



REPUBLIK ÖSTERREICH  
BUNDESMINISTERIN FÜR INNERES

XXIV. GP.-NR

8386 /AB

11. Juli 2011

zu 8495 /J

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Präsidentin des Nationalrates

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Parlament

1017 Wien

GZ: BMI-LR2220/0545-I/7/2011

Wien, am 8. Juli 2011

Der Abgeordnete zum Nationalrat Vilimsky und weitere Abgeordnete haben am 11. Mai 2011 unter der Zahl 8495/J an mich eine schriftliche parlamentarische Anfrage betreffend „Schengen-Erweiterung“ gerichtet.

Diese Anfrage beantworte ich nach den mir vorliegenden Informationen wie folgt:

**Zu den Fragen 1, 8 und 9:**

Als Bundesministerin für Inneres unterstütze ich grundsätzlich die Bestrebungen von Bulgarien und Rumänien, dem Schengen-Raum beizutreten, da ein solcher neue Möglichkeiten zur noch intensiveren polizeilichen Zusammenarbeit mit diesen Staaten bietet. Um Bulgarien bzw. Rumänien bei der Erfüllung der Schengen-Kriterien zu unterstützen, haben zahlreiche Experten meines Ministeriums in den vergangenen Jahren in verschiedensten Bereichen Hilfestellungen geleistet und sich von den Fortschritten von Bulgarien und Rumänien in einzelnen Bereichen vor Ort überzeugt.

Wie von allen Schengen-Beitrittskandidaten sind auch von Bulgarien und Rumänien zahlreiche Voraussetzungen zu erfüllen, die auch anlässlich von Evaluierungsbesuchen durch Experten überprüft wurden.

**Zu den Fragen 2 bis 4:**

Für Österreich war es während des Prozesses immer wichtig zu betonen, dass sowohl Bulgarien als auch Rumänien - wie alle anderen bisherigen Schengen-Beitrittskandidaten auch - für einen Beitritt zum Schengen-Raum alle Voraussetzungen für die volle Anwendung des Schengen-Besitzstandes erfüllen müssen. Anlässlich der Evaluierungsbesuche wurde die Erfüllung all dieser technischen Voraussetzungen durch beide Länder bestätigt.

Österreich hat, als einziges EU-Land, zusätzlich mit Bulgarien am 28. August 2010 und Rumänien am 25. Februar 2010 bilaterale Memoranda of Understanding (MoU) und konkrete Aktionspläne abgeschlossen. Mit ihrer Umsetzung wird die bestmögliche Vorbereitung der Schengenerweiterung unterstützt. Die bilateralen Abkommen erleichtern auch nach der Schengenerweiterung die Bewältigung von Herausforderungen im Sicherheitsbereich. Diese besonders sorgfältige Vorbereitung Österreichs durch zusätzliche bilaterale Vereinbarungen hat sich schon bei der Schengenerweiterung 2007 bewährt: Aufgrund der über Jahre entwickelten, zielgerichteten, engen Kooperation mit den damaligen neuen Schengen-Vollmitgliedern, konnte ein Ansteigen der Kriminalität im Jahr nach der Schengenerweiterung 2007 vermieden werden. Ein endgültiger Beschluss zum Beitritt von Bulgarien und Rumänien auf EU-Ebene hat bislang noch nicht stattgefunden.

**Zu den Fragen 5 bis 7:**

Bei dem „Bericht der unabhängigen Kommission“ handelt es sich um EU-Dokumente, welche als „Vertraulich“ eingestuft sind und somit einer Klassifizierung unterliegen. Daher können von mir aus datenschutzrechtlichen Gründen keine Auskünfte diesbezüglich gegeben werden. Es besteht jedoch die Möglichkeit, dass dem Europäischen Parlament auf Antrag durch das Generalsekretariat des Rates der EU Einsicht in einzelne Berichte gewährt wird.

**Zur Frage 10:**

Die Skepsis gegenüber einem Schengen-Beitritt von Bulgarien und Rumänien, die Deutschland und Frankreich Ende Dezember 2010 in einem Ministerschreiben ausgesprochen haben, wurde zuletzt auch seitens der Niederlande unterstützt. Auch Österreich hat die von Deutschland und Frankreich thematisierten Problembereiche auf EU-Ebene und gegenüber Bulgarien und Rumänien offen angesprochen und klar gemacht, dass vor einem EU-Beschluss über die Schengen-Erweiterung entsprechende Lösungen gefunden werden müssen.

**Zu den Fragen 11 und 12:**

Die Schengen-Zusammenarbeit soll Sicherheit und Reisefreiheit im Schengen-Raum gewährleisten. Sie muss daher weiter gestärkt werden, damit auch neue Herausforderungen, etwa im Zusammenhang mit Entwicklungen in Nordafrika, bestmöglich bewältigt werden können. Darüber und über den Wert der polizeilichen Zusammenarbeit im Schengen-Raum wird die Bevölkerung regelmäßig, insbesondere im Rahmen der Medienarbeit, informiert. Diese Praxis wird weiter fortgesetzt.

**Zu den Fragen 13 und 14:**

Österreich konnte bislang noch keinen Zustrom von „kriminellen Migranten“ feststellen. Es wird weiters kein Zusammenhang mit allfälligen Flüchtlingsströmen aus Nordafrika gesehen.

In diesem Zusammenhang darf darüber hinaus festgehalten werden, dass durch den Schengen-Betritt von Bulgarien und Rumänien grundsätzlich keine wesentlichen Änderungen in der Terrorismusbedrohung zu erwarten sind.

Es ist weiters festzuhalten, dass es anlässlich des Beitritts zu einer „Verlagerung“ der Außengrenze kommt. Diese geht wiederum einher mit der Aufnahme von rumänischen und bulgarischen Daten für das Schengener-Informationssystem (SIS) sowie deren Nutzung, was eine effektive Abwehrmaßnahme darstellt. Für den Fall, dass Österreich Anhaltspunkte für eine kriminelle Vergangenheit von Migranten bekannt werden, werden jedenfalls unverzüglich Erhebungen eingeleitet.

**Zur Frage 15:**

Der diesbezügliche Bericht von Europol wird in der Beilage übermittelt.

**Beilage**A handwritten signature in black ink, appearing to be 'M. Be', is written in a cursive style.





# TE-SAT 2011

## EU TERRORISM SITUATION AND TREND REPORT

TE-SAT 2011 | EU TERRORISM SITUATION AND TREND REPORT

QL-AJ-11-001-EN-C



gesamt (1)

ISBN Number: 978-92-95018-86-0  
ISSN Number: 1830-9712  
DOI: 10.2813/14705



# TE-SAT 2011

## EU TERRORISM SITUATION AND TREND REPORT

TE-SAT 2011

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### **ACKNOWLEDGEMENTS**

The EU Terrorism Situation and Trend Report (TE-SAT) has been produced by analysts and experts at Europol, drawing on contributions from EU Member States and external partners. Europol would like to express its gratitude to Member States, Eurojust, third countries and partner organisations for their high-quality contributions.

### **PHOTOGRAPHS**

Europol: Jo Gidney, Max Schmits; European law enforcement authorities: France: GIGN; Greece: Greek Police Bomb Squad; Portugal: PJ-UNCT (Counter Terrorist National Unit of the Judicial Police); Sweden: Swedish Bomb Data Centre; Shutterstock; and Peter Wehle.

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# 1. FOREWORD BY THE DIRECTOR



Europol plays a key role in the fight against organised crime and terrorism, utilising its unique information capabilities and expertise to support the competent authorities of the EU Member States. Nearly ten years after the attacks of 11 September 2001, terrorism continues to pose a serious threat to the European Union and its citizens. In 2010, seven people died and scores of individuals were injured as a result of terrorist attacks in EU Member States. The fight against terrorism, therefore, remains a top priority for the European Union and for Europol.

After the Organised Crime Threat Assessment (OCTA), the TE-SAT is Europol's most significant strategic analysis product. It provides law enforcement officials, policymakers and the general public with facts, figures and trends regarding terrorism in the EU. It is a public document produced annually on the basis of information provided and verified by the competent authorities of the EU Member States. This and previous editions of the TE-SAT reports are available on Europol's website: [www.europol.europa.eu](http://www.europol.europa.eu).

In some cases it remains difficult to differentiate between crime and acts of terrorism and extremism. EU Member States have agreed to regard terrorist acts as those which aim to intimidate populations, compel states to comply with the perpetrators demands and/or destabilise the fundamental political, constitutional, economical or social structures of a country or an international organisation. The TE-SAT recognises that definition in the collection and reporting of its source data.

In 2010, terrorist attacks took place in nine Member States. An increasing number of individuals were arrested for the preparation of attacks in the EU. Also, Member States prevented the execution of various attacks, including attacks by Islamist terrorist groups, which aimed to cause mass casualties.

Meanwhile, developments affecting the political stability of neighbouring regions have registered an impact on the internal security of the EU. Developments in the Northern Caucasus, North Africa and some conflict zones, for example, have influenced terrorist activities carried out in Europe.

The economic recession has led to political and social tensions and, in a number of Member States, has fuelled the conditions for terrorism and extremism. Although the number of attacks executed by separatist terrorist groups decreased and a high number of leaders of these terrorist groups were arrested, the threat from these groups remains substantial. Left-wing, anarchist, terrorist and extremist activities became more violent in 2010 and led to the death of six people. Right-wing extremists are increasingly using the internet for propaganda and single-issue extremist groups, including animal-rights extremists, are co-operating more on an international level.

