



## The EU, the U.S., and the Fight Against Global Terrorism

*“If you look at the challenges ahead—like terrorism, poverty—one thing is certain: These are not challenges that any nation can tackle alone. The reality is that the world is safer and more prosperous when Europe and America work together as global partners.”*

José Manuel Barroso, President of the European Commission



The terrorist attacks on New York and Washington in 2001 and on Madrid last year taught democracies on both sides of the Atlantic brutal lessons about their vulnerabilities. They also accelerated a response in Europe that is comprehensive, realistic, and based on shared values and goals.

Drawing on earlier experiences with country-based terror groups, Europeans understood that the newer, even more virulent strain of terrorism demanded a broader and more comprehensive strategy. In an Action Plan developed just 10 days after September 11, 2001, the European Union recognized the need for greater cooperation among its Member States and within the multilateral framework, and for solidarity with the United States. Since 2001, the EU has built steadily on that foundation, adopting new measures and creating new structures to engage in a multi-faceted campaign to thwart terrorism.

**The fight against terrorism is complex and necessitates a multi-dimensional and evolving response.** There is no single solution or action that

*President George W. Bush and European Commission President José Manuel Barroso in Brussels, February 2005.*

will solve this problem. Nor is there a single institution or country capable of winning the struggle alone. While some EU Member States have years of experience fighting locally-produced terrorism, all are now adjusting to the newer international threat. A 2004 revision to the EU Action Plan contains 150 initiatives constructed around EU objectives set out in the Declaration on Combating Terrorism, adopted by the European Council following the Madrid attacks. In addition, the Hague Program on strengthening freedom, security, and justice in the EU was adopted in November 2004. Because the terrorist threat is fluid and constantly changing, more refinements and initiatives will follow.

**Cooperation between the EU and the United States has been intense and fruitful.** The EU and Member States have undertaken a variety of counterterrorist actions and initiatives with the

*continued on page 2*

### inside

- 2 Europe and Counterterrorism
- 6 Cooperation Against Terrorism is a Transatlantic "Success Story"
- 8 Addressing the Root Causes of Terrorism

# Europe and Counterterrorism

*“Terrorism is a global scourge. It must be countered globally. The European Union is committed to do so, and to act in close concert with the United States.”*

Gijs de Vries, EU Counterterrorism Coordinator

## Strategic Objectives for Revised EU Plan of Action to Combat Terrorism, March 2004

- Deepen the international consensus and enhance international efforts to combat terrorism.
- Reduce the access of terrorists to financial and other economic resources.
- Maximize capacity within EU bodies and Member States to detect, investigate and prosecute terrorists and prevent terrorist attacks.
- Protect the security of international transport and ensure effective systems of border control.
- Enhance the capability of the EU and Member States to deal with the consequences of a terrorist attack.
- Address the factors which contribute to support for, and recruitment into, terrorism.
- Target actions under EU external relations towards priority third [non-EU] countries where counterterrorist capacity or commitment to combating terrorism needs to be enhanced.

While nothing could fully prepare the world for the horrific events of 9/11, or 3/11 several years later, many European countries have suffered from terrorist attacks at some stage in recent decades. In the UK and Spain alone, terrorists have claimed almost 5,000 lives since the 1970s, forming part of the impetus to promote cooperation among relevant agencies of Member States – judicial, police, intelligence, and other organizations – that began decades ago.

The effort was formalized by the EU when the 1992 Maastricht Treaty made justice and home affairs the “third pillar” of European integration. (The first pillar is “community policies” such as trade, agriculture, customs, and competition; the second is foreign and security policy. The “pillar structure” will disappear after ratification of the European Constitution.) Among the many concrete results was full activation in 1999 of Europol, designed as a consultative body for sharing information and analysis among Member States’ law enforcement agencies.

