside a police station exploded. Another IED was found under a patrol vehicle parked close to the police station in Calvia (Balearic Islands).

The decreasing trend in the use of commercial



**Figure 10: Number of failed, foiled or successful attacks and number of arrested suspects for separatist terrorism in Member States in 2009.<sup>56</sup>**

explosives by ETA that began in 2007 continued in 2009. In most cases, the explosives used were home-made.<sup>58</sup>

In France, there has been a continuing decrease in the number of terrorist attacks since 2007. The level in 2009 is the lowest in the last 30 years.

As in previous years, separatist groups in France and Spain carried out attacks against different types of targets. Although secondary residences and businesses owned by inhabitants of the French mainland and foreign nationals (the tourist sector) remain privileged

<sup>56</sup> See footnote 5.

<sup>57</sup> Contribution to the TE-SAT 2010: Spain.

<sup>58</sup> Contribution to the TE-SAT 2010: Spain.

targets of the separatist groups in France, French law enforcement authorities have also been targeted on several occasions. The police buildings of Bonifacio and Porto-Vecchio were targeted by firearms on 6 and 11 April 2009, respectively. On 22 July 2009, there was an attack, claimed by the Unified FLNC (*Front de Libération Nationale de la Corse*), against the building of the gendarmerie in Vescovato.<sup>59</sup>

A total of 124 attacks were carried out by Irish Republican and Loyalist groups in Northern Ireland. In 2009, there was an increase in the number of attacks by terrorist groups, principally the 'Real' IRA (RIRA) and the 'Continuity' IRA (CIRA). In March 2009, two soldiers and a police officer were murdered. During the year, there were also other attempted attacks on members of the security forces and the public.

## 6.2. ARRESTED SUSPECTS

In 2009, a total of 413 people were arrested in France, Spain and Ireland for offences related to separatist

terrorism. The vast majority of the individuals were arrested for membership of a terrorist organisation, 25 % for involvement in attacks, while almost 20 % were arrested for the financing of terrorism.

In Spain, 127 individuals were arrested for offences linked to separatist terrorism, a number comparable to 2008. The majority of the individuals arrested were members of SEGI, 20 % were members of ETA and 14 % were linked to *Batasuna*. This party, as well as other political parties, such as ANV (*Acción Nacionalista Vasca*) and PCTV (*Partido Comunista de las Tierras Vascas*), have been classified as terrorist organisations since 15 June 2009, according to Common Position 2009/468/PESC of the Council.

In November and December 2009, 40 top SEGI leaders and prominent members were arrested in the three Basque provinces and Navarre in the framework of two different operations. Another person linked with street-fighting activity was arrested in November.<sup>60</sup>

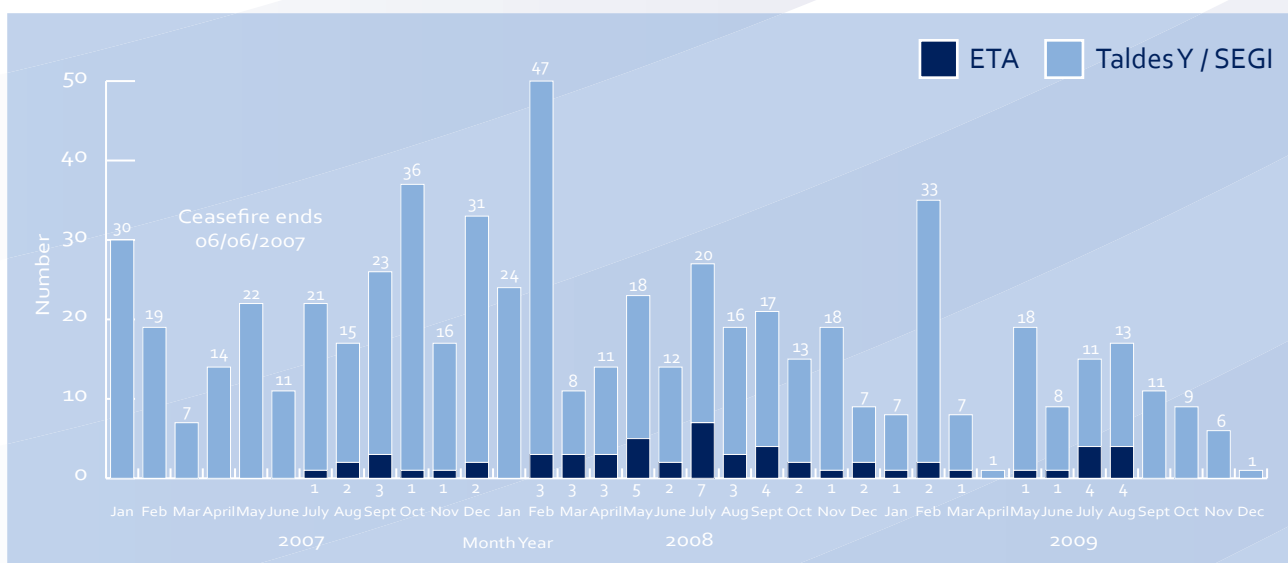


Figure 12: Number of TaldesY / SEGI and ETA attacks in Spain, 2007-2009.

59 Contribution to the TE-SAT 2010: France.

60 Contribution to the TE-SAT 2010: Spain.

In France, the majority of suspects were arrested for Corsican separatist terrorist offences. Of the individuals arrested, the majority were suspected of involvement in attacks and financing terrorism.

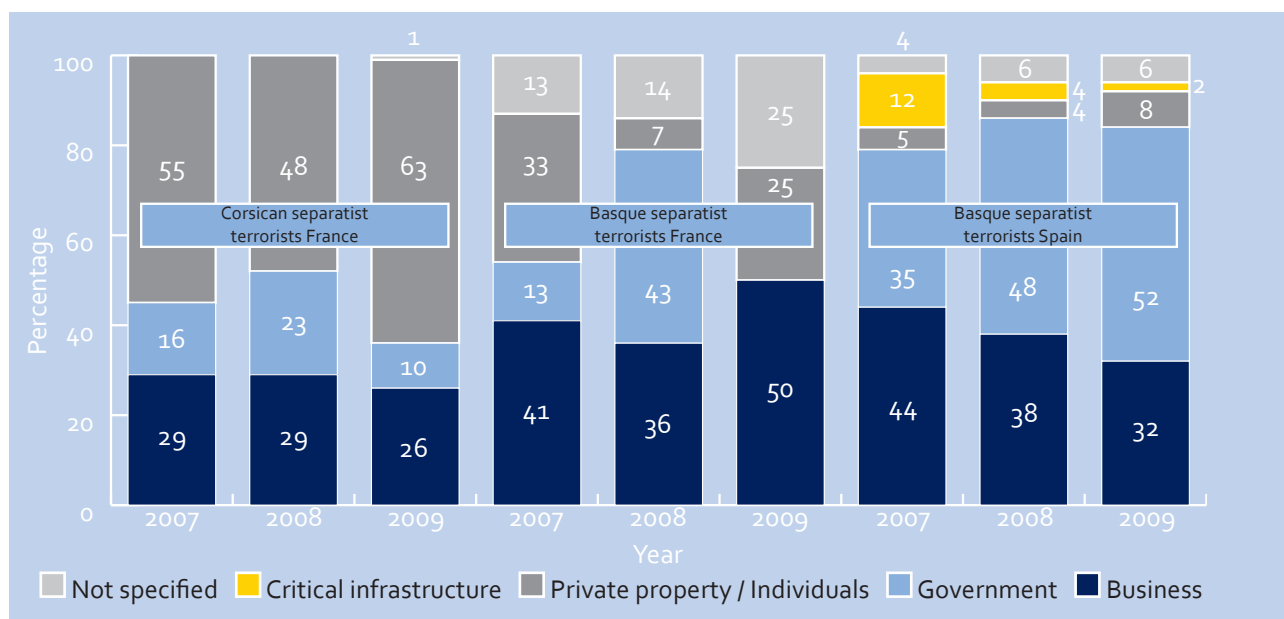
Fifty percent of the individuals arrested in France for Basque separatist terrorism were linked to ETA and suspected of financing terrorism. The cooperation between Spanish and French authorities enabled the detention of ETA leaders in France. Thirty women related to ETA or SEGI were arrested for terrorism-related offences.