In conclusion, therefore, this report finds that the threat from terrorism remains high in the EU and is diversifying in scope and impact.

I would like to thank all Member States and Eurojust for their contributions, 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, the United States of America and Interpol for their own valuable contributions. Finally, particular thanks go to the members of the Advisory Board for their advice and support throughout the year and their unique input to the 2011 edition of the TE-SAT.

Rob Wainwright  
Director

## 2. KEY JUDGMENTS

**The threat of attacks by Islamist terrorists in the EU remains high and diverse.**

In the past year, several EU Member States have successfully prevented attacks by Islamist terrorist groups, which aimed to cause mass casualties. During 2010, 179 individuals were arrested for offences linked to Islamist terrorism, representing a 50% increase compared with 2009. Furthermore a higher proportion of those arrests related to the preparation of attacks in the EU (47% compared with 10% in 2009).

Additionally, the high number of threat statements to the EU (46) posted by Islamist terrorist organisations or their media fronts indicates terrorist groups' clear intent to target the European Union.

**Islamist terrorist groups are changing in composition and leadership.** Terrorist groups are becoming multi-national, command and control from outside the EU is decreasing and more lone actors with EU citizenship are involved in terrorist activities.

**Returning jihadists** from conflict zones continue to be a threat to the EU. They return with specific contacts, skills and *modi operandi*, and the potential intent to apply these in EU Member States.

The political situation in the **Northern Caucasus** is increasingly reflected by the activities of members of the Caucasian diaspora in the EU, supporting activities of terrorist groups in the Northern Caucasus financially and otherwise.

**The turmoil in North Africa** that began in January 2011 is likely to impact al-Qaeda's core and affiliated organisations, in both the short and long term. The current situation could lead to a setback for

al-Qaeda but it could also result in more powerful terrorist organisations impacting the EU, and an increase in the radicalisation of individuals both in North Africa and the EU. In the short term, the absence of terrorist organisations amongst the mass Arab protests across the region has left al-Qaeda struggling for a response. Should Arab expectations not be met, the consequence may be a surge in support for those terrorist organisations, and an increase in radicalisation, both in North Africa and elsewhere.

The current and future flow of immigrants originating from North Africa could have an influence on the EU's security situation. Individuals with terrorist aims could easily enter Europe amongst the large numbers of immigrants.

Although the goals of terrorist and organised crime groups (OCGs) are different, the connections between terrorist and organised criminal activities appear to be growing. Crime is being extensively used to finance terrorist activities. Criminal activities that terrorist groups are involved in, either through affiliation with individual criminals and criminal groups or through their own operations, can include the trafficking of illegal goods and substances such as weapons and drugs, trafficking in human beings, financial fraud, money laundering and extortion. Separatist terrorist groups such as the PKK/KONGRA-GEL and LTTE are involved in the trafficking of drugs and human beings to raise funds for their terrorism activities.

**Separatist and ethno-nationalist terrorist groups** rely substantially on extortion to finance their activities. It is unlikely that ceasefire declarations by separatist terrorist groups will mark the end of terrorist attacks or activities. In 2010, 123 individuals

in France and 104 in Spain were arrested on terrorist offences related to violent separatist activities. These figures represent a decline from 2009 levels.

The economic recession is conducive to political tensions and, in a number of Member States, is triggering both left- and right-wing extremists to demonstrate their views both on the recession's causes and on the solutions required. This is raising public order concerns and threatening social cohesion. Growing unemployment, especially among young people seeking to enter the job market, has radicalised some youths, even those with relatively high levels of education. In 2010, 45 left-wing and anarchist attacks occurred. The increased use of violence led to six fatalities.

Evidence shows increased international cooperation between terrorist and extremist groups in and outside the EU. Left-wing, but also separatist groups, are collaborating internationally. During 2010, clear links between ETA and FARC were determined. The coordination of activities is greatly facilitated by the wide availability of online communication tools and applications, and the rise of social media.

The professionalism of right-wing propaganda shows that right-wing extremist groups have the will to enlarge and spread their ideology, and still pose a threat in EU Member States. If the unrest in North Africa leads to a major influx of immigrants into Europe, right-wing terrorism might gain a new lease of life by articulating more widespread public apprehension about immigration.

In 2010, protests by single-issue extremist groups increasingly focused on the fur industry. These groups are becoming increasingly network-based

- they use various methods of communication to prioritise, coordinate and support direct action. Campaigns of animal-rights activists indicate a shift of activities from the UK towards the European mainland which started in 2008/2009 and continued in 2010. There are indications that some members of animal rights, anarchist and environmental extremist groups are moving towards a shared ideology. Environmental extremism is on the increase.

Terrorist and extremist groups are demonstrating increased professionalism in using web-based technologies to present themselves and communicate their ideologies to a larger audience. The internet is developing into a crucial facilitator for both terrorists and extremists.

### 3. INTRODUCTION

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 (US), as a reporting mechanism from the Terrorism Working Party (TWP) of the Council of the EU to the European Parliament. The content of the TE-SAT reports is based on information supplied by EU Member States, some third states (Colombia, Croatia, Iceland, Norway, Switzerland, Turkey, and the United States of America) and third organisations (Eurojust and Interpol), as well as information gained from open sources.

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

The TE-SAT is a situation report which describes and analyses the outward manifestations of terrorism, i.e. terrorist attacks and activities. It does not seek to analyse the root causes of terrorism, neither does it attempt to assess the impact or effectiveness of counter-terrorism policies and law enforcement measures taken, although it can serve to illustrate some of these. The methodology for producing this annual report was developed by Europol five years ago and 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 consultation with the 2011 TE-SAT Advisory Board, composed of representatives of the past, present, and future EU Presidencies, i.e. Belgium, Hungary and Poland (the 'Troika'), along with permanent members, representatives of France and Spain, the EU Situation Centre (EU SITCEN),<sup>1</sup> Eurojust and Europol staff.

<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.

## 4. GENERAL OVERVIEW OF THE SITUATION IN THE EU IN 2010

- 249 terrorist attacks
- 611 individuals arrested for terrorist related offences
- 46 threat statements against EU Member States
- 307 individuals tried for terrorism charges
- the internet: a crucial facilitating factor for terrorists and extremists

Terrorism continues to impact on the lives of EU citizens - in 2010, seven people died in the EU as a result of terrorist attacks.

Islamist terrorists carried out three attacks on EU territory. Separatist groups, on the other hand, were responsible for 160 attacks, while left-wing and anarchist groups were responsible for 45 attacks. One single-issue attack was reported from Greece.

### 4.1. TERRORIST ATTACKS AND ARRESTED SUSPECTS

In 2010, 249 terrorist attacks were reported in nine Member States, while 611 individuals were arrested for terrorism-related offences. The majority of these attacks were in France (84) and Spain (90). A recent fall in attacks in the EU was reflected by a drop of nearly 50% in attacks in Spain. Several Member States were successful in preventing attacks by terrorist groups including those by Islamist terrorist groups.

In 2010, 611 individuals were arrested for terrorism-related offences. An increased percentage of individuals linked to Islamist terrorism (47%) were arrested for the preparation of attacks in Member States – an indication that Islamist terrorists continue to undertake attack planning against Member States.

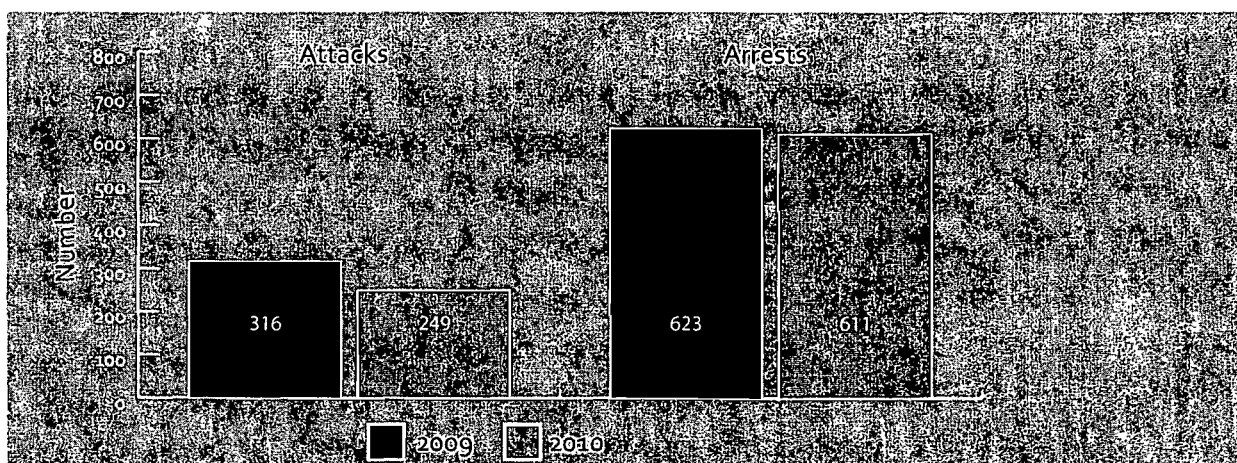


Figure 1: Number of failed, foiled or completed attacks; number of arrested suspects, 2009 and 2010<sup>2</sup>

<sup>2</sup> A complete overview of the attacks and arrests per Member State and per affiliation can be found in Annex 2 and 3. For the UK, the figures represent the number of charges for 2009 and 2010, to provide a more accurate comparison with the number of judicial arrests in other Member States. However, at this stage in the criminal justice process it is not possible to assign an affiliation to individual cases.