While there was broad agreement on goals, implementation of specific measures has sometimes been difficult. It is up to Member States to carry out most counterterrorism policies and programs agreed to at the EU level. As became painfully clear within the United States after 9/11, however, security agencies even within a single country often find effective coordination difficult. Building trust among organizations that have different policing practices and legal structures requires patience and dialogue. One way the EU is overcoming hurdles

## The EU, the U.S., and the Fight Against Global Terrorism, *continued from page 1*

in this area is through a peer review system to identify effective policies and practices within individual Member States and promote their sharing and cooperation throughout the Union, as appropriate. Through this and other means, the pace of progress is accelerating.

United States, including the action in Afghanistan. Collaborative efforts have included intelligence sharing, extensive law enforcement and judicial cooperation, curbing terrorist financing, and enhancing trade and transport security. New agreements have been finalized in the areas of law enforcement and judicial cooperation, border controls, and travel document security. While much work remains to be done, including joint EU-U.S. efforts to address the underlying causes of terrorism, cooperation on counterterrorism is one of the core components of the EU-U.S. relationship.

**Fighting terrorism requires global cooperation, solutions, and standards.** Advances in technology and communications allow terrorists to operate internationally and stealthily. The growth of international trade, the expansion of the global financial



EU Counterterrorism Coordinator Gijs de Vries (left) and EU High Representative for Common Foreign and Security Policy Javier Solana.

After the Madrid attacks, the European Council appointed Mr. Gijs de Vries as the first EU Counterterrorism Coordinator. In this key role, Mr. de Vries coordinates the Council of the EU’s anti-terrorism efforts, maintains an overview of all the instruments at the Union’s disposal, closely monitors the implementation of the EU Action Plan on Combating Terrorism, and promotes the visibility of the Union’s policies in the fight against terrorism.

system, and the sophistication of transnational crime make it increasingly difficult to track terrorists and their assets. The EU and U.S. are working to establish global standards that can be adopted by other nations, putting additional impediments in the way of terrorism.

**EU counterterrorism efforts respect human rights and international law.** Though the EU regularly reviews and revises its counterterrorism programs, one crucial aspect of Europe’s response remains constant: counterterrorism measures must be effective, consistent with the Union’s objective to provide its citizens with an area of “freedom, security, and justice” (as pledged in the 1997 Amsterdam Treaty), and consistent with human rights, fundamental freedoms, and international law.

## Coordinated Action Brings Concrete Results

Terrorist acts are designed for maximum impact on targeted societies, and the successful ones attract universal attention. Counterterrorism, by contrast, often is a quiet business, even when highly successful.

Because security concerns require that some details remain undisclosed, the fact that since 9/11, European authorities have quashed at least 16 terrorist plots before they could be executed is sometimes overlooked. Suspect bank accounts totaling some €100 million have been frozen before the funds could underwrite additional violence.

Soon after the attacks in Madrid, seven suspects committed suicide (after killing a Spanish special operations officer) when surrounded by Spanish police. A score of arrests were also made throughout the EU, some in Belgium and Italy, as a result of close cooperation among investigators in the three countries. In total, more than 600 suspects have been detained since 9/11.

All these actions and arrests did not occur in a vacuum. They resulted from a variety of coordinated policies and practices adopted gradually over more than a decade. The tragedies of 9/11 and 3/11 served as catalysts for additional measures.



Just 10 days after the attacks on the World Trade Center and the Pentagon, an Extraordinary Session of the European Council issued a new Plan of Action. The Heads of State and Government declared that “the fight against terrorism will, more than ever, be a priority objective of the European Union.” The measures endorsed then, and updated periodically since in response to new circumstances, are having meaningful impact.

*One year later: Washington, DC observance of the Madrid bombings led by Spanish Ambassador Carlos Westendorp and EU Ambassador John Bruton.*

## EU ACTIONS IN REVIEW

### Blocking Terrorist Financing

- Established lists of terrorist entities and individuals and froze all funds and assets belonging to anyone suspected of terrorism or financing terror.
- Tightened anti-money laundering directives.
- Proposed measures to prevent movement of cash across EU’s external frontiers.
- Intensified exchange of information on suspicious transactions among Member States.
- Developed an electronic database of persons, groups, and entities subject to EU financial sanctions.