On 4 July 2009, some of the most wanted ETA terrorists were arrested in Pau. On 19 August, three ETA members responsible for providing weapons, ammunition and explosives were arrested in Villarembert.<sup>61</sup> The chief of ETA's military wing was ar-

rested in France and a commando was dismantled in Vitoria (Basque Region).<sup>62</sup>

Basque separatist terrorism in France, targeting the tourist sector in the Basque region in France, can be considered as residual and of low intensity. The terrorist organisations are more than ever characterised by their operational weakness. The number of militants continues to decrease. The founder of *Irrintzi*, the organisation responsible for two-thirds of the attacks in the Basque region since 2005, was arrested in December.

In Ireland, 31 individuals were arrested for offences related to separatist terrorism. The vast majority of the individuals were arrested for membership of terrorist organisations such as the CIRA, RIRA and the INLA (Irish National Liberation Army), or for possession of arms and explosives.



**Figure 13: Type of targets in attacks by Corsican and Basque separatist terrorists in France, and Basque separatist terrorists in Spain, 2007-2009.**

61 Contribution to the TE-SAT 2010: France.

62 Contribution to the TE-SAT 2010: Spain.



## 6.3. TERRORIST ACTIVITIES

### ETA

Extortion continues to be the main source of income for ETA. In 2009, the organisation launched several extortion campaigns, sending letters to businessmen from the Basque region and Navarre demanding that they pay the so-called 'revolutionary tax'. In some cases, in order to increase the threat, the letters were sent to their relatives.

In July, three SEGI supporters were arrested in the Basque region for their activities as webmasters in charge of organising raffles to fund SEGI. The result of the raffles and propaganda related to SEGI were published online, on the website under investigation.<sup>63</sup>

Almost a tonne of bomb-making materials including precursors, home-made explosives, detonators and IEDs manufactured, or in the process of being assembled, were seized in a counter-terrorism operation carried out in France, where a total of 14 caches were discovered, mainly in wooded areas. The findings of this operation are evidence of change in ETA's methods of hiding its weapons and explosive materials: they prefer using several small caches disseminated in a wooded area instead of a big one, in order to minimise the impact of successful police operations. The above-mentioned police operation can be considered as a severe blow to ETA's military logistic wing.<sup>64</sup>

The discovery of a vehicle abandoned in Salamanca in February 2009, which was rented by an ETA member in Portugal, indicates that ETA uses that country, besides France, as a logistical base.<sup>65</sup>

### PKK/KONGRA-GEL

In 2009, the PKK/KONGRA-GEL did not carry out any terrorist attacks in the Member States; there were only protests and violent incidents or riots in Germany and Austria. These were mainly related to the PKK/KONGRA-GEL's youth organisation '*Komalen Ciwan*'. Although there were no major incidents, there is evidence that the PKK/KONGRA-GEL continues to have a significant potential for violence, which may be deployed if needed.<sup>66</sup>

The PKK/KONGRA-GEL is collecting money and requesting logistical support from Turkish individuals living in Europe.<sup>67</sup> In order to reinforce its operational wing and capability in Iraq, the PKK/KONGRA-GEL relies mainly on activities such as extortion, human trafficking, drugs and arms smuggling, and money laundering, raising large amounts of revenue.<sup>68</sup> House searches in Austria in February 2009 resulted in the seizure of lists of donation collections, notes on income and donation receipt books.<sup>69</sup>

### LTTE

Contrary to previous years, no arrests of members of the LTTE were reported by Member States in 2009.

63 Contribution to the TE-SAT 2010: Spain.

64 Contribution to the TE-SAT 2010: Spain.

65 Contribution to the TE-SAT 2010: Portugal, Spain.

66 Contribution to the TE-SAT 2010: France, Germany.

67 Contribution to the TE-SAT 2010: Austria, Belgium, Finland, Switzerland, Turkey.

68 Contribution to the TE-SAT 2010: Turkey.

69 Contribution to the TE-SAT 2010: Austria.

The LTTE's conventional forces were defeated in the military conflict in Sri Lanka in early 2009, leaving the organisation leaderless and facing a power struggle. Several large protests were staged in the UK and Belgium in the spring and summer, attracting thousands of people.<sup>70</sup>

Although the LTTE has faced considerable setbacks in Sri Lanka, its vast global network and strong control over the *Tamil Diaspora* and various Tamil associations with structures of fundraising, procurement and propaganda is still active and firmly in place. The *Tamil Diaspora* abroad is still the most important supporting element of the LTTE; the organisation has built efficient mechanisms to control Tamils living in the EU and worldwide. One of the core activities of the LTTE in the EU is the collection of funds from the *Tamil Diaspora* on a monthly basis to finance its organisation, activities and military-related procurement.

Several EU countries initiated investigations into the LTTE's financing methods in the past years. In France, a large trial took place during 2009 (see chapter 4.3, Convictions and penalties).<sup>71</sup>

## FARC

In 2009, there were no arrests of individuals related to the FARC (*Fuerzas Armadas Revolucionarias Colombianas*) for terrorism-related offences in Member States. A Swedish national was kidnapped by the FARC in Colombia in May 2007 and released on 17 March 2009.<sup>72</sup>

The FARC has identified Europe as a main area of strategic interest in its ambitions to expand its activities. Making use of its contacts in Europe, the FARC has sent representatives to some Member States. Their tasks include the dissemination of information and the creation of clandestine cells to facilitate drugs trafficking and the procurement of arms.<sup>73</sup> Uncorroborated open sources report that FARC is planning to open an office in Amsterdam, Brussels or Paris.

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<sup>70</sup> Contribution to the TE-SAT 2010: Belgium, UK.

<sup>71</sup> Contribution to the TE-SAT 2010: UK, Switzerland.

<sup>72</sup> Contribution to the TE-SAT 2010: Sweden.

<sup>73</sup> Contribution to the TE-SAT 2010: Colombia.



# 7. LEFT-WING AND ANARCHIST TERRORISM

## KEY FINDINGS

- Continued increase in the number of terrorist attacks since 2007.
- The majority of incidents were arson attacks in 2009 while the use of IEDs dominated in 2008.
- Attacks using firearms increased in Greece (from one in 2008 to four in 2009). One police officer was killed and another was injured.
- Actions by anarchist groups are becoming more violent and sometimes well planned.
- Violent clashes between right- and left-wing groups continued.