## 4.2. THREAT STATEMENTS RECORDED

For the purpose of this overview, only threat statements made by terrorist organisations were taken into account. Threat statements by and against individuals (often hoaxes) were not taken into consideration. In 2009 and 2010, 88 threat declarations<sup>3</sup> were made by terrorist organisations (42 in 2009, 46 in 2010).

The vast majority of these threat statements had an Islamist terrorist background. The threat statements focused either on the European Union as a whole, on individual Member States, or were directed at European interests abroad. Other threat statements were made by separatist, left-wing and anarchist groups.

In recent years, there has been a notable increase in statements written in Western languages (French, German, Spanish, etc), which broadens the audience for such statements. In December 2010, the Court of Appeal in Brussels, Belgium delivered a verdict for two defendants. The investigations concerned the use of a Jihadist Salafist propaganda tool on the internet – mainly used to call for Jihad against France. The website was run from Belgium. Although most Islamist terrorist threats are in the form of more general communiqués addressed to EU Member States, some are more specific and appear to be issued in the hope of inciting vulnerable individuals to commit violent acts in the EU. In most cases, the threats refer to issues perceived as expressions of Western anti-Islam sentiments, such as the:

- Muhammad caricature publishing incidents in Denmark and Sweden,
- banning of the veil in France,
- Swiss vote regarding the construction of further mosques, and

	2009	2010
Threat statements	42	46

**Figure 2: Number of threat statements recorded, 2009 and 2010**

- deployment of troops in support of the Afghan government's fight against al-Qaeda and the Taliban.

Islamist terrorists deliberately and repeatedly use symbolic cases in their propaganda (like the Muhammad caricatures or the veil issue) to mobilise support. Threats originating from Islamist terrorist groups might also be used as a tool for seeking logistical and financial support and as a means of recruitment.

Many of these controversial issues are not new, however they are still cited as reasons for Islamist terrorist groups to engage in acts of terrorism against the EU or against European interests abroad, as in, for example:

**Osama bin Laden's audio speech "To the French people" as broadcast by al-Jazeera on 27 October 2010:**

*"How can it be right that you intervene in the affairs of Muslims in North and West Africa in particular, support your agents against us and take much of our resources by means of shady deals, whereas our people there experience many kinds of misery and poverty? And if you become abusive and you think that you have the right to prevent free women from wearing the hijab, do we not have the right to expel your invading men by striking the necks?"*

Although most of these statements are not direct indicators of future attacks, they may serve as a motivating factor for home-grown terrorists or diaspora groups to engage in terrorist activities.

<sup>3</sup> The data regarding threat statements is based on Member State contributions and open source intelligence (OSINT).

Left-wing, anarchist and separatist groups often prefer to use newspapers or TV stations as conduits for threats. Reviewing the threats issued by these groups in recent years, it has become clear that these often precede actual terrorist attacks.

### 4.3. TERRORIST AND EXTREMIST ACTIVITIES

#### Financing

All terrorist organisations need logistical support for their activities. The maintenance of a network, the support of cells and the procurement of material items (tools, weapons, communication systems, false identity documents) all cost money. These activities, together with recruitment, training and transport, can be a severe drain on resources. In recent years, an increasing number of Member States have reported on specific instances and methods of financing of terrorism, in all likelihood an indication that more terrorist groups are attempting to increase their resource bases.

In order to acquire the necessary means to fund their illegal activities or establish and further expand their position, terrorist groups tend to resort to various sources of financing which may, in a few cases, include state sponsorship. More common are voluntary or coercive contributions from domestic or diaspora communities. Internet and mobile telecommunication platforms are used to send video clips to potential donors on their mobile phones, followed by requests for financial support.

Money for terrorist activities can be generated from legal investments and legitimate businesses. Alternatively, terrorists resort to criminal acts, such as kidnapping and extortion, fraud, armed robbery, counterfeiting operations, and trafficking drugs and human beings. Terrorist groups in the Sahel region, in particular, rely heavily on kidnappings for ransom. This is facilitated by the transfer of money which is now, thanks to global telecommunica-

tion, easy, quick, and not restricted by borders. Of note are developments in money transfer via mobile phones.

Some of the money is financing terrorist organisations outside the EU. Police investigations in Spain have led to the detention of 11 individuals linked to Islamist terrorist groups that were active in recruiting new members and in financing terrorism. There are indications that an increasing number of Islamist terrorist cells in Europe are collecting money for their own activities and no longer send much to their parent organisations outside the EU. Member States with Kurdish diasporas are witnessing - and actively combating - fundraising activities of adherents of the PKK/KONGRA-GEL in their jurisdictions. There are also indications that criminally obtained funds are being used to support terrorist groups in the North Caucasus.

#### Communication

The internet is currently a crucial facilitating factor for both terrorists and extremists. The internet has reached a firmly established position in the array of instruments used for radicalisation and self-radicalisation, propaganda, incitement and recruitment. The use of social media broadens exposure and increases the speed of communication, enabling terrorist and extremist networks, individuals and associates to share information quickly. Internet videos explaining a movement's ideology and tactics allow groups to transmit important information to followers without having to travel across borders.

Another method of communication used by separatist terrorist groups, is the posting of messages through text via a television network. They use these methods to try and reduce the risk of their communications being intercepted.

Although terrorist and extremist propaganda on the internet is a powerful tool for the mobilisation and radicalisation of vulnerable individuals, the internet and so-





cial media alone might not initiate terrorist or extremist activities. Social media tools allow all kinds of groups to lower the cost of participation, organisation, recruitment and training; they also allow members of terrorist groups to communicate easily among themselves and often in a relatively secure way. Despite net-based communication technology, face-to-face contact and real world interaction remain important.

#### 4.4. TERRORISM AND ORGANISED CRIME

Although the goals of terrorist and organised crime groups (OCGs) are different, an issue which is of growing concern to EU law enforcement are the connections between terrorist and organised crime groups' activities.

Drugs and human trafficking are occasionally joint ventures between organised crime and terrorist groups, and are sometimes an in-house activity of terrorist groups. Information obtained from EU Member States shows, for instance, that both the PKK/KONGRA-GEL and LTTE are actively involved in drugs and human trafficking, the facilitation of illegal immigration, credit card skimming,

money laundering, and fraud for the purpose of funding terrorist (support) operations. Several Member States also report that terrorist groups are in contact with OCGs to procure weapons.

Low level, individual and tribal contacts between OCGs active in drugs trafficking in West Africa, and 'sub groups' of Al-Qaeda in the Islamic Maghreb (AQIM), raises the possibility that drugs trafficking to the EU could become a source of funding for some terrorist groups operating in the Sahel region.

#### 4.5. CONVICTIONS AND PENALTIES

In 2010, there were 125 court proceedings involving terrorist charges reported in 10 Member States. In 2010, 307 individuals were tried on terrorism charges, for which a total of 332 verdicts were handed down. Out of those 307, 26 were female. The number of individuals tried in 2010 decreased compared to 2009, when 398 individuals were tried.

The highest number of individuals tried for terrorist offences in 2010 were in Spain, repeating the trend shown in 2009. France reported a decrease in the number of individuals brought before court. Germany, Ireland and the Netherlands saw an increase compared to 2009, whereas Italy and the UK have seen a steady decrease in the past three years.

Not all individuals arrested in one reporting period will be brought to trial in the same or following year. Many of the cases reported are linked to events of previous years. In 2009 there was a significant decrease in the number of arrests compared to previous years. Equally, the number of individuals brought to trial in 2010 declined by almost a quarter, for example:

	2009	2010
Individuals tried	398	307

**Figure 3: Number of individuals tried for terrorism charges in 2009 and 2010<sup>4</sup>**

A German court in Düsseldorf convicted four men in connection with a foiled terrorist plot against Western targets. Evidence showed that they had begun mixing explosive materials that could have resulted in a strong blast, more powerful than the attacks in July 2005 on London's public transport network and the 2004 Madrid Atocha train bombings. In 2007, the German defendants of the Sauerland group had stockpiled 700 kgs of highly concentrated hydrogen peroxide; mixed with other substances it could have led to the manufacture of explosives equivalent to 500 kgs of dynamite. The German authorities had, during the surveillance period, covertly replaced the hydrogen peroxide with a diluted substitute that could not have been used to produce a working bomb. The group's planned targets included the Ramstein Air Base and other U.S. military and diplomatic installations in Germany, with the aim of forcing Germany to stop using an air base in Uzbekistan to supply German troops in Afghanistan. The defendants had been members of the Islamic Jihad Union (IJU) since 2006 and had trained at camps in Pakistan. They were found guilty of membership of a terrorist organisation and of providing support to the organisation. All defendants confessed to their role in the plot, which contributed to the successful completion of the trial. Sentences of up to 12 years' imprisonment were handed down.

The majority of reported verdicts in EU Member States in 2010, as with 2009, relate to separatist terrorism. The total number of verdicts decreased from 408 in 2009 to 332 in 2010. Spain continues to experience the majority of separatist attacks. It also has the highest number of

trials conducted for Islamist and left-wing terrorism. France comes second with regard to the number of verdicts handed down for separatist and Islamist terrorism. Italy is third for verdicts of left-wing terrorism, followed by the UK with Islamist terrorism. In Germany and Belgium, Islamist terrorism accounted for ten and nine verdicts respectively.

In early 2010, the *Audiencia Nacional* in Spain tried a case of seven individuals, who were held responsible for a bomb attack in the city of Vigo in May 2000. Two security guards were killed and four others seriously injured in the attack. Two of the suspects are considered leaders of the GRAPO, who gave orders to commit terrorist actions and who have been prosecuted in the past for numerous terrorist attacks. Five defendants were convicted by the court.

