



euinsight

September 2006

THE EU AND THE UNITED STATES

Staunch Allies in the Fight Against Terrorism

Terrorism poses a serious threat to security, to the values of democratic societies and to the rights and freedoms of citizens of all nations.

The European Union is an area of increasing openness, in which internal and external security are intimately linked. It is an area of increasing interdependence, allowing for free movement of people, ideas, technology and resources, and must guard against abuses of liberties by terrorists. Concerted and collective European action is indispensable to combat terrorism.

The terrorist attacks on New York and Washington in 2001, on Madrid in 2004, and London in 2005 were a brutal reminder to democracies of their vulnerabilities. Europe has drawn on its experiences with country-based terror groups (in just the UK and Spain alone, terrorists have taken more than 5,000 lives since the 1970s) in recognizing that a newer, even more virulent, strain of terrorism demands a broader and more comprehensive response.

The EU Counterterrorism Strategy

Just days after September 11, 2001, the European Union recognized the need for greater cooperation among its Member States and for solidarity with the United States.

In November 2005, the EU adopted its counterterrorism strategy, setting out the Union's commitment to: combat terrorism globally while respecting human rights; and make Europe safer, allowing its citizens to live in an area of freedom, security and justice. Reviewed by EU leaders every six months, the strategy is built on four pillars:

- 1. Prevention.** Identifying and addressing the factors that can lead to radicalization and recruitment, in Europe and internationally, while reducing the money flows that enable terrorists to travel, hide, and develop the means to carry out attacks.
- 2. Protection.** Safeguarding citizens and reducing vulnerabilities to attack by improving security of borders, transport and critical infrastructure.
- 3. Prosecution.** Pursuing and prosecuting terrorists across EU borders and globally; impeding planning, travel and communications; disrupting support networks; cutting off funding and access to attack materials, and bringing terrorists to justice.
- 4. Response.** Preparing to manage and minimize the consequences of a terrorist attack.

While EU Member States have primary responsibility for combating terrorism, the EU adds value by strengthening national capabilities, facilitating European cooperation, developing collective capability, and promoting international partnership.

Counterterrorism: A Transatlantic Success Story

The threat of global terrorism has demonstrated the depth of shared values and interests like no other issue since the Cold War. Transatlantic cooperation has been robust since 9/11, beginning with European participation in the invasion of Afghanistan and the subsequent rebuilding effort there. The objectives are very simple to state but require hard work from both sides to achieve. Although significant progress has been made, constant efforts are required to address evolving threats.

Regular meetings between EU and U.S. officials, from the cabinet level to the working level, provide a useful opportunity to compare notes on ideas and processes, to reach agreement when necessary, and to understand that while Europe and America share the same objectives, methods sometimes differ. Examples of cooperation are numerous and include:

Transportation Security. The EU and the U.S. have made significant improvements to the security of transatlantic air and sea transportation, including extension of

customs cooperation to container security (Container Security Initiative), and transfer of Passenger Name Records (PNR) data.

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 and are being strengthened in a number of ways, including increasing scrutiny of alternative remittance systems, wire transfers, and cross-border cash movements. The European Commission is a member of the Financial Action Task Force on Money Laundering (FATF), along with the U.S. and over 30 other nations and regional organizations.

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“Terrorism is a continuous and global threat... which calls for a constant, concerted response from all European countries, institutions and peoples. The EU’s counterterrorism policies... will be implemented with full vigor.”

—Franco Frattini
EU Commission Vice President and
Commissioner for Justice,
Freedom, and Security

Extradition and Mutual Legal Assistance.

EU-U.S. agreements on Extradition and Mutual Legal Assistance are currently being ratified. The agreements will provide for: quicker extradition (and for numerous offenses); more direct contact between U.S. and EU agencies; joint access to bank accounts for the investigation of serious crimes; and joint EU-U.S. investigative teams.

Law Enforcement Cooperation. Formal cooperative arrangements between EUROPOL and U.S. law enforcement agencies have been in place since 2002, enabling information sharing, including intelligence and personal data, with proper safeguards. FBI and U.S. Secret Service officers are present at EUROPOL headquarters in The Hague and EUROPOL has a liaison office in Washington.

Judicial Cooperation. Negotiations are underway on an agreement between EUROJUST (the EU network of Member State judicial authorities charged with improving prosecutorial coordination in cross-border cases) and the U.S. to allow for greater transatlantic cooperation between judges and prosecutors.

Global Standards. The EU and the U.S. provide leadership for global security standards in international fora, including the International Maritime Organization, the International Civil Aviation Organization, and the World Customs Organization.

The EU and Counterterrorism: Action & Results

Soon after the 9/11 attacks on the World Trade Center and the Pentagon, EU leaders declared that “the fight against terrorism will, more than ever, be a priority objective of the European Union.”

Actions taken in the EU since that time, in coordinated fashion under a vigorous EU counterterrorism strategy, have yielded solid results, including the August 2006 capture in the United Kingdom of would-be terrorists plotting attacks against U.S.-bound passenger airliners. After the Madrid train bombings in March 2004, Spanish law enforcement authorities found seven suspects who committed suicide before they could be arrested. European authorities have quashed numerous other terrorist plots, frozen bank accounts worth hundreds of millions of euros, and have detained and tried hundreds of terrorism suspects.

EU Counterterrorist Actions

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 Member State information exchange on suspicious transactions.
- Developed electronic database of persons/groups/entities subject to EU financial sanctions.
- Plays leading role in Financial Action Task Force on Money Laundering.

Police and Judicial Cooperation

- Introduced European Arrest Warrant to reduce prospect of terrorists exploiting differences in national legal systems.
- Adopted mutual recognition of judicial orders to freeze and confiscate assets. Orders issued in one EU country apply throughout the Union.
- Signed extradition and mutual legal assistance agreements with U.S. in June 2003, updating and supplementing bilateral arrangements with individual Member States.
- 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.

- Established Joint Situation Centre to provide threat assessment and common analysis.
- Appointed Counterterrorism Coordinator in March 2004.
- Agreed on European Evidence Warrant to obtain objects, documents and data for criminal proceedings.

Border and Transportation Security

- Established EU external border security agency, FRONTEX, to coordinate integrated management of Union’s external borders and ensure uniform control and surveillance.
- Adopted biometric identifiers in EU travel documents and visas.
- Initiated Visa Information System (VIS) to check visa applications against terrorist watch lists.
- Establishing Schengen Information System II for Member State authorities to rapidly obtain information regarding certain categories of persons and property.
- Enacted mandatory security procedures in airports and harbors.

Civil Protection and Preparedness

- Developed enhanced EU preparedness and response program for chemical, biological, or radiological attack.
- Established Health Security Committee.
- Established contact points for early warning of terrorist attack.
- Developed mechanism to facilitate and support civil protection assistance in major disasters, including terrorist attack.
- Making best use of EU-level research activity.



EU Insight is published by the Delegation of the European Commission to the United States.

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ISSN: IQ-AB-06-02-EN-C

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Issue No. 2