### 7.1. TERRORIST ATTACKS

Spain, Greece and Italy reported a total of 40 attacks by left-wing and anarchist groups for 2009. This constitutes an increase of 43 % compared to 2008; the number of attacks more than doubled since 2007.

As in previous years, most attacks were carried out successfully and mainly targeted government and business interests.<sup>75</sup>

The majority of these attacks were arsons, reported by Spain, and caused only property damage. The percentage of IED attacks decreased from 43 % in 2008 to 20 % in 2009; the majority of these bombings occurred in Greece.

In Greece, six left-wing terrorist organisations carried out a total of 15 attacks in 2009. Attacks using firearms increased from one in 2008 to four in 2009



Figure 14: Number of failed, foiled or successful attacks and number of arrested suspects for left-wing and anarchist terrorism in Member States in 2009.<sup>74</sup>

and can be attributed to the organisations *Epanastatikos Agonas*, *Sekta Epanastaton* and OPLA (*Organoseis Proletariakis Laikis Aftoamynas*). They mainly target police, governmental and business interests and use firearms and grenades in their attacks. *Sekta Epanastaton* appeared for the first time in 2009 and claimed responsibility for an attack on 16 June 2009, in which a police officer was killed while on duty guarding the house of a witness involved in an investigation against *Epanastatikos Agonas*. The latter claimed responsibility for an attack on police officers on duty at the Ministry of Culture in Athens in January 2009. The attackers opened fire and threw a hand grenade, seriously injuring one officer.<sup>76</sup>

The increase in Spain from 13 attacks in 2008 to 23 in

<sup>74</sup> See footnote 5.

<sup>76</sup> Governmental targets include government and police offices, and buildings of institutions. Business targets include ATM's, bank branches, private and commercial companies (oil companies, car dealers, etc).

<sup>77</sup> Contribution to the TE-SAT 2010: Greece.

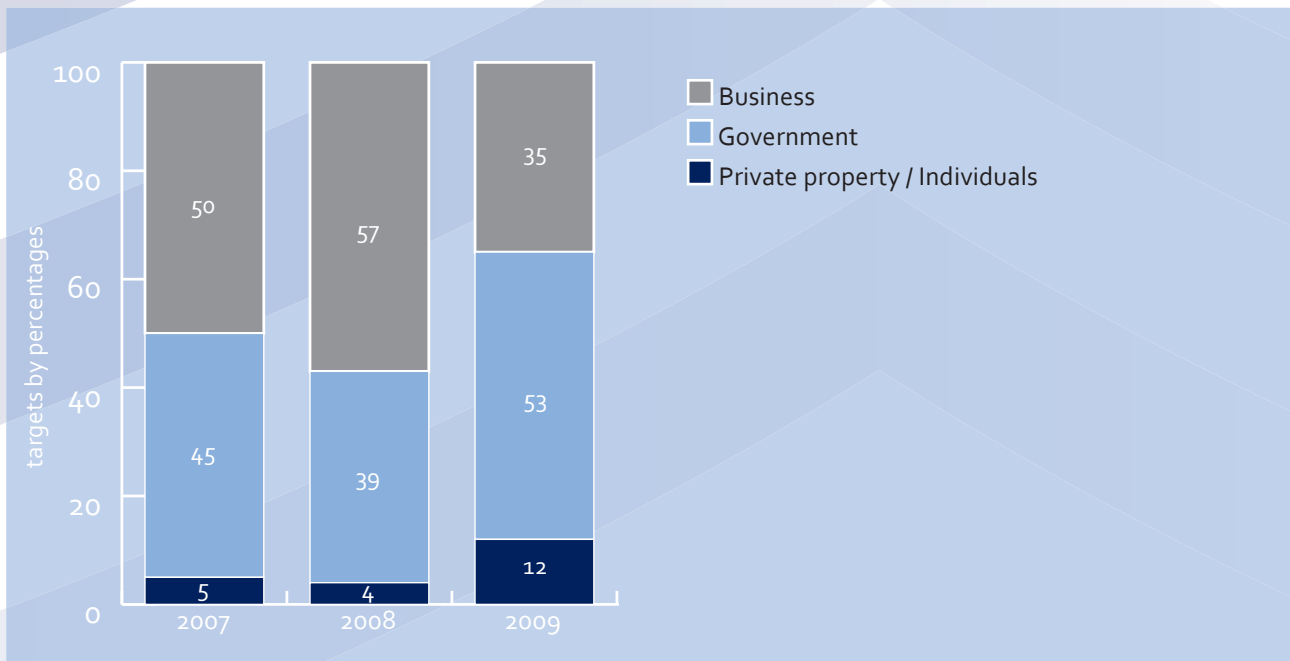


Figure 15: Left-wing and anarchist terrorist attacks by target, 2007-2009.<sup>77</sup>

2009 can be attributed to anarchist groups with an important presence in the region of Cataluña. Following an internet support campaign for an imprisoned activist, attacks spread to other areas in the second half of 2009.<sup>78</sup> The majority were arson attacks targeting government and business interests; 7 out of 23 attacks failed.

Italy reported two successful arson attacks targeting a political party's head office in Rome. The attacks were part of a series of low-profile actions which occurred in Rome in 2009, claimed by the organisation *Cellule di Resistenza Proletaria*.<sup>79</sup>

## 7.2. ARRESTED SUSPECTS AND TERRORIST ACTIVITIES

A total of 29 persons were arrested in 2009 for left-wing and anarchist terrorism in six EU Member States: Bulgaria, France, Germany, Greece, Italy, and Spain. This is half of the number reported for 2008, when France arrested a high number of individuals linked to the dismantling of the French arm of the Turkish left-wing party DHKP-C.<sup>80</sup>

The majority of those arrested were suspected of involvement in attacks and membership of a terrorist organisation. Almost 40 % were younger than 30.

In France, one left-wing activist was killed and another one severely injured while handling sodium

<sup>77</sup> See footnote 5.

<sup>78</sup> Contribution to the TE-SAT 2010: Spain.

<sup>79</sup> Contribution to the TE-SAT 2010: Italy.

<sup>80</sup> TE-SAT 2009, page 33.

chlorate to manufacture an IED in a disused factory. A total of four people were arrested during the investigation.<sup>81</sup>

A lengthy investigation in Italy, which resulted in the arrest of six suspects in June 2009, revealed the existence of a Marxist-Leninist subversive organisation mainly based in Rome, Genoa and Milan. The aim of its members was to re-launch armed struggle according to the strategy pursued by the *Brigate Rosse*.

In November 2009, several Italian newspapers received a 4-page leaflet entitled 'A strategic resolution', in which readers are invited to resume armed struggle. The document was sent by a previously unknown group, *Nuclei di Azione Territoriale (Luca e Annamaria Mantini)*, thought to be inspired by the *Brigate Rosse*.