Across the EU, the percentage of acquittals has gone up from 17% in 2009 to 27% in 2010. In 2008, that percentage was 23%.

Reported court proceedings in relation to separatist terrorism have the highest acquittal rate (32%), followed by proceedings related to left-wing and Islamist terrorism, with an acquittal rate of 22% and 21% respectively. This follows similar reports in 2009.

Five out of ten Member States have a full conviction rate. Belgium, Ireland, Italy and the UK have had mostly successful prosecutions. Of the 332 verdicts, 157 were still pending appeal at the end of 2010.

The acquittal rate in Spain, which has the largest number of verdicts, went up from 21% in 2009 to 38% in 2010. These acquittals are due to characteristics of the Spanish judicial system, which is strongly focused on prevention and protection.

<sup>4</sup> Details per Member State, see annex 4.

Member State	Average
Belgium	5
Denmark	4
France	7
Germany	6
Ireland (Republic of)	5
Italy	8
The Netherlands	3
Spain	12
Sweden	3
United Kingdom	15

**Figure 4: Average penalty per convicted individual (in years)<sup>5</sup>**

The average penalty imposed in Europe is now approximately 6 years. The average punishment appears to be 11 years for verdicts handed down for separatist terrorism, 13 years for left-wing and 7 years for Islamist terrorism acts.

<sup>5</sup> In the UK, there were four life sentences given for conspiracy to murder. For the purpose of the overview, sentences exceeding 40 years and life sentences have been counted as equivalents of 40 years.

## 5. ISLAMIST TERRORISM

- 3 Islamist terrorist attacks carried out in the Member States
- 179 individuals arrested for Islamist terrorist offences
- 89 individuals arrested for the preparation of attacks in the EU
- Terrorist recruitment and support networks are active in many EU Member States
- The security situation outside the EU impacts on Islamist terrorist activities inside the EU

### 5.1. TERRORIST ATTACKS AND ARRESTED SUSPECTS

In line with previous years, Member States reported that the threat of Islamist terrorism by Al-Qaeda inspired groups and affiliates is high - although the threat level is not the same in all Member States. Moreover, a diverse spectrum of actors poses a risk, from **organised terrorist groups to radicalised individuals**, inspired by extremist ideologies. These latter individuals are often hard to identify as they **act alone** and their activities can be unpredictable and difficult to prevent.

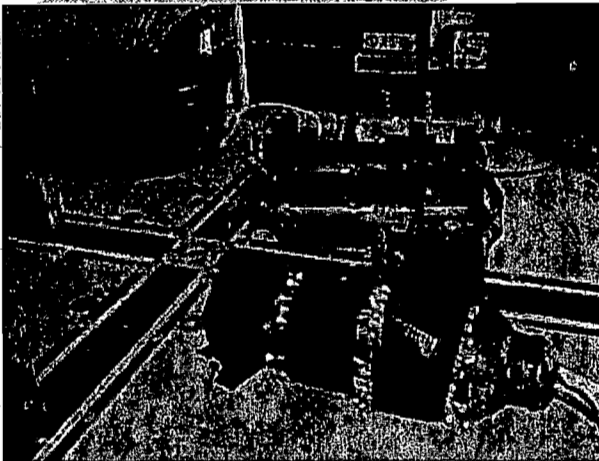
In November 2010, two packages containing explosive devices, sent on 29 October by airfreight from Yemen to the US, were intercepted. One of the two packages was intercepted at East Midlands Airport in the UK, the other in Dubai. Both devices originated in Sanaa and were addressed to synagogues in Chicago. Highly-explosive PETN was hidden in printer toner cartridges in the packages. Al-Qaeda in the Arabian Peninsula (AQAP) claimed credit for this attempted attack. As the two packages were not addressed to European destinations, it would be misleading to claim that the EU, as such, was targeted. However, one of these explosive devices could very well have exploded on the ground during the stopover in the UK, or somewhere in the air above European territory. This incident demonstrated a high level of sophistication

in the preparation of an attack and the ability to adapt security measures, as well as a high degree of creativity in circumventing them. This incident could have caused serious damage and possible loss of life for a large number of EU citizens.

The number of Islamist terrorist attacks actually carried out in the EU was limited to three attacks in 2010. They caused minimal damage to the intended targets. Potentially, however, at least two of these attacks could have caused mass casualties and multiple fatalities. The attacks shared some characteristics of motive, location and, fortunately, lack of familiarity with explosives:

- On 1 January 2010, a 28-year-old Somali, linked to the radical Islamist organisation al-Shabab, attempted to kill the Danish cartoonist Kurt Westergaard. The cartoonist has been living under police protection since his caricature of the Muslim Prophet Muhammad, first published in a Danish newspaper in 2005, caused agitation in Islamist circles. On the occasion of this attack, Westergaard managed to save his life by locking himself in a panic room in his house until the police arrived. On 4 February 2011, the defendant was sentenced to nine years imprisonment.
- On 10 September 2010, a minor and apparently premature explosion was caused by a Russian national of Chechen origin in a hotel toilet in Copenhagen, close to the offices of the Jylands Posten newspaper that published the cartoons some years previously. The suspect used a Belgian passport with a false name.
- On 11 December, an attack took place in Sweden, consisting of two separate explosions in the centre of Stockholm. The first explosion occurred in a vehicle reportedly registered to the originator of several audio-file threats e-mailed to the Swedish TT news agency, and addressed to the Swedish Security Service, from a Hotmail account moments before the attack. In the audio-file, the perpetrator claimed to be carrying out a terrorist attack in retaliation for cartoons of the

Prophet Muhammad by the Swedish painter, Lars Vilks. A second explosion occurred 10 minutes later, a few streets away from the first explosion. In this case, the suspected suicide bomber himself was the only fatality.



*Bomb suicide attack, 11 December, Sweden*

The three attacks in the EU and the attempted attack claimed by AQAP underline that the threat of Islamist terrorism by Al-Qaeda inspired groups and affiliates remains high.

In 2010, 179 persons were arrested in the EU for offences related to Islamist terrorism. Only 20% of these were linked to Islamist terrorist groups, such as AQIM, Al Shabab or AQAP. A substantial number of those arrested were either members of quasi autonomous jihadist cells or self-radicalised 'lone actors'. These are individuals or small groups unaffiliated to a local or foreign terrorist organisation but adhering to an ideology, similar to that promoted by Islamist terrorist groups such as Al Qaeda and its affiliates in North Africa, the Middle East and South Asia.

Member States who reported arrests related to Islamist terrorism are Austria, Belgium, Denmark, France, Germany, the Republic of Ireland, Italy, the Netherlands, Romania, Slovenia, Spain, Sweden, and the United Kingdom.



**Figure 5: Number of failed, foiled or completed attacks and number of suspects arrested for Islamist terrorism in Member States in 2010**

Compared to previous years, a relatively high number (89) of individuals were arrested for the preparation of terrorist attacks. This emphasises the ongoing planning of attacks by Islamist terrorist groups in the EU.

Reasons for arrests, other than for the direct preparation of attacks, include propaganda and recruitment activities and facilitation, raising the possibility that channels for legal and illegal immigration will be increasingly used by those seeking to engage in terrorist activity in the EU.

In the UK, a Member of Parliament was stabbed by a woman inspired by Islamist extremist rhetoric. The woman has been convicted of attempted murder. The proportion of women arrested for Islamist terrorism remains low and their involvement is mostly limited to support, facilitation or propaganda activities.

In common with previous years, individuals born in North Africa (Algeria, Egypt, Morocco, Tunisia) represent one third of all arrested suspects. The proportion of persons with EU citizenship or born in the EU is further increasing. This suggests that home-grown terrorism and the extreme radicalisation of EU citizens is an ongoing source of concern.

Member States on the Eastern borders of the EU have, so far, been less of a target for Islamist terrorists. However, a number of arrests in Romania indicate that some EU Member States may be used as transit countries to other parts of Europe. Also, the possibility cannot be ruled out that those countries serve as operational rear bases from which terrorist groups can develop their logistical and financial capabilities.

## 5.2. TERRORIST ACTIVITIES

### Propaganda, radicalisation, incitement and recruitment

Islamist propaganda on the internet is distributed by 10 to 20 well established major forums that have thousands of regular members worldwide. These forums are run by several administrators and spread over various web servers located in countries where internet regulations are not applied as in Europe. Therefore, the arrest of one administrator would not significantly impact the activities of the forum. Administrators exchange instructions on procedures to follow if one of them is arrested, to ensure 'business continuity' for each forum.

Parts of forums are usually made accessible to non-registered visitors. The rest of the forum has restricted access to ensure anonymity of the users and to protect against infiltration. Islamist terrorist organisations claim that their 'official' statements are released only through specific forums, indicating that other sources are not considered trustworthy.

The boundaries between networks, media outlets and Islamist terrorist organisations appear increasingly porous. Some media outlets have been specifically created to authenticate statements from a particular terrorist organisation. Occasionally, they also relay communications from other groups; an example is AQIM's media arm *al-Andalus*, which published a statement from a Nigerian *Boko Haram* leader in October.

In July 2010, AQAP launched its first English-language online magazine, called 'Inspire'. Denmark, the Netherlands and the UK were mentioned as potential targets in the October issue of this magazine. Other European countries specifically mentioned in Islamist terrorist propaganda in 2010 included Belgium, Bulgaria, France, Germany, Italy, Spain and Sweden.