### Police and Legal Cooperation

- Introduced European Arrest Warrant to reduce the prospect of terrorists and other criminals evading justice by exploiting differences in national legal systems. The Warrant is a critical tool for fighting terror and organized crime because it prevents terrorists and criminals from finding a safe haven in any one EU Member State.
- Adopted mutual recognition of judicial orders to freeze and confiscate assets. Orders issued in one EU country apply throughout the Union.
- Agreed on common definition of terrorist offenses and established minimum sentences. Made it a crime to direct, support, and incite terrorism.
- Established Eurojust to improve coordination among magistrates and prosecutors across the Union.
- Expanded role of Europol to include collection and analysis of operational information on terrorism.
- Created Counterterrorism Coordinator position in March 2004.

| Heightened border and port security is critical to the fight against terrorism.

*“On counterterrorism, we cannot limit ourselves to bilateral solutions if we want to address global security challenges effectively.”*

Benita Ferrero-Waldner,  
European Commissioner for  
External Relations and European  
Neighborhood Policy



## EU ACTIONS IN REVIEW

### Border and Transportation Security

- ▶ Established agency to coordinate integrated management of the Union's external borders and ensure uniform control and surveillance.
- ▶ Adopted plan to include biometric identifiers in EU travel documents and visas granted to non-EU nationals.
- ▶ Initiated Visa Information System (VIS) to check visa applications against terrorism watch lists.
- ▶ Enacted mandatory security procedures in airports and harbors.

### Civil Protection and Preparedness

- ▶ Developed an enhanced EU preparedness and response program in the event of chemical, biological, or radiological agent attacks.
- ▶ Established the Health Security Committee to develop health security policies relating to terrorism.
- ▶ Established contact points for early warning of a terrorist attack.
- ▶ Developed a mechanism to facilitate and support civil protection assistance in the event of major disasters, including a terrorist attack.

### Fighting Terrorism within the Multilateral Framework

The European Security Strategy recognizes that global terrorism poses a growing strategic threat to all of Europe. It also acknowledges that in a post-Cold War environment of increasingly open borders, in which the internal and external aspects of security are inextricably linked, the struggle against terrorism can only be won if the international community acts in unison.

Multilateral organizations accordingly play an important role in the global fight against terror. The EU and its Member States work with the United Nations, the Organization for Security and Cooperation in Europe (OSCE), the G-8, the International Atomic Energy Agency (IAEA), the International Civil Aviation Organization (ICAO), the Council of Europe, and other organizations and institutions, each of which has different responsibilities in addressing terrorism.

The EU engages in ongoing political dialogue with a wide range of countries, stressing the importance of ratification and implementation of the 12 UN conventions against terrorism. The Union also provides over €300 million in counterterrorism assistance (relevant to the implementation of U.N. Security Council Resolution 1373) to around 80 countries to help strengthen government structures important to the rule of law and good governance.



Additionally, EU-NATO permanent arrangements enhance the operational capability of the EU and provide a framework for strategic partnership in crisis management. The EU and NATO are currently examining ways to work together to protect civilian populations against chemical, biological, radiological, and nuclear terrorism.

### The European Security and Defense Policy

Established in 1999, the European Security and Defense Policy (ESDP) allows the Union to develop civilian and military capacities for international crisis management and conflict prevention, helping to maintain peace and international security in accordance with the United Nations Charter. Relying on civilian personnel and military troops from Member States, ESDP provides for humanitarian and rescue operations, peacekeeping, the use of combat forces in crisis management, joint disarmament operations, the support of non-EU countries in combating terrorism, and security sector reform.

Facing the terrorist threat requires a comprehensive approach, including possible use of the military. In late 2004, the European Council defined how the European Security and Defense Policy could best contribute to the fight against terrorism, outlining four areas of focus: 1) prevention, 2) protection, 3) response/consequence management, and 4) support to non-EU countries.

## UNDERSTANDING EU INITIATIVES

### Cutting the Flow of Money to Terrorist Groups

Terrorists need money to operate and survive. In an era when technology provides the tools to transfer money anywhere in the world instantaneously, EU Member States, law enforcement agencies, and financial institutions must and do work together to stem the flow of financial resources to terror groups.