This confirms the activism of groups who are ideologically inspired by the *Brigate Rosse* in Italy.<sup>82</sup>

Greece reported a total of five arrests, all related to the terrorist organisation *Synomosia Pyrinon Fotias Athina-Thessaloniki*. The investigation into a bomb attack on 23 September 2009 against the residence of a senior member of the Pasok political party resulted in the arrest of four individuals. They are suspected of being behind a series of bomb attacks.<sup>83</sup>

### 7.3. EXTREMISM

In 2009, the trend of increasing activity by left-wing and anarchist extremists continued.<sup>84</sup> Germany noticed a substantial increase in criminal offences connected to left-wing and anarchist extremism, mainly property damage, with a marked increase in vehicle arsons.<sup>85</sup>

After a quiet period of two years, the FAI (*Federazione Anarchica Informale*) claimed two attacks in Italy which targeted the director of the CIE (*Centro di Identificazione ed Espulsione*), and the Bocconi University in Milan.<sup>86</sup>

Traditionally, anarchist extremists support a number of key ideological themes such as anti-capitalism, anti-militarism, anti-fascism and the 'No Borders' campaign.<sup>87</sup> The UK has seen a shift in direction in some anarchist protest activity during 2009. Extremists normally associated with the anarchist movement have shown support for environmental issues.<sup>88</sup> Sweden also reported a change in focus towards climate change, house occupations and the migration issue.

Most actions by anarchist extremists are unprepared, impulsive acts committed by small groups. However, violent incidents in the French city of Poitiers on 10 October 2009 showed that these groups are also capable of leading quick and violent

81 Contribution to the TE-SAT 2010: France.

82 Contribution to the TE-SAT 2010: Italy.

83 Contribution to the TE-SAT 2010: Greece.

84 Contribution to the TE-SAT 2010: Belgium, France, Germany, Italy, Sweden.

85 Contribution to the TE-SAT 2010: Germany.

86 Contribution to the TE-SAT 2010: Italy.

87 Contribution to the TE-SAT 2010: Czech Republic, Germany, Sweden, UK.

88 Contribution to the TE-SAT 2010: UK.

actions of street rioting, thereby targeting the law enforcement authority and properties representing governmental and economical power. Similar tactics were observed in Belgium in two attacks against business interests.<sup>89</sup> The French and Belgian cases appear to contradict the generally acknowledged impulsive nature of anarchist activities, in that they appear to have been well prepared in advance and organised down to the minutest details of their execution.

The most active left-wing extremist group in the Czech Republic, *Antifašistická Akce*, is known to organise training camps where martial arts, street-fighting tactics and 'how to react against Police actions' are practised.<sup>90</sup>

Actions by anti-fascist groups against right-wing targets intensified in 2009.<sup>91</sup> During recent election campaigns it was observed that demonstrators of UAF (*Unite Against Fascism*) in the UK showed a greater willingness to confront right-wing activists and the police.<sup>92</sup> In Germany, a number of right-wing party candidates were violently attacked and injured, and vehicles of members or functionaries were burned.<sup>93</sup> During an anarchist campaign against right-wing political parties in Sweden, several elected politicians were physically attacked. On some occasions, these attacks were well prepared through surveillance of the targets. The ability of anarchist groups to translate violent ambitions into action seems to have grown stronger.<sup>94</sup>

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89 Contribution to the TE-SAT 2010: Belgium, France.

90 Contribution to the TE-SAT 2010: Czech Republic.

91 Contribution to the TE-SAT 2010: Czech Republic, Germany, UK.

92 Contribution to the TE-SAT 2010: UK.

93 Contribution to the TE-SAT 2010: Germany.

94 Contribution to the TE-SAT 2010: Sweden.

# 8. RIGHT-WING TERRORISM

## KEY FINDINGS

- Hungary reported four right-wing terrorist attacks. All other Member States reported right-wing criminal activities as extremism.<sup>95</sup>
- Individuals motivated by extreme right-wing views who act alone continue to pose a threat.
- Ethnic minorities have been targeted in a number of Member States.
- Disputes and threats among right-wing extremists consistently lead to fragmentation of this scene and the formation of splinter groups.
- The number of criminal offences committed by right-wing extremists remains high, in particular against the extreme left-wing.
- Right-wing movements have been involved in paramilitary training in Member States.

## 8.1. TERRORIST ATTACKS

In 2009, right-wing terrorists attempted four attacks in Hungary. Three of them were interrupted by the Hungarian authorities during the preparatory phase while, in the fourth case, the perpetrators abandoned their plans to commit the criminal act. All cases can be linked to the HANLA (Hungarian Arrows National Liberation Army). They were planning to blow up explosives hidden in footballs placed in front of the homes of four Members of Parliament (representatives of the government party). Most of those arrested are suspected of acts of terrorism, attempted murder, the misuse of explosives or explosive devices, and the misuse of firearms or ammunition.<sup>96</sup>

## 8.2. ARRESTED SUSPECTS AND TERRORIST ACTIVITIES

In France, six people were arrested for right-wing terrorism. Three of them were arrested for racist propaganda on the internet.

In the UK, two men were arrested under the Terrorism Act 2000 for their involvement with an extreme right-wing website. A house search at their addresses revealed that both were in possession of explosives and toxins. At one of the addresses a jar containing a white residue was discovered and later tested positive for Ricin. As a result of enquiries relating to this investigation, two other men were arrested in December 2009 and charged. In another criminal trial in 2009, a man received an indeterminate sentence, of at least six years, for eight terrorist offences. He was arrested in October 2008 at a railway station following a minor incident. A search of his bag found a suspected explosive device. A search of his room at his parents' house found a handwritten notebook entitled the Waffen SS UK Members Handbook. He is the archetypal 'lone wolf' and there is no real evidence of any associations with extreme right-wing groups, but he possessed articles expressing right-wing views. Police investigations and arrests or convictions in the UK have highlighted the fact that, at present, individuals motivated by extreme right-wing views, acting alone, pose far more of a threat than the current networks or groups.<sup>97</sup>

<sup>95</sup> The UK did not provide any quantitative data on terrorist attacks. However, a number of right-wing extremists were arrested under the Terrorism Act 2000.

<sup>96</sup> Contribution to the TE-SAT 2010: Hungary.

<sup>97</sup> Contribution to the TE-SAT 2010: UK.

### 8.3. EXTREMISM

In 2009, ethnic minorities were targeted in a series of events in various Member States.<sup>98</sup> *Blood and Honour* continues to attract a lot of support. Right-wing extremists within the EU maintain close contact, as seen widely in the WPM (White Power Music) scene, where extremists travel around Europe for concerts. Disputes and threats among the right-wing extremists consistently lead to fragmentation of the scene and the formation of splinter groups.<sup>99</sup>

There were a number of significant events in the lead up to and during 2009 that raised the profile of right-wing extremism in the UK. An anti-Islamic extremism movement emerged during 2009 following a small but well-publicised militant demonstration by militant Muslims which resulted in significant disorder. The incident led to the formation of an anti-Islamic extremism movement predominantly organised by UK individuals associated with football hooliganism. Extraordinarily, the football groups have been able to set aside their inter-club rivalries to join together for this common purpose. They have held protests in a number of cities throughout the UK demonstrating against the perceived 'Islamification of the UK', 'Sharia Law' and 'Muslim extremists'. The protesters have since splintered and campaigned under various names including *March for England*, *Real March for England* and more recently the *English Defence League* or *Welsh Defence League*. This has quickly become a well-organised movement using established networks in locations throughout the UK. Their protests have provoked counter-demonstrations from

ANTIFA (anti-fascist) groups associated with local Muslim youths and left-wing groups such as UAF. These clashes resulted in considerable public disorder.