The internet and online jihadist forums are a major contributing factor to the radicalisation of vulnerable individuals. Social networks are also considered useful communication channels for Islamists. In addition, organised meetings in private homes or mosques provide personal contacts. These are often essential to the radicalisation and recruitment processes.

The EU remains the focus of a propaganda campaign, in which videos featuring EU nationals are broadcast on the internet. In April 2010, the German Taliban Mujahideen released a video showing German- and English-speaking members inciting individuals to travel to Afghanistan to join the jihad. Such publications in the media are considered powerful tools for mobilisation and radicalisation, thereby increasing the pool of potential activists in the EU.

In many Member States there is evidence of the existence of well-organised recruitment and logistical support networks. Volunteers are recruited in the EU to support Islamist terrorist activities in Afghanistan, Pakistan, the Northern Caucasus, Somalia and Yemen, to mention the most important conflict zones. In May 2010, a

logistical support and recruitment network was dismantled in France. That network was responsible for the recruitment and travel of nine French and Tunisian men who left France between July 2008 and April 2009 to join the fight against the coalition forces in Afghanistan. They were likely to be recruited and trained to commit terrorist actions upon their return to France. Manuals to avoid detection by law enforcement authorities and intelligence services were found during these investigations.

It is clear that, should other regional conflicts become 'marketed' as 'jihadist theatres', additional volunteers may be recruited in the EU to support them. The current number of Europeans in jihadist theatres is estimated to be in the low hundreds – a small number but nevertheless potentially very dangerous.

### 5.3. THE SITUATION OUTSIDE THE EU

The phenomenon of Islamist terrorism in the EU cannot be put into perspective without taking into account the international security environment.

The security situation of EU Member States can be influenced in many ways - from direct attacks carried out from the outside on EU Member States, to funding and facilitating the radicalisation of EU citizens to undermine society from the inside. The targeting of EU citizens and interests abroad is also a source of major concern. Anger over the cartoon of the Prophet Muhammad, after its re-issue in 2008, inspired one of Indonesia's most wanted terror suspects to plan a 2010 attack on the Danish embassy in Jakarta,<sup>6</sup> identifying not only the cartoonist, but Denmark and Danish interests abroad as targets for 'retaliation'.

The following paragraphs describe some developments and events relating to terrorism in regions outside the EU that could have a possible impact on Member States or their interests abroad.

#### 5.3.1. Threats to the EU from abroad

EU Member States are mentioned in terrorist publications as potential targets with varying emphasis. Reasons include alleged European support for the 'occupation' of Palestine, the American 'invasion' in Afghanistan and, previously, in Iraq, playing a part in the alleged blasphemy of the Prophet Muhammad, and the banning of the veil. These 'justifications' for terrorist attacks mainly serve to create a semblance of legitimacy. They also apply to Member States who have not been targeted until now.

#### 5.3.2 EU citizens and interests targeted abroad

A number of EU nationals became victims of Islamist terrorist activities outside the EU in 2010.

##### North Africa and the Sahel region

In al-Qaeda propaganda in the Islamic Maghreb (AQIM), the struggle against the Algerian government, and more recently the Mauritanian government, remains the predominant topic to which the group has added elements of al-Qaeda's ideology of 'global jihad' and solidarity messages to the al-Qaeda senior leadership and other al-Qaeda affiliates. AQIM is considered a major source of concern, in particular for both Spain and France. Spain is often referred to in AQIM statements on the internet. Under the pretext of its 'occupation' of Ceuta and Melilla, Spain is criticised, threatened, and confronted with calls to "take back Ceuta and Melilla by force, because they were taken by force". AQIM has not specifically threatened an attack on French or Spanish soil, but this possibility has to be taken into consideration.

The growing number of Western nationals abducted in Mali, Mauritania and Niger in recent years underlines AQIM's enlargement strategy and permanent presence in the Sahel region.

AQIM is being held responsible for kidnapping several EU citizens. In 2010, five French nationals were kidnapped in Niger and a 79-year-old French hostage was killed in

<sup>6</sup> "Indonesia foils plot on Danish Embassy: report", Associated Press, 25 June 2010.

Mali. Following the first incident, Osama bin Laden himself made a statement to the effect that the kidnapping of the five French nationals had been prompted by "France's unjust treatment of Muslims", linking the kidnapping to France's presence in Afghanistan. It appears that AQIM is increasing its threats to French interests and French nationals in West Africa.

Yemen has become an area for terrorist activities and is the home to AQAP following its expulsion from Saudi Arabia. AQAP leadership declared that the group would free the host country of "crusaders and their apostate agents", that they are "in [the] early stages" and would conduct a "war of attrition" against the Yemeni army.<sup>7</sup> Several attacks have been carried out in the country, primarily targeting the military, tourism and oil industries. Attacks affecting Western interests involved the U.S. Embassy and the UK Consul's vehicle. In June 2009, a German family of five, together with four other foreign nationals, were taken hostage by unidentified militants in Yemen. Two of the children of the family were rescued almost a year later, in May 2010.

Although Iraq is no longer a major theatre of conflict, a number of attacks were still executed over the reporting year, some also targeting EU interests. On 4 April 2010, suicide bombers detonated their explosives-laden vehicles outside the Egyptian, German, Iranian and Spanish embassies in Baghdad, killing 41 people and wounding more than 200.

Recent political developments in countries such as Tunisia and Egypt show that peaceful demonstrations by ordinary people may be more effective than terrorist attacks in overthrowing autocratic regimes. Such mass actions may, however, create a democratic space for organisations with similar objectives as those of AQIM in Algeria and AQAP in Yemen, allowing them to expand their activities and develop into forces willing and, perhaps in the future,

also capable of challenging legitimate Western interests outside the EU. The instability of state security forces may weaken the ability of states such as Algeria to effectively tackle a group such as AQIM. Furthermore, such organisations may be able to take advantage of the temporary reduction of state control for terrorist purposes.

On the other hand, the absence of terrorist organisations amongst the protesting mass of Arabs across the region has left the al-Qaeda core and its affiliates struggling for a response. To a large degree, organisations such as AQIM have been reduced to observers, incapable of influencing events in any significant fashion. Moreover, the failure of terrorist organisations in North Africa to remove dictatorial regimes through decades of bombings and assassinations contrasts significantly with the rapid success of peaceful mass protests. Such clear contradiction to what al-Qaeda has insisted is the only means of defeating entrenched regimes is likely to result in a notable setback for terrorist organisations in terms of support and recruitment.

Pakistan is home to the Lashkar e Taiba (LeT), which is thought to have become a more global terrorist organisation. The exact size of the group is unknown, but estimates cite several thousand members. The LeT is accused of numerous terrorist attacks, including the November 2008 assault in Mumbai that killed nearly two hundred people and injured more than three hundred. In May 2010, the founder and leader of the LeT criticised the intention of France and Belgium to ban the wearing of burqas, and explained this as a move by the West to split Muslims. The issue of burqas has caused controversy in several EU countries.

In early September, the senior commander of the Tehrik-e-Taliban Pakistan (TTP) announced that the organisation was planning terrorist strikes against targets in Europe and the US, in response to drone attacks aimed

<sup>7</sup> "AQAP leader announces formation of 'Aden-Abyan Army' in Yemen", Jane's Terrorism Watch Report - Daily Update, 12 October 2010.



at its leadership. The failed bomb attempt in New York's Times Square on 1 May was allegedly directed, and also possibly financed, by the Tehrik-e-Taliban (TTP) in Pakistan. The American-Pakistani perpetrator held responsible for the failed attack had just returned to the US from Pakistan.



Al Shabab, Somalia, now poses an imminent threat to East African countries and is also a serious concern to Western interests in the region. The group has the resolve to attack East African countries and has developed the operational capability to carry out substantial attacks outside Somalia, as demonstrated by the bomb attacks in Kampala, Uganda, in July 2010, for which they claimed responsibility. At least 64 people were killed as they watched coverage of the World Cup final in South Africa.

If Al-Shabab were to become involved in piracy, such a move could affect the overall dynamic of the conflict in Somalia, and increase the risk of terrorism in the Gulf of Aden, posing an immediate threat to Western and Asian interests.

Investigations in several Member States underline the hypothesis that some North Caucasian networks established in Europe appear to be linked to Islamist extremist circles, and that the increased tensions in the North

Caucasus in 2010 have had an impact on North Caucasian communities in Europe. Suggestions that North Caucasian networks in Europe are developing activities to facilitate, fund and support Islamist insurgency in the North Caucasus appear to have been confirmed by arrests made in 2010. The possibility that radicalised North Caucasians could attack non-Russian targets in the EU is a matter of concern.

### 5.3.3. Returning jihadists

Of ongoing concern is the number of predominantly young EU nationals travelling to conflict areas that include the Afghan/Pakistani border, Somalia and Yemen, with the intent to take part in armed combat or join training camps. Those individuals pose a serious risk, because of the contacts, skills and *modi operandi* used in combat zones and the potential intent to apply these on EU soil.

In a video posted on the internet, the Islamic Movement of Uzbekistan (IMU) praised the five German jihadists who were killed by a drone attack in Pakistan. The video showed a member of the IMU speaking in German for 30 minutes in front of a video montage of violent images. Another recruiting video in German, produced by the IMU, was posted on an Al Qaeda website. The video shows how European Jihadists are joining combatants fighting in Pakistan's mountainous tribal areas. It includes a call to arms, exhorting young sympathisers to join them in their fight against Pakistan and its American ally. These and other video messages, posted online by Islamist terrorist groups, play an important role in radicalising susceptible individuals.