In 2001, the EU significantly broadened previous directives on money laundering to cover a wider range of criminal activities, including terrorism, and additional categories of businesses and professions, such as banks and traditional financial institutions. An even more comprehensive directive, awaiting final Council approval, would broaden the definition of money laundering to include the transfer of any funds, however derived, that assist terrorists. Other measures would provide for scrutiny of individuals dealing in goods or providing services for cash in amounts of €15,000 or more. Non-traditional money-transfer deals would be subject to greater attention, along with cash movements across frontiers.

### The Hague Program

The Hague Program, a multi-year initiative (2005-2010) adopted in November 2004, provides that “freedom, justice, control at the external borders, internal security, and the prevention of terrorism should henceforth be considered indivisible within the Union as a whole.” An Action Plan provides specific measures addressing:

- Citizens’ freedom: asylum, migration, and border policy.
- Security: improved information exchange, preventing and combating terrorism, cross-border police cooperation, crisis management, crime prevention, and anti-drug strategy.
- Justice: facilitating access to justice, judicial cooperation, and mutual recognition.

Enhanced information exchange among European counterterrorist services constitutes a critical element in fighting cross-border terrorism under the Hague Program. Information sharing should be governed by the “principle of availability” — information available to one police force should be available to other police forces; similarly, a national court decision should be available to all the judicial authorities in the EU.

## UNDERSTANDING EU STRUCTURES

### Europol

Europol’s mission is to share operational intelligence related to terrorism and transnational crime. Neither a frontline law enforcement or intelligence gathering agency nor an operational enforcement unit, Europol assesses threats and provides analysis and technical support for operations. It has a specific mandate to track illicit movements of nuclear materials, arms, ammunition, and explosives. The EU’s Counterterrorism Task Force (CTTF) operates under Europol’s aegis. Europol has a liaison office in Washington under a cooperative arrangement with the U.S., and American counterparts (FBI and Secret Service) will be stationed at Europol headquarters in The Hague beginning later this year.

### Eurojust

Eurojust was set up in 2002 to enhance the development of Europe-wide cooperation on criminal justice cases. Consisting of a “college” of 25 experienced judges and prosecutors — one per EU Member State — Eurojust broadly enhances cooperation and coordination between national investigating and prosecuting authorities, in particular by facilitating international mutual legal assistance, extradition requests, and complex cross-border criminal investigations and other activities.

# Cooperation Against Terrorism is a Transatlantic “Success Story”

*“I thank the nations of Europe for your strong cooperation in the war on terror. Together, we have disrupted terrorist financing, strengthened intelligence sharing, enhanced our law enforcement cooperation, and improved the security of international commerce and travel.... We also found that a narrow definition of security is not enough. While confronting a present threat, we have accepted the long-term challenge of spreading hope and liberty and prosperity as the great alternatives to terror. As we defeat the agents of terror, we will also remove the sources of terror.”*

George W. Bush  
President of the U.S.  
Brussels, Feb. 2005

The threat of global terrorism has demonstrated the depth of European-American shared values and interests like no other issue since the Cold War. Transatlantic cooperation has been robust and is growing stronger.

The EU’s unequivocal declaration of solidarity with the U.S. immediately after 9/11 was more than an expression of moral support. It recognized America’s right to respond against its attackers, which, together with NATO’s first-ever invocation of the organization’s mutual defense clause, gave full legitimacy to the subsequent action in Afghanistan. EU Member States worked cooperatively with the U.S. there, accepting both danger and responsibility before embarking on a collaborative nation-building effort that continues today.

Though less dramatic, a series of other joint measures has been just as meaningful. Among them:

- **Extradition.** The EU and the U.S. have concluded agreements on extradition and mutual legal assistance. As a result, requests for extradition will be handled much faster, with U.S. and European agencies in direct contact. Extradition will be possible for many more offenses and authorities will have access to bank accounts on the other side of the Atlantic. For the investigation of serious crimes, joint EU-U.S. investigative teams can be created.
- **Transportation Security.** The EU and the U.S. have made significant improvements to the security of transatlantic air and sea transportation, including agreements on the transfer of PNR data (Passenger Name Records) held by airlines to U.S. Customs and Border Protection (CBP) as well as the expansion of customs cooperation to cover container security. They are developing new joint approaches for enhancing trade security. The EU

and the U.S. have established a Policy Dialogue on Border and Transport Security for political-level consultations, while technical matters are considered by the European Commission and the Department of Homeland Security in the Transport Security Cooperation Group, which covers all modes of transportation.