In June, a number of Roma families were targeted by arson attacks in South Belfast forcing them to flee their homes and to take refuge in makeshift shelters.<sup>100</sup>

In 2009, several Member States confirmed both international links between right-wing extremists and activities motivated by right-wing extremism which became evident in WPM concerts, demonstrations, processions and marches. The number of criminal offences committed by right-wing extremists against left-wing extremists remains high. Right-wing extremists targeted Jewish institutions and minority groups, while physical confrontations with dissenters were frequently accompanied by anti-Semitic slogans with the aim of humiliating victims, even in cases where they were not of Jewish faith.<sup>101</sup>

The Czech authorities arrested 41 right-wing extremists on charges of promoting movements that seek the suppression of human rights and freedoms. The criminal procedure against 33 of these extremists is ongoing. In November, in the course of this complex operation, the Czech authorities dismantled a group of right-wing extremists, called *Bílá Spravedlnost*, before it could put its plans into action. The group kept a database with the names of 300 'ideological foes' they wanted to intimidate and fight against, including Jews in high

<sup>98</sup> Contribution to the TE-SAT 2010: Czech Republic, Germany, Hungary, UK.

<sup>99</sup> Contribution to the TE-SAT 2010: Belgium, Sweden, UK.

<sup>100</sup> Contribution to the TE-SAT 2010: UK.

<sup>101</sup> Contribution to the TE-SAT 2010: Germany, Italy.



posts', policemen and politicians. *Bilá Spravedlnost* was also involved in organising paramilitary training camps.<sup>102</sup>

The most radical criminal act carried out by another four of these extremists in the Czech Republic was an arson attack against a Roma family in April. Four Molotov cocktails, that caused serious injury to some family members and total destruction of their house, were used to terrorise the entire Roma community.

Another example of growing segregation is the number of killings of Roma in Hungary. Since November 2008, people of this minority group were killed in nine attacks. Although four right-wing extremists were arrested for these killings in Hungary, it is not proven at this stage of the investigation whether there was a racist intention behind the serial murders. Furthermore, Hungarian authorities found that a number of extreme right-wing movements have organised paramilitary training in the country.<sup>103</sup>

The German police seized thousands of recordings of suspected neo-Nazi music in a number of raids in 2009. According to ongoing police investigations, the production sites of the right-wing extremist recordings are not in Germany but rather in countries where the production, possession and distribution of this type of music are not punishable by law. Besides their extreme right dispositions, the owners of the recordings are probably also driven by commercial interests.<sup>104</sup>

In 2009 in the Czech Republic, a new trend appeared, consisting of a change in terminology. The groups began to openly use the term 'National Socialism'. This change evokes the propagation of Nazism and harks back to the heritage of the 'Third Reich' and the Nazi dictatorship in Germany between 1933 and 1945. This tendency was noted in the propaganda, slogan banners and website presentation of the *Nardodni odpor* and the *Delnicka strana*.<sup>105</sup>

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<sup>102</sup> Contribution to the TE-SAT 2010: Czech Republic.

<sup>103</sup> Contribution to the TE-SAT 2010: Hungary.

<sup>104</sup> Contribution to the TE-SAT 2010: Germany.

<sup>105</sup> Contribution to the TE-SAT 2010: Czech Republic.

# 9. SINGLE-ISSUE TERRORISM

## KEY FINDINGS

- Austria and France each reported one single-issue terrorist attack; other Member States reported all ARE criminal activities as extremism.
- The ARE campaign is becoming more serious.
- IEDs and IIDs are increasingly used by ARE.
- Contributions to Europol show that criminal activities by ARE are expanding throughout Europe.
- Both SHAC and ALF extremists continue to target companies and financial institutions linked to contract animal-testing in the UK and their employees, who are often targeted at their home addresses.

## 9.1. TERRORIST ATTACKS AND ARRESTED SUSPECTS

In Austria, an arson attack on the hunting lodge of the chief executive of a pharmaceutical company, which caused damage of approximately 400 000 euros, was classed as a terrorist attack. The attack was carried out using an IID consisting of a large receptacle filled with several containers of fire accelerant. The fire was triggered by woodchips using a method that has not, so far, been established. Responsibility for the attack was claimed in English on the American internet site 'Bite Back Magazine'. On this site, the MFAH (Militant Forces Against Huntingdon Life Sciences - Austria), claimed responsibility for the attack and uttered additional threats against chief executives of pharmaceutical companies.<sup>106</sup> The company and its chief executive have long been targets of attacks by militant animal rights extrem-

ists. Since December 2008, property owned by the company and its members of staff in Germany, Belgium, Switzerland and France has been increasingly targeted.<sup>107</sup>

France reported one successful terrorist bomb attack causing material damage which was attributed to the CAV (*Comité d'Action Viticole*). This organisation is active in the south of France and campaigns against the import of foreign wines.<sup>108</sup>

## 9.2. EXTREMISM

An animal-testing company in Cambridge (UK), and businesses associated with it, continue to be the main focus of activity for ARE (Animal Rights Extremism) under the banner of SHAC (Stop Huntingdon Animal Cruelty) and the ALF (Animal Liberation Front). ARE actions targeted research facilities, universities, circuses, farms, fast food restaurants, hunters, the pharmaceutical, food and fur industries, etc.<sup>109</sup> Unfortunately, some of the incidents were cases of mistaken identity.

In January 2009, seven leading SHAC campaigners received prison sentences of between 4 and 11 years in the UK for their part in the campaign.<sup>110</sup> There are four suspects still awaiting trial in 2010, all of whom are charged with conspiracy to blackmail. The arrests of these campaigners were followed by a sharp drop in criminal activity associated with SHAC in the UK. However, despite a much-reduced threat in Great Britain, the animal-testing company in Cambridge remains a high profile target of

<sup>106</sup> Contribution to the TE-SAT 2010: Austria.

<sup>107</sup> Contribution to the TE-SAT 2010: Belgium, France, Switzerland.

<sup>108</sup> Contribution to the TE-SAT 2010: France.

<sup>109</sup> Contribution to the TE-SAT 2010: Austria, Belgium, Denmark, France, Italy, Luxembourg, Norway, Spain, Sweden, Switzerland, the Netherlands, UK.

<sup>110</sup> These convictions are not contributed to Eurojust as terrorist offences



ARE internationally, with direct action resulting in serious offences being committed in the European mainland. Although ARE groups in Europe are largely autonomous, their attention is still fixed on this animal-testing company in the UK and associated companies, while their tactics mirror those of SHAC UK. Strong links between European and UK extremists are known to exist.<sup>111</sup>

In 2009, there was an increase throughout the EU in the number of criminal activities conducted by ARE and in the acts resulting in damage to properties by the use of IIDs and IEDs, compared to previous years. The IIDs and IEDs are placed under vehicles owned by companies or their employees, or at the main entrance to their homes. These actions are carried out regardless of whether or not the buildings are occupied. In Europe, ARE targeted 11 Member States, as well as Norway and Switzerland in 2009, and there are indications that some of the criminal actions were conducted in concert with ARE groups in other countries, both inside and outside the EU. Other types of criminal actions carried out by ARE are: arson, spray painting, vandalism, liberation of animals from farms or laboratories, blackmail, desecration of graves, etc.<sup>112</sup>

In the UK, SHAC also targeted a bank. This campaign ceased following the announcement that the bank had sold their shares in the Cambridge animal-testing company in May 2009.<sup>113</sup>

The threat posed by ARE to employees of the industry and the resulting feeling of fear create the risk that the industry may lose knowledge (employees), suppliers, contractors, or have difficulties in recruiting new staff.<sup>114</sup> Consequently, the financial situation of some ARE targets might be at stake.