## 6. SEPARATIST TERRORISM

- 160 separatist attacks occurred in 2010, mainly in France and Spain
- A police officer was killed by ETA in France
- 349 individuals arrested for separatist terrorist related offences
- Most of the separatist groups finance their activities through extortion
- Increased international cooperation between separatist terrorist groups inside and outside the EU
- Ethno-nationalist and separatist terrorist groups, such as ETA (*Euskadi ta Askatasuna*)<sup>8</sup> and the PKK/KONGRA-GEL, continue to seek international recognition and political self-determination. They are motivated by nationalism, ethnicity and/or religion

### 6.1. TERRORIST ATTACKS AND ARRESTED SUSPECTS

In 2010, 160 attacks were claimed or attributed to separatist terrorist organisations in Austria, France, Italy, Northern Ireland (UK) and Spain. Ten percent of the attacks failed:

In France and the UK, the number of separatist terrorist attacks increased, while in Spain the number of attacks decreased.

The majority of individuals held responsible for terrorist attacks were arrested in France (123), Spain (104), and the Republic of Ireland (57). Of these, 75% of the individuals were linked to organisations that executed attacks in the EU during 2010.

Separatist terrorism continues to target government officials. In France a police officer was killed by ETA.



Figure 6: Number of failed, foiled or completed attacks and number of suspects arrested for separatist terrorism in Member States in 2010

No attacks were carried out by ETA itself in Spain. However, SEGI (and its *Taldes Y*)<sup>9</sup> carried out a total of 55 attacks in Spain. This represents a decrease of 56% compared to 2009. Incendiary and home-made explosive devices were used in the SEGI attacks. In 2010, 104 individuals were arrested for separatist terrorist related offences in Spain; the vast majority of these were linked to ETA.

Of those arrested, 22% were female - a high percentage in comparison to other types of terrorism. The vast majority of these women were arrested for membership of a terrorist organisation or for facilitation. ETA and SEGI members were also arrested in other European states, such as Belgium, France, Italy, Portugal and the UK.

<sup>8</sup> The names of groups/organisations will be in the original language in the body of the document. For translations and an explanation of acronyms, please see Annex 1.

<sup>9</sup> SEGI is the youth organisation of ETA, responsible for street violence (or low intensity terrorism). The attacks, mainly by incendiary devices, are executed by SEGI's *Taldes Y*. ETA is responsible for the command and control of SEGI and other organisations, such as BATASUNA.

In the Galicia region, the number of attacks increased (nine in 2009 and nineteen in 2010), but these should be classified into two different categories: four of them can be attributed with certainty to the terrorist group *Resistencia Galega*<sup>10</sup>, whereas the other fifteen could have been committed by individuals or small groups whose actions appear to be an answer to *Resistencia Galega*'s separatist call, but whose membership of the organisation cannot be ascertained.

In 2009, France saw a historical decrease in violent actions by Corsican separatist groups. 2010 saw a significant increase: 83 attacks were reported and 42 individuals arrested. More than half of the attacks were on **private properties, bearing resemblance to criminal extortion attempts**.

The violent campaign by 'Irrintzi' in the French Basque country, targeting the tourism and real estate sectors, has significantly decreased in intensity: in 2010 there was only **one attempted attack**.

A total of **40 attacks** were carried out by Northern Irish and Republican terrorist groups. As a result, 57 individuals were arrested in the Republic of Ireland, some for offences directly connected to attacks in Northern Ireland. The majority were members of the Real IRA (RIRA).

Republican terrorist groups (RTG), notably the Real IRA (RIRA) and the Continuity IRA (CIRA), continue to pose a threat in the UK. The size and capability of these terrorist groups has increased in recent years. Attacks were principally on law enforcement personnel and premises, and they involved attack methods such as vehicle-borne improvised explosive devices (VBIEDs) using home made explosives (HMEs).

In January 2010, a parcel bomb was sent to the Indian Embassy in Italy and claimed by LTTE. In 2010, 27 individuals were arrested for terrorist offences linked to the financing of LTTE in France, Germany and the Netherlands.

## 6.2. TERRORIST ACTIVITIES

The main source of income for separatist terrorist groups in Europe is extortion. It is estimated that, in the first semester of 2010 alone, ETA collected 3.1 million euros from businessmen from the Basque region and Navarra. Some extortion letters demanded up to 400 000 euros.<sup>11</sup>

The PKK/KONGRA-GEL and LTTE also collect money from their members, using labels like 'donations' and 'membership fees', but are in fact extortion and illegal taxation. In addition to organised extortion campaigns, there are indications that the PKK/KONGRA-GEL and the LTTE are actively involved in money laundering, illicit drugs and human trafficking, as well as illegal immigration inside and outside the EU. In March 2010, a simultaneous and joint operation against the PKK/KONGRA-GEL was carried out in Belgium, France, the Netherlands and Turkey. Investigations into the PKK/KONGRA-GEL were also conducted in Italy, Romania and Slovakia. These investigations into PKK/KONGRA-GEL activities were linked to recruitment, financing, logistical support, propaganda and training camps.

The likelihood that the **ceasefire declarations** by various separatist terrorist groups really mark the end of terrorist attacks or activities must, based on previous experience, be considered low.

<sup>10</sup> Resistencia Galega is an embryonic terrorist group in the Galicia region of Spain which made its first public appearance in July 2005. Its main goals are self-determination for Galicia, independence from Spain, and the establishment of a socialist state. Their main targets are: banks, (national) political parties, security and armed forces, energy companies, real estate and temporary job agencies, (national) mass media.

<sup>11</sup> Source: Spanish media *El Diario Vasco*, *ETA envió en agosto una remesa de cartas de extorsión a empresarios*, 6 September 2010.



Although ETA is currently operating at one of its weakest moments ever - it announced in September 2010 it would stop its 'offensive actions' - it is still involved in recruiting new members, collecting money via extortion and looking for new caches to store explosives and weapons. ETA has a long history of calling permanent cease fires only to resume militant activities months later. Similar announcements were made in 1998 and 2006, after the terrorist group suffered organisational setbacks. The arrests of prominent leaders in several Member States, the disruption of the group's logistical bases and moves to other locations (mainly Portugal), and the dismantling of operational units, prevented ETA from committing attacks and led the terrorist organisation to focus on its own re-organisation.

While ETA's power decreased, the underlying ideology has allowed the separatist movement to come back under different leaderships and continue its use of violence for political purposes. This could mean that ETA is prepared to commit attacks again in the future - to show that it maintains some operational capabilities. The announcement of September 2010 could be seen as an

attempt by ETA's political wing (BATASUNA) to participate in the upcoming local elections, which will take place in 2011.

The announcement, in June 2010, of the PKK/KONGRA-GEL intention to enter a more violent period of its history was immediately followed by the declaration of a ceasefire which was, in turn, belied by the bomb attack in Istanbul in October 2010. No execution of attacks in the EU show the PKK/KONGRA-GEL's double strategy of armed struggle in Turkey while at the same time seeking to gain a greater degree of legitimacy abroad. It is assumed that the organisation will continue to follow this double strategy. The terrorism threat posed by the PKK/KONGRA-GEL to EU Member States and the intention can currently be considered as relatively low. However, the large number of PKK/KONGRA-GEL militants living in the EU and the continuing support activities in the EU, like large demonstrations organised in the past, show that the PKK/KONGRA-GEL is in a position to mobilise its constituency at any time and is an indication that it maintains the capability to execute attacks in the EU.



*Precursors for home-made explosives, ETA, Portugal*

Separatist terrorist groups are becoming increasingly self-reliant. ETA has resorted to homemade explosives. They obtain precursors, either by buying them on the market or stealing them from companies, inside or outside Spain, who specialise in the production or storage of these precursors. These companies are generally less secure against theft than those that manufacture explosives. Portugal and France remain ETA's main logistical bases but further law enforcement operations in these countries could have an impact on ETA's search for other logistical safe havens.

Greater levels of cooperation have been observed between separatist terrorist groups inside and outside the EU. Separatist terrorist groups are increasingly exchanging expertise and knowledge. Contacts between ETA and FARC members came to the notice of authorities in 2010. Frequent travel by ETA members to Venezuela indicates that there is a link between ETA and FARC. ETA trains FARC members to make explosives.

Separatist groups use international propaganda and their own media (TV and radio stations). Member States report that separatist organisations, such as the LTTE, ETA and the PKK/KONGRA-GEL, spread their ideas at cultural gatherings, during demonstrations and sporting events, and through television channels, such as the Tamil Television Network and ROJ TV.

ETA also maintained its propaganda activities in 2010, disseminating five statements and giving one interview, sometimes seeking interviews or coverage with foreign media in an attempt to attract international attention.

## 7. LEFT-WING AND ANARCHIST TERRORISM

- 45 left-wing and anarchist terrorist attacks occurred in 2010
- 6 fatalities including 1 Greek police officer
- 34 individuals arrested for left-wing and anarchist terrorist activities
- Increased violence in attacks
- Increased transnational coordination between terrorist and extremist left-wing and anarchist groups



Figure 7: Number of failed, foiled or completed attacks and number of suspects arrested for left-wing and anarchist terrorism in Member States in 2010

Left-wing terrorist groups 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 revolutionary and anti-capitalist but also anti-authoritarian.