- **Global Standards.** The EU and the U.S. have worked together to establish global security standards such as the International Ship and Port Facility Security Code at the International Maritime Organization (IMO). Efforts are ongoing in the areas of Passenger Name Records and in-flight security at the International Civil Aviation Organization (ICAO) and container security and seals at the World Customs Organization (WCO).
- **Early Warning.** The Policy Dialogue on Border and Transport Security allows for early warning on issues that impact both the EU and the U.S.
- **Intelligence Sharing.** Europol and U.S. law enforcement agencies have signed two agreements on intelligence and personal data sharing.
- **Cutting the Flow of Terrorist Financing.** EU and U.S. measures to choke off financing of terrorist activities, including the freezing of suspect assets, have been in place for years. Now, they are being strengthened in a number of ways, including increasing scrutiny of alternative remittance systems, wire transfers, and cross-border cash movements.
- **Judicial Cooperation.** Contact is regular and ongoing between Eurojust and the U.S. Justice Department.

The overall agenda for future cooperation is now set out in the Joint EU-U.S. Declaration on Combating Terrorism, adopted in June 2004 at the EU-U.S. Summit at Dromoland Castle, Ireland. The transatlantic partners have learned a great deal about working with each other over the past several years. Mechanisms for dialogue and consultation are now well-established between Washington and Brussels, allowing early discussions on issues that could create political or economic problems in either the EU or U.S. before actions are taken or initiatives are finalized. When The Atlantic Council last December concluded a study called “The Post 9/11 Partnership,” it said: “U.S.-EU cooperation in combating terrorism has been one of the success stories of transatlantic relations.”

Terrorism will remain a long-term challenge that defies quick or easy solutions. There will be quiet successes and there will be setbacks. One thing is certain, says EU Counterterrorism Coordinator de Vries, “close international cooperation, including across the Atlantic, [will be] crucial to our task.”



Europeans stand in solidarity with the United States after 9/11.

## KEY DATES IN THE EU-U.S. FIGHT AGAINST TERRORISM SINCE 9/11

**September 11, 2001** Terrorist attacks in New York and Washington.

**September 2001** EU Action Plan to fight terrorism.

**October 2001** U.S. invades Afghanistan. A number of EU Member States provide military support.

**December 2001** First Europol-U.S. strategic cooperation agreement. EU establishes Group of Scientific Experts (biological/chemical threats). EU freezes financial and economic assets of suspect persons/organizations.

**January 2002** Europol's mandate extended to all serious forms of international crime.

**February 2002** Eurojust established.

**May 2002** EU imposes restrictive measures against suspect persons/entities.

**June 2002** European Arrest Warrant established. Common definition of terrorist offenses and consequent minimum sanctions.

**December 2002** Europol-U.S. agreement on sharing intelligence and personal data.

**June 2003** EU-U.S. Agreements on Extradition and Mutual Legal Assistance.

**March 11, 2004** Madrid bombings.

**March 2004** EU Counterterrorism Coordinator Gijs de Vries appointed.

**April 2004** EU-U.S. agreement on container security (CSI).

**May 2004** EU-U.S. agreement on Passenger Name Records (PNR).

**June 2004** EU-U.S. Declaration on Combating Terrorism.

**November 2004** Hague Program to strengthen EU freedom, security, and justice.

**December 2004** EU regulation on standard security features/biometric identifiers, for passports.

**January 2005** EU Council proposal to exchange data on lost or stolen passports with Interpol. Proposal on combating organized crime, including terrorism.