In the Netherlands, several persons were arrested in connection with the release of 2500 minks on 15 March 2009 and in December 2009.<sup>115</sup>

In Belgium, the homes of employees of two pharmaceutical companies were targeted on several occasions in May. The offenders spray-painted graffiti tags with the initials ALF, urging their victims to break off relations with the company in the UK which uses animals for laboratory experiments. A car was also damaged by a caustic substance (acid). A few days later, bottles filled with a fire accelerant, to which a box with batteries and matches were attached, were found under the car of the director of a pharmaceutical company.<sup>116</sup> It should be noted that, in May 2009, similar incidents took place in Germany when the home of an executive member of a pharmaceutical company was damaged. There were similar incidents (burning cars, arson attack to houses, damaging cars with acid, etc) in France, Germany and Luxembourg in 2009.<sup>117</sup>

In France, ARE targeted, *inter alia*, a butcher school and the home of a pharmaceutical company's CEO

<sup>111</sup> Contribution to the TE-SAT 2010: Belgium, Italy, the Netherlands, UK.

<sup>112</sup> Contribution to the TE-SAT 2010: Austria, Belgium, Denmark, France, Italy, Luxembourg, Spain, Sweden, Switzerland, the Netherlands, UK.

<sup>113</sup> Contribution to the TE-SAT 2010: UK.

<sup>114</sup> Contribution to the TE-SAT 2010: the Netherlands.

<sup>115</sup> Contribution to the TE-SAT 2010: the Netherlands.

<sup>116</sup> Contribution to the TE-SAT 2010: Belgium.

<sup>117</sup> Contribution to the TE-SAT 2010: Belgium, France, Luxembourg.

(Chief Executive Officer), both in central Paris. A car was burnt out in the parking basement of the school in an attack that was claimed by ALF. The attack on the CEO's home, where the wall of the building and the pavement in front of the entrance were plastered with graffiti, was claimed by MFAH-France. The arson attack against the clubhouse (sports facility) of another pharmaceutical company in France, with its headquarters in Switzerland, was also claimed by MFAH.

In Sweden, ALF (Swedish DBF, *Djurens Befrielsefront*) carried out a number of arson attacks: they burned down a truck that belonged to a wholesale company within the fishing industry, and set fire to the clubhouse at a dog-racing track and a hunting facility, both of which burned to the ground. In another incident, a Molotov cocktail was placed on the stairs of the residence of a steakhouse owner. An attached note warned the owner that, in the future, the bottle would be thrown through a bedroom window unless he closed down the restaurant.<sup>118</sup>

In Italy, arsonists using bottles of inflammable liquid with a trigger started a fire at some structures situated near the entrance to a park's offices. The fire, which caused considerable damage, was claimed via the inscription 'This is for the imprisoned animals, ALF'.

ALF is simply an acronym used by groups or individuals taking part in direct actions ranging from throwing stones at the shop windows of fur shops, to breaking into laboratories to rescue animals. Any actions undertaken with the objective of liberating animals or inflicting financial damage on the companies who exploit them support ALF's policy. In

practice, any group that acts following these objectives considers itself a member of the 'Front'.<sup>119</sup>

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<sup>118</sup> Contribution to the TE-SAT 2010: Sweden.

<sup>119</sup> Contribution to the TE-SAT 2010: Italy.

# 10. TRENDS

**1. The decrease in attacks that started in 2008 continued in 2009.**

In 2009, six Member States reported 294 attacks. The number of fatalities increased from four to seven; all victims were government officials. Although the number of separatist attacks decreased in 2009, these attacks continue to account for the majority of terrorist incidents and fatalities. A total of 237 separatist terrorist attacks were carried out during 2009, a decrease of 40 % in comparison to 2008. As in previous years, separatist terrorist attacks were reported by France, Spain and the Republic of Ireland.

**2. A number of Member States are indicating, that, despite the fact that the number of arrested suspects decreased in the last two years, the threat emanating from terrorist groups remains real and serious.**

In 2009, 587 individuals were arrested for terrorism-related offences. Suspects of terrorist activities continued to be arrested for membership of terrorist organisations, financing of terrorism and logistical support, corroborating the enduring threat. Although an increased number of women were arrested in 2009, their numbers remain low.

**3. Islamist terrorist groups are still aiming to cause mass casualties.**

The attempted attack on an American airliner in December 2009 is proof of the intent and capability of Islamist terrorists to stage terrorist attacks with potentially large numbers of casualties.

**4. The EU is being used as a platform to prepare and initiate terrorist attacks elsewhere in the world.**

The attack on the American airliner in December 2009 was preceded by other instances of using aircraft flying from the EU to the USA. These include: the attack on Pan Am flight 103 in December 1988, which crashed above the Scottish village of Lockerbie; the attempted attack on American Airlines flight 63 by the so-called 'shoe bomber' on 22 December 2001; and the 2006 plot to blow up an aircraft travelling from the UK to the USA. Furthermore, a number of Member States are reporting the activities of individuals supporting terrorist groups that are operating outside of the EU.

**5. Islamist terrorist activities are increasingly being perpetrated by self-radicalised and often self-instructed individuals, acting alone instead of in groups.**

As mentioned in Member States' contributions, this development is facilitated by the availability of instruction manuals, effective propaganda and recruitment materials on the internet.

**6. Weak states with ungoverned spaces, large Muslim populations, economic problems and social grievances can be breeding grounds for Islamist terrorism.**

Somalia and Yemen are examples of countries that match this profile and are now facing an issue with Islamist terrorism which is further destabilising these countries. Other countries matching that profile could have similar problems in the future, presenting an increased risk to Western interests.

Nationals of EU Member States and other

Western countries risk being targeted in Muslim countries that have a significant presence of Islamist terrorist groups. Islamist terrorists are kidnapping tourists and other visitors from non-Muslim countries to finance their activities and achieve notoriety.

- 7. In addition to traditional means, terrorist and extremist organisations exploit all available new technologies in the fields of communication, propaganda and money transfers to facilitate their activities.**

Wireless modems and portable computers give terrorist and extremist organisations access to networked data wherever they go. Internet-equipped cell phones are even more convenient for access to e-mail, instant messaging and money transfers. The internet provides terrorists with new ways of collecting intelligence and information. In an effort to emphasise the authenticity of their message, terrorist groups create online identities for their propaganda output, such as “production companies” with distinct logos and designs.

- 8. Western converts are increasingly being used by Islamist terrorist groups for propaganda and recruitment purposes.**

Native speakers have appeared in videos produced by terrorist organisations and disseminated on the internet, broadcasting messages to potential recruits in EU Member States in their own language.