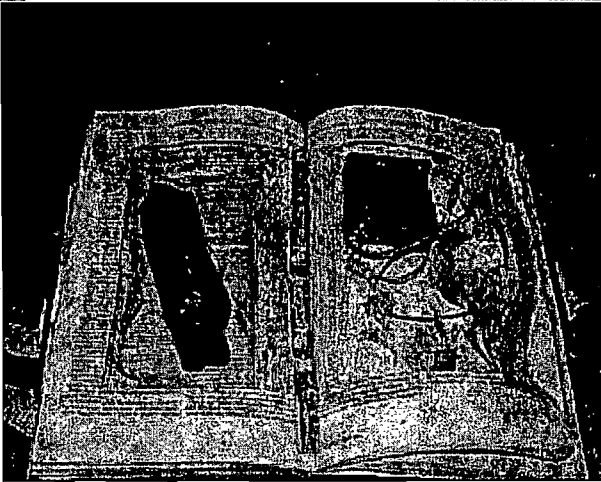
An increasing number of Member States are now making a distinction between the activities of left-wing and anarchist groups. This distinction is reflected in the descriptive parts of this report, but does not show in the statistics. A number of incidents which occurred in the EU were claimed by anarchist groups, most often on the internet. They were prosecuted as extremist attacks, as opposed to terrorist attacks, and therefore do not appear in the statistics since these cover terrorist attacks exclusively.

### 7.1. TERRORIST ATTACKS AND ARRESTED SUSPECTS

In 2010, left-wing and anarchist groups remained very active in Europe. More attacks occurred than in previous years and the increased use of violence in their actions led to six fatalities.

Traditionally, these groups are most active in Greece, Italy and Spain. However, a number of other countries have also seen increased activity in 2010. Social unrest among the population, caused by the global economic downturn and the reduction of state spending on social welfare, may have influenced this development, which has been noticeable since 2007. The modus operandi in a number of attacks showed signs of increased internationalisation of left-wing and anarchist groups – although both have historically been international in outlook.

In 2010, a total of 45 terrorist attacks by left-wing and anarchist groups were reported by Austria, the Czech Republic, Greece, Italy and Spain. This represents an increase of 12% compared to 2009. In Greece, five terrorist groups carried out a total of 20 attacks - an increase of over 30% compared to 2009.



*Parcel bomb, Greece*

Increased violence in left-wing and anarchist attacks, which has been seen since 2007, persisted in 2010. In Greece, attacks claimed the lives of six people in 2010. The explosion of a parcel bomb at the Ministry for Citizen Protection on 24 June killed a police officer. On 19 July, a journalist was murdered outside his house. This particularly violent attack involving firearms was claimed by the organisation *Sekta Epanastaton* and it could be linked to the assassination of a police officer in 2009. Both of these attacks were clearly designed to kill. Despite the fact that left-wing and anarchist extremists generally try to avoid casualties in most of their attacks, a 15-year-old boy died on 28 March when he manipulated an explosive device ostensibly placed to carry out a terrorist attack; his mother and sister were injured. During a demonstration in Athens on 5 May, anarchists caused a fire in a bank, which resulted in the death of three employees.

The proportion of bomb attacks increased from 20% in 2009 to 51% in 2010, while arson attacks remained at the same level of 42%. Since 2008, government targets have continued to be favoured over business targets.

Anarchist groups in Spain are mainly active in Catalonia; they carried out 16 attacks in 2010. Most were arson attacks, targeting business and governmental interests, without causing injuries.

Although traditionally most attacks occur in Greece, Italy and Spain, in 2010, an arson attack damaged the Greek Embassy in the Czech Republic. A job centre in the Austrian capital, Vienna, was also targeted.

34 persons were arrested for left-wing and anarchist offences in 2010. These arrests took place in five EU Member States: Austria, Germany, Greece, Italy and Spain. The majority of those arrested for left-wing and anarchist violence were suspected of membership of a terrorist organisation.

Successful law enforcement operations have led to a significant increase in the number of suspects arrested in Greece and have also led to the dismantling of one of the country's main terrorist organisations. In March, the terrorist organisation *Epanastatikos Agonas* was dismantled after the arrest of six persons and the seizure of several machine guns, a rocket launcher, hand grenades, and explosive materials. The investigation into the parcel bomb campaign of November resulted in the arrest of 12 suspected members of *Synomosia Pyrinon Fotias*.

The downward trend in left-wing terrorism in Spain is illustrated by the decreasing number of arrests since 2007. The organisation *Grupos Antifascistas Primer de Octubre (GRAPO)* did not re-establish after it was dismantled in recent years. In Italy, no attacks were attributed to left-wing terrorist groups in 2010, as a result of a number of successful investigations in 2009.

## 7.2. TERRORIST AND EXTREMIST ACTIVITIES

Some attacks in 2010 showed signs of increased transnational coordination between groups. A parcel bomb campaign in November targeted various embassies, foreign Heads of State, and European institutions.

It is the first time that the Greek terrorist organisation *Synomosia Pyrinon Fotias* has staged such a large-scale synchronised attack, which attracted widespread media coverage. The motive and selection of targets remain unclear. It appears that the organisation has raised its profile towards a more international dimension. An international call for action was issued in a communiqué and promptly caused similar actions in Italy and Argentina.

Two out of three parcel bombs, which were sent to the Swiss, Chilean and Greek embassies in Rome on 23 and 27 December, exploded and caused minor injuries. The attacks were claimed by FAI (*Federazione Anarchica Informale*).

The Chilean and Swiss embassies were targeted to express solidarity with imprisoned 'comrades' – a typical motive for anarchist groups.

An important field of action for members of the left-wing scene has remained the confrontation with right-wing opponents. This occurs under the guise of discrediting 'fascist' campaigns, targeted attacks on individuals, assets and property, and direct physical confrontation during demonstrations.

In January, the Danish police arrested a group of left-wing extremists. One of them is suspected of having planned and organised violent attacks against various radical right-wing opponents. An increase in tensions towards extreme right-wing groups was also noticed in Italy. Although the Swedish anarchist movement weakened

slightly in 2010, there were a number of attacks against right-wing political opponents and violent confrontations between the two groups. In the run-up to the parliamentary elections, a number of political parties were targeted by anarchist extremists. Most offences were in the form of wilful damage and there were relatively few physical attacks on individuals. The Czech Republic reported a decline in violent confrontations between left- and right-wing groups.

Besides traditional ideological themes such as anti-capitalism, anti-militarism and anti-fascism, in 2010 left-wing and anarchist extremists also focused on the global economic recession. A number of EU Member States experienced large-scale protests against austerity measures taken by governments to reduce the debt burden and stem the impact of the economic crisis. The arson attack against a job centre in Austria can also be placed in this context.

In some instances, the ranks of protesters were infiltrated by extremist groups, which resulted in violent clashes with police. However, attempts to gain ground amongst the population are generally seen as unsuccessful in most Member States.

In Belgium and Italy, increased activity by anarchist groups on topics such as anti-authority, anti-law enforcement and anti-prison issues continued in 2010. The trend of using more violence in such attacks, which was already identified in last year's report, persisted. Anarchist groups do not hesitate to enter into direct confrontation with law enforcement personnel. This was seen in Belgium, where a police station was attacked, another one was the subject of an arson attack, and several police vehicles were damaged.

Germany reported a considerable decrease in the number of offences related to left-wing and anarchist extremism. Austria also observed a general decrease in anarchist



activities, except in the capital Vienna. Squatters, who were rather active in 2009, only staged a few uncoordinated actions.

The indications that **international coordination is developing**, is exemplified by the choice of common targets in different cities or countries, as well as the use of similar modus operandi or series of initiatives by different groups in solidarity with imprisoned comrades. In this regard, the increase in arrests in Greece will result in some important court cases which could trigger more solidarity attacks across Europe. Therefore, anarchist violence can be expected to continue developing in the European Union in 2011.

## 8. RIGHT-WING TERRORISM

- No right-wing terrorist attacks occurred in the EU in 2010
- Right-wing extremist groups are becoming more professional in their manifestations

Traditionally, right-wing terrorist groups seek to change the political, social and economic system in a way that favours authoritarian, anti-Semitic and often racist 'solutions' to social problems. The ideological roots of European right-wing extremism and terrorism can usually be traced back to Fascism and National Socialism.

### 8.1. TERRORIST ACTIVITIES

Member States were not confronted with major acts of right-wing terrorism in 2010. There were almost no arrests related to right-wing terrorism over the whole year.

Lack of cohesion, a lower degree of overall coordination of right-wing terrorist and extremist groups, little public support, and effective law enforcement operations leading to arrests and prosecutions of prominent right-wing terrorists and extremists, went a long way towards accounting for the diminished impact of right-wing terrorism and extremism in the EU.

### 8.2. RIGHT-WING EXTREMIST ACTIVITIES

Some incidents that occurred in 2010 could be classified as right-wing extremism. These raised public order concerns, but have not in any way endangered the political, constitutional, economic or social structures of any of the Member States. They can, however, present considerable challenges to policing and seriously threaten community cohesion.

Public manifestations of right-wing extremism can often provoke counter activity by extreme left-wing groups.

Such confrontations invariably result in physical violence. In May 2010, a White Power supporter was assaulted and knifed in Sweden during a demonstration staged by the White Power movement. An activist was arrested on suspicion of aggravated assault and attempted murder.



Right-wing extremists attempt to gain a political following and achieve publicity outside the traditional political process through marches, rallies, demonstrations and concerts. The presence of like-minded nationals from other EU Member States at right-wing events, such as White Power Music (WPM) concerts, suggests that individuals drawn to right-wing extremism maintain close contacts throughout the EU. WPM concerts attract hundreds of people from all over Europe. Concerts are only announced on the internet and take place at secret locations. Law enforcement activities directed against WPM concerts have forced extremist groups to abstain from public announcements and public performances.