### The Way Forward

Major EU priorities for 2005 in the fight against terrorism:

- ▶ **Accelerate efforts to curb terrorist financing.** The EU continues to step up anti-money laundering efforts and is developing proposals to ensure that legitimate charitable activities are not misused by terrorists or those who finance them.
- ▶ **Strengthen the security of critical infrastructure,** including transport, communications, and energy. The EU is developing a Union-wide program to protect infrastructure, much of which is in private hands and under the jurisdiction of individual Member States.
- ▶ **Ensure civil protection in the event of a crisis.** Because of Europe's geography and high density, a terrorist incident involving chemical, biological, or radiological materials would quickly have cross-border implications and likely affect the movement of people and economic activity. EU Member States are working to adopt mechanisms and responses in the event of such an incident.
- ▶ **Continue to promote information exchange.** Sharing intelligence and communications traffic data is essential for law enforcement.
- ▶ **Pursue terrorists and bring them to justice.** In the short-term, the EU's goal is to make its people, economies, and infrastructure less vulnerable to terrorist attacks by capturing terrorists before they can act. In the long-term, the EU will focus on efforts to prevent the next generation of potential recruits from choosing the path of terror.

*"The U.S.-European partnership remains the world's most important force for peace and security around the world.... Joint action to fight international terrorism [is] one of the unsung transatlantic success stories."*

Javier Solana, EU High Representative for Common Foreign and Security Policy

# Addressing the Root Causes of Terrorism

*“We need to take away the foundation for terrorism, and establish barriers to its activities and its spread... We will be tough on terrorism and tough on the causes of terrorism. These are not two fights. It is one fight.”*

Javier Solana, EU High Representative for Common Foreign and Security Policy



A consistent theme in the EU's counterterrorism policies is the need to confront the terror threat in a comprehensive manner. Military responses may be required on rare occasions, as in the case of Afghanistan, where al-Qaeda enjoyed state-sponsored sanctuary. Intelligence and police operations are constantly needed to destroy terrorist cells. But hard security measures alone will not win this fight.

It is also vital to understand the root causes of terrorism and address them effectively and with sufficient resources. In some ways, this mission is the most difficult. Failure to carry it out successfully will enable terrorist groups to recruit new followers as fast as authorities can capture the present ones.

EU efforts to address the root causes of terrorism include support for democratic institutions, economic development, poverty reduction, and improved education systems in developing nations around the world. This important work is undertaken by the EU's external assistance programs. The EU is responsible for 55 percent of official development assistance globally and much of this assistance – 66 percent – is in the form of grants.

The EU's development assistance has a positive impact in communities where terrorist groups operate. It can erode support for these networks and movements by reducing poverty, promoting land reform, minority rights, and good gover-

nance, fighting corruption, and supporting post-conflict activities. It promotes participatory political and social development at the grassroots level. EU foreign assistance is also a tool to counter the flow of funds from extremist organizations, which are used by terrorists to increase their influence, recruit, and spread extremist views and ideologies.

The EU is defining its relationship with its neighbors to the east and the south through the European Neighborhood Policy (ENP). ENP will share the benefits of the EU's historic enlargement in 2004 with neighboring countries through greater political, security, economic, and cultural cooperation. It fosters common values in the fields of law, good governance, respect for human rights and minority rights, promotion of neighborly relations, and the principles of market economies and sustainable development. ENP can accordingly be a strong tool for addressing the needs of the disaffected in the Middle East and other close-by hot spots.

When it met in extraordinary session immediately after 9/11, the European Council said: “The integration of all countries into a fair world system of security, prosperity, and improved development is the condition for a strong and sustainable community [and] for combating terrorism.” Since then, in its public diplomacy and assistance programs, the Union has pursued these goals while encouraging Member States to follow the same route.



EU Focus is published bi-monthly by the Delegation of the European Commission to the United States.

Stella Zervoudaki  
Head, Communications & Public Affairs  
Editor-in-Chief

Ben Harrison  
Editor

Melinda Stevenson  
Asst. Editor

Delegation of the European  
Commission to the United States  
2300 M Street, NW  
Washington, DC 20037  
202.862.9500

www.eurunion.org  
email: delegation-usa-info@cec.eu.int

For further information and additional references: <http://www.eurunion.org/eufocus>