- 9. Home-made explosives remain the type most used to carry out attacks.**

Increased monitoring of commercial explosives by security services and law enforcement organisations is forcing terrorist and extremist

groups to use home-made explosives instead. Some ARE attacks in 2009 carried out violent acts using a similar *modus operandi* as terrorists, e.g. using IEDs and IIDs.

- 10. Activities by left-wing and anarchist, right-wing and single-issue terrorist and extremist organisations are a relatively minor factor in the EU compared to Islamist and separatist terrorist activities, but are now becoming more serious.**

The activities of left-wing and anarchist, right-wing and single-issue terrorist groups are developing a transnational character. Violence is being increasingly used against individuals and property.

- 11. The security situation outside the EU continues to have an impact on terrorist activities in Member States.**

Member States with a military presence in conflict zones continue to be the focus of attention by Islamist terrorist groups. Radicalised EU-based Islamists have been known to travel to conflict areas to participate in armed struggle or to visit training camps. These individuals pose a risk to Member States on their return to the EU because of their acquired skills and experience, and the fact that they still may be under the influence of terrorist organisations and willing to receive instructions to provide logistical support or engage in terrorist activities.

# 11. ANNEXES

## ANNEX 1: ACRONYMS AND TRANSLATIONS

ALF	Animal Liberation Front
AMISOM	African Union Mission in Somalia
ANTIFA	Anti-fascist groups
Antifašistická Akce	Anti-Fascist Action
ANV	Acción Nacionalista Vasca Basque Nationalist Action
AQAP	al-Qaeda in the Arabian Peninsula Tanzim qa'idat al-jihad fi jazirat al-'arab
AQIM	al-Qaeda in the Islamic, Maghreb Tanzim al-qa'ida bi-bilad al-Maghrib al-Islami
AQSL	Al-Qaeda Senior Leadership
ARE	Animal rights extremism
Bilá Spravedlnost	White Justice
Brigate Rosse	Red Brigades
CAV	Comité d'Action Viticole, Committee for Viticultural Action
CCTF	Comité de Coordination Tamoul France Tamil Coordinating Committee France
Cellule di Resistenza Proletaria	Proletarian Resistance Cells
CEO	Chief Executive Officer
CFSP	Common Foreign and Security Policy
CIE	Centro di Identificazione ed Espulsione (formerly CPT: Centro di Permanenza Temporanea), Identification and Expulsion Centre
CIRA	Continuity Irish Republican Army
CSDP	Common Security and Defence Policy
Delnicka strana	Worker's Party
DHKP-C	Devrimci Halk Kurtuluş Partisi/Cephesi Revolutionary People's Liberation Party/Front
DBF	Djuren's Befrielsefront, Animal Liberation Front
Epanastatikos Agonas	Revolutionary Struggle
ETA	Euskadi ta Askatasuna, Basque Fatherland and Liberty
EU	European Union
EU SITCEN	European Union Situation Centre
FAI	Federazione Anarchica Informale Informal Anarchist Federation
FARC	Fuerzas Armadas Revolucionarias Colombianas Revolutionary Armed Forces of Colombia
FLNC	Front de Libération Nationale de la Corse National Front for the Liberation of Corsica
HANLA	Hungarian Arrows National Liberation Army
IED	Improvised explosive device

IID	Improvised incendiary device
INLA	Irish National Liberation Army
ISAF	International Security Assistance Force
ISI	Islamic State of Iraq
JHA	Justice and Home Affairs
KONGRA-GEL	Kongra Gelê Kurdistan People's Congress of Kurdistan
LTTE	Liberation Tigers of Tamil Eelam
MFAH	Militant Forces Against Huntingdon Life Sciences
Nardodni odpor	National Resistance
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organisation
Nuclei di Azione Territoriale (Luca e Annamaria Mantini)	Territorial Action Cells (Luca and Annamaria Mantini)
OPLA	Organoseis Proletariakis Laikis Aftoamynas Proletarian Popular Self Defence Groups
PCTV	Partido Comunista de las Tierras Vascas Basque Nationalist Action
PKK	Partiya Karkeren Kurdistan Kurdistan Workers' Party
RIRA	Real Irish Republican Army
Sekta Epanastaton	Revolutionaries' Sect
SHAC	Stop Huntingdon Animal Cruelty
Synomosia Pysinon Fotias Athina-Thessaloniki	Conspiracy of Fire Cells Athens-Thessalonica
TE-SAT	European Union Terrorism Situation and Trend Report
TFG	Transitional Federal Government
TWP	Terrorism Working Party of the EU Council
UAF	Unite Against Fascism
UNIFIL	United Nations Interim Force in Lebanon
VBIED	Vehicle-Borne Improvised Explosive Device
WPM	White power music

## ANNEX 2: EXCERPT FROM THE COUNCIL FRAMEWORK DECISION ON COMBATING TERRORISM

According to Article 1 of the Council Framework Decision of 13 June 2002 on combating terrorism (2002/275/JHA), terrorist offences are intentional acts which, given their nature or context, may seriously damage a country or an international organisation where committed.

### **Terrorist offences are committed with the aim of:**

- seriously intimidating a population; or
- unduly compelling a government or international organisation to perform or abstain from performing an act; or
- seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation.

### **Terrorist offences include:**

1. attacks upon a person's life which may cause death;
2. attacks upon the physical integrity of a person;
3. kidnapping or hostage taking;
4. causing extensive destruction to a government or public facility, a transport system, an infrastructure facility, including an information system, a fixed platform located on the continental shelf, a public place or private property likely to endanger human life or result in major economic loss;
5. seizure of aircraft, ships or other means of public or goods transport;
6. the manufacture, possession, acquisition, transport, supply or use of weapons, explosives or of nuclear, biological or chemical weapons, as well as research into, and development of, biological and chemical weapons;
7. the release of dangerous substances, or causing fires, floods or explosions, the effect of which is to endanger human life;

8. interfering with, or disrupting, the supply of water, power or any other fundamental natural resource, the effect of which is to endanger human life;

9. threatening to commit any of the acts listed above.

Paragraph 2 of Article 2 obliges Member States to take the necessary measures to ensure that directing a terrorist group, participating in its activities, including supplying of information or material resources, or by funding its activities, are punishable.

Article 3 obliges Member States to take the necessary measures to ensure that terrorist-linked offences include the following intentional acts: public provocation to commit a terrorist offence; recruitment for terrorism; training for terrorism; aggravated theft; extortion; drawing up false administrative documents with a view to committing certain terrorist offences. For an act as set out in paragraph 2 to be punishable, it shall not be necessary that a terrorist offence be actually committed.

According to Article 4, inciting or aiding or abetting offences referred to in the Framework Decision should also be made punishable.



## ANNEX 3: IMPLEMENTATION OF THE EU FRAMEWORK DECISION ON COMBATING TERRORISM IN THE MEMBER STATES – CHANGES IN MEMBER STATES DURING 2009

Listed below are countries where there have been changes in legislation or legislative initiatives in the fight against terrorism.

**Czech Republic:** A new Criminal Code entered into force on 1 January 2010. Terrorist offences are the subject of Article 311 of the new Criminal Code.

**Estonia:** Amendments to the Estonian Penal Code came into force on 4 June 2009. The amended provisions of Article 237, regarding funding and supporting a terrorist crime and its execution, envisage two to ten years prison sentence for individuals and a monetary fine or forced liquidation for legal persons, as well as an extended property seizure for any property gained through the crime. On 11 December 2009, the Estonian President signed the amendments to the Money Laundering and Terrorism Financing Prevention Act, adopted by Parliament on 26 November 2009. The amendments include: heightened attention to business relations or transactions involving a third country, or on a territory where no sufficient measures for prevention of money laundering and terrorist financing have been applied, or if that country or territory does not cooperate internationally in the prevention of money laundering and terrorist financing; cases in which a credit and financial institution shall apply enhanced due diligence measures upon creating a correspondent relationship with a credit or financial institution of a third country; the role of the Financial Intelligence Unit in the event of suspicion of money laundering or terrorist financing.

**Germany:** The Act on the prosecution of the preparation of serious violent acts endangering the state, which came into force on 4 August 2009, amends several important legal instruments. The amendments include several new sections in the Criminal Code, 89a and b, 91 and 138.

The first two new sections, 89a and 89b, concern the preparation of a serious violent act endangering the state and the initiation of contacts for the commission of such serious violent acts. Imprisonment for section 89a is up to 10 years; infringement of section 89b can be punished with a fine or up to three years' imprisonment. The law shall apply equally if the preparation or initiation or maintenance of contacts is undertaken in a foreign country: if the preparation, initiation or maintenance of contacts is committed outside of the Member States of the European Union, this shall only apply if it is committed by a German national or a foreign national with a centre of interest inside Germany, or if the serious violent act endangering the state as prepared is to be committed inside Germany or by, or against, a German national.

The third new section, 91, concerns directions for the commission of a serious violent act endangering the state. It provides for imprisonment of up to three years or a fine.

Anybody who learns of the commission of a criminal offence in accordance with section 89a, and who fails to duly report it to the authorities, is punishable according to new section 138 (2).

The new Act of August 2009 amends the Banking Act by including a definition of terrorist financing, and amends the Money Laundering Act and the Insurance Supervision Act accordingly.

**Luxembourg:** On 9 March 2009, Luxembourg implemented Council Decision 2005/671/JHA of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences.

**The Netherlands:** A legislative proposal was made in 2009 amending criminal law and criminal pro-

cedure law in relation to several subjects, including terrorism training camps. According to the bill, someone who participates at a terrorist training camp, and thus obtains knowledge on or is trained in how to commit terrorist attacks, commits a serious punishable offence. Even if such camps are situated outside of the Netherlands - if the training is aimed at committing terrorist crimes in the Netherlands, it is possible to take legal action. Instructors at terrorist training camps may also be subject to a prison term.

This proposal is connected to Article 7 of the Council of Europe Convention on the Prevention of Terrorism adopted in Warsaw in May 2005, requiring Member States to establish 'training for terrorism' as a criminal offence under their domestic law. The participation and cooperation in terrorist training camps are criminal offences that carry a maximum prison sentence of eight years.

Although a part of the legislative proposal act came into force on 1 July 2009, the provisions concerning terrorist training camps need to be reviewed before entry into force.

**Poland:** New legislation connected directly with combating the financing of terrorism came into force on 22 October 2009. According to Article 165a of the Penal Code, whoever collects, transfers or offers means of payments, instruments, securities, foreign currency values, property rights, as well as other movable and immovable property, for the purpose of financing an offence of a terrorist character, shall be subject to a penalty of deprivation of liberty for a term of between two and twelve years.

## ANNEX 4: FAILED, FOILED AND SUCCESSFUL ATTACKS IN 2007, 2008 AND 2009 PER MEMBER STATE AND PER AFFILIATION

Member State	Islamist			Separatist			Left-wing			Right-wing			Single-issue			Not specified			Total							
	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009					
Austria	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	1	5	1	6	6	
Belgium	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bulgaria	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Czech Republic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Cyprus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Denmark	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0
Estonia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Finland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
France	0	0	0	253	137	89	0	0	0	0	0	0	0	0	0	0	0	0	14	5	5	267	147	95	95	
Germany	1	0	0	15	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20	0	0	0
Greece	0	0	0	0	0	0	2	13	15	0	0	0	0	0	0	0	0	0	0	0	1	0	2	14	15	
Hungary	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	0	0	0	0	4	0	0	4	
Ireland (Republic of)	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Italy	0	0	1	0	0	0	6	5	2	0	0	0	0	0	0	0	0	0	3	4	0	9	9	3	3	
Latvia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lithuania	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Luxembourg	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Malta	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Poland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Portugal	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0
Romania	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Slovakia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Slovenia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Spain	0	0	0	264	253	148	8	10	23	0	0	0	0	0	0	0	0	7	0	0	0	279	263	171	171	
Sweden	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
The Netherlands	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
UK	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>532</b>	<b>397</b>	<b>237</b>	<b>21</b>	<b>28</b>	<b>40</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>5</b>	<b>2</b>	<b>24</b>	<b>11</b>	<b>10</b>	<b>581</b>	<b>441</b>	<b>294</b>	<b>294</b>	<b>294</b>	<b>294</b>	<b>294</b>	

## ANNEX 5: ARRESTS IN 2007, 2008 AND 2009 PER MEMBER STATE AND PER AFFILIATION

Member State	Islamist			Separatist			Left-wing			Right-wing			Single-issue			Not specified			Total								
	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009						
Austria	5	0	2	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	6	8	0	8		
Belgium	9	17	4	1	1	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	22	4	4	
Bulgaria	4	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0	1	
Czech Republic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Cyprus	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	0	0	
Denmark	9	3	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	3	0	0	
Estonia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Finland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
France	91	78	37	315	283	255	3	37	11	0	0	6	0	3	1	3	5	409	402	315	315	5	15	12	5	5	
Germany	3	8	4	8	1	0	4	3	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Greece	0	0	0	0	0	0	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
Hungary	0	0	0	0	0	0	0	0	0	0	0	16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16
Ireland (Republic of)	0	3	0	24	49	31	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24	52	31	31	
Italy	21	9	20	0	35	0	23	7	9	0	0	0	0	0	0	0	0	0	0	0	0	0	44	53	29	29	
Latvia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lithuania	0	0	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	1
Luxembourg	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Malta	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Poland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Portugal	1	0	0	0	0	0	0	0	0	31	0	0	0	0	0	0	0	0	0	0	0	0	32	0	0	0	0
Romania	1	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0
Slovakia	1	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	2	0	0
Slovenia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Spain	48	61	40	196	129	127	17	6	2	0	0	0	0	0	0	0	0	0	0	0	0	0	261	197	169	169	
Sweden	2	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	3	0	0	
The Netherlands	4	4	2	1	0	0	1	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	16	4	2	2	
UK	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>201</b>	<b>187</b>	<b>110</b>	<b>548</b>	<b>501</b>	<b>413</b>	<b>48</b>	<b>28</b>	<b>29</b>	<b>44</b>	<b>0</b>	<b>22</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>11</b>	<b>841</b>	<b>753</b>	<b>587</b>	<b>8</b>	<b>6</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>8</b>	