Right-wing extremists are also increasingly active in online social networking, to reach out to a younger generation. The internet is a cheap and effective way of communicating with targeted audiences. This is adding a new dimension to the threat right-wing extremism may present in the future.

Right-wing extremist groups are becoming more professional. A young audience is lured into the right-wing extremist scene with imagery and rhetoric from youth culture. Professionally developed websites add to the impact of presentations of historical events and politics. Against an anti-Semitic and xenophobic background, right-wing presentations focus on sensitive topics of public debate such as immigration, corruption and the financial crisis.

Propaganda offences, in line with the quantity and quality of the activities displayed in this field, account for a major part of criminal offences committed by right-wing extremists.

Although the overall threat from right-wing extremism appears to be on the wane and the numbers of right-wing extremist criminal offences are relatively low, the professionalism in their propaganda and organisation shows that right-wing extremist groups have the will to enlarge and spread their ideology and still pose a threat in EU Member States. If the unrest in the Arab world, especially in North Africa, leads to a major influx of immigrants into Europe, right-wing extremism and terrorism might gain a new lease of life by articulating more widespread public apprehension about immigration from Muslim countries into Europe.

## 9. SINGLE-ISSUE TERRORISM

- Extremist environmental activities increased in 2010
- Single-issue terrorist and extremist groups mainly focused on the fur industry

### 9.1. SINGLE-ISSUE TERRORIST AND EXTREMIST ACTIVITIES

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

In 2010, one single issue terrorist attack was carried out in Greece, no arrests related to single issue terrorist offences were reported by Member States. With regard to single-issue extremism, a large number of animal rights extremism (ARE) related incidents and an increasing number of environmentalist activities were reported.

Animal rights extremist groups focus on four main target areas:

- Companies and institutions involved in scientific research and pharmaceutical testing on animals,
- The fur breeding industry,
- The meat industry, and
- Circuses and hunting.

In 2010, more than 200 single-issue extremism related incidents were recorded in the EU, including 24 arson attacks using improvised incendiary or explosive devices.

A number of these were related to the 'anti-vivisection campaign', which targets scientific research and pharmaceutical testing on animals.

In the past, the majority of illegal activities by single-issue extremist groups took place in the UK, in the framework



of a campaign labelled *Stop Huntingdon Animal Cruelty (SHAC)*. Arson and paint attacks against the personal property of senior employees of companies connected with animal research, and the companies' premises, were claimed by a group calling itself 'Militant Forces Against Huntingdon Life Sciences' (MFAH).

Incidents were recorded in Belgium, France, Germany and Sweden. In France, two arson attacks were carried out, targeting individuals wrongly identified as employees of a firm suspected of financing pharmaceutical testing on animals. These campaigns indicate a shift of activities towards the European mainland which was initiated in 2008 and continued through 2009-2010.

To reach their goals, ARE use authorised protests, as well as illegal methods of protest and direct action. ARE militants do not hesitate in using blackmail, sending threatening emails or making warning phone calls to their targets, often threatening their family and committing physical assault against their property (in so-called home visits). This has sometimes resulted in arson attacks against cars or property. Single-issue extremist groups are also actively targeting the fur trade industry and the fur-breeding animal industry. This has resulted mainly in the mass release of animals or the destruction of feeding or water installations for the animals. In Belgium, activists

released 300 minks; in Greece, more than 45 000 minks were released by extremists, with the unintended result that a large number of the animals died on the streets. Both activities were carried out by groups whose members were of mixed nationality.

In addition to such attacks, ARE activists also use **disinformation methods** in order to discredit their targets and weaken their public acceptance. Images of sick and abused animals are embedded in video footage and made public.

**Environmental extremism** is increasing and gaining support from other extremist groups. Some anarchist groups appear to be attracted to environmental and ecological causes. This is demonstrated by a number of incidents related to the oil industry, accused of polluting the environment. Another target is the nuclear industry. Activists oppose the construction of new nuclear power stations and attempt to prevent the transportation of nuclear waste for re-processing.

Three members of environmental anarchist groups – two Italian nationals and a Swiss national – were identified in a regular traffic check at which the suspects' rental car was discovered to be transporting industrial explosives, gas cylinders and detonators. They intended to attack a research laboratory working on nanotechnologies. It should be noted that the parcel bombs targeting the Swiss embassies in Athens and Rome were apparently support actions to free the three anarchists arrested. It can be expected that other incidents in support of fellow prisoners will occur in the near future. Trials and sentencing will be used as opportunities to stage violent protests against the authorities and trigger solidarity action in different countries.

There is a **dynamic interaction between groups and individuals in different countries**, with language or nationality forming no barrier to cooperation. Extremist groups and individuals from different countries and groups par-

ticipated in protests and attacks all over Europe, uniting their forces in common initiatives. In some cases, this interaction between different groups and nationalities led to escalation from peaceful protest to violent destruction. Single-issue extremist groups are becoming increasingly network-based. They use various methods of communication in order to prioritise, coordinate and support direct action – in addition to general social networking. The internet is a vital tool in this process. Campaign websites, social networking sites and mailing lists all play an important role in making it possible for extremists to be informed on the upcoming (international) agenda in their area of concern.



## ANNEX 1: ACRONYMS AND TRANSLATIONS

ALF	Animal Liberation Front
AMISOM	African Union Mission in Somalia
ANTIFA	Anti-fascist groups
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
Brigate Rosse	Red Brigades
CAV	Comite d'Action Viticole
	Committee for Viticultural Action
CCTF	Comité de Coordination Tamoul France
	Tamil Coordinating Committee France
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
DHKP-C	Devrimci Halk Kurtuluş Partisi/Cephesi
	Revolutionary People's Liberation Party/Front
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
GRAPO	Grupo de Resistencia Anti-Fascista Primero de Octubre
	First of October Antifascist Resistance Group
HANLA	Hungarian Arrows National Liberation Army
IED	Improvised explosive device
IID	Improvised incendiary device

INLA	Irish National Liberation Army
ISAF	International Security Assistance Force
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 Science
Nardodni odpor	National Resistance
NGO	Non-governmental organisation
PCTV	Partido Comunista de las Tierras Vascas
	Basque Nationalist Action
PKK	Partiya Karkeren Kurdistan
	Kurdistan Workers' Party
RIRA	Real Irish Republican Army
SHAC	Stop Huntingdon Animal Cruelty
Synomosia Pyrinon Fotias Athina-Thessaloniki	Conspiracy of Fire Cells Athens-Thessalonica
TE-SAT	European Union Terrorism Situation and Trend Report
TWP	Terrorism Working Party of the EU Council
VBIED	Vehicle-Borne Improvised Explosive Device
WPM	White power music



## ANNEX 2: FAILED, FOILED AND COMPLETED ATTACKS IN 2010, PER MEMBER STATE AND PER AFFILIATION

Member State	Islamist	Separatist	Left-wing	Right-wing	Single-issue	Not specified	Total 2010
Austria	0	1	1	0	0	0	2
Czech Republic	0	0	1	0	0	0	1
Denmark	2	0	0	0	0	0	2
France	0	84	0	0	0	0	84
Greece	0	0	20	0	0	0	21
Italy	0	1	7	0	0	0	8
Spain	0	74	16	0	0	0	90
Sweden	1	0	0	0	0	0	1
United Kingdom	0	0	0	0	0	40	40
Total	3	160	45	0	1	40	249

### ANNEX 3: ARRESTS IN 2010 PER MEMBER STATE AND PER AFFILIATION<sup>12</sup>

Member State	Islamist	Separatist	Left-wing	Right-wing	Single-issue	Not specified	Total 2010
Austria	1	1	3	0	0	0	5
Belgium	11	9	0	0	0	0	20
Denmark	6	0	0	0	0	0	6
France	94	123	0	0	0	2	219
Germany	9	14	2	0	0	0	25
Greece	0	0	18	0	0	0	18
Ireland (Republic of)	5	57	0	0	0	0	62
Italy	4	16	3	1	0	0	29
The Netherlands	19	19	0	0	0	1	39
Portugal	0	3	0	0	0	0	3
Romania	14	2	0	0	0	0	16
Slovenia	2	0	0	0	0	0	2
Spain	11	107	3	0	0	0	118
Sweden	3	1	0	0	0	0	4
United Kingdom						45	45
<b>Total</b>	<b>179</b>	<b>349</b>	<b>34</b>	<b>1</b>	<b>0</b>	<b>48</b>	<b>611</b>

<sup>12</sup> For the UK, the figures represent the number of charges for 2009 and 2010, to provide a more accurate comparison with the number of judicial arrests in other Member States. However, at this stage in the criminal justice process it is not possible to assign an affiliation to individual cases.

## ANNEX 4: DATA CONVICTIONS AND PENALTIES (EUROJUST)

Member State	2008	2009	2010
Austria	0	2	0
Belgium	12	7 <sup>13</sup>	10
Denmark	16	10	1
France	75	76	40
Germany	10	7	12
Ireland (Republic of)	9	15	18
Italy	25	24	22
The Netherlands	12	2	8
Spain	141	217	173
Sweden	1	1	4
United Kingdom	59	37	19
Total	360	398	397

1. Number of individuals tried in 2010 for terrorism charges, by Member State<sup>14</sup>

Member State	Islamist	Left-wing	Right-wing	Separatist	Not specified	Total
Belgium	9				1	10
Denmark					1	1
France	14			26		40
Germany	10	2				12
Ireland (republic of)				18		18
Italy	5	17				22
The Netherlands	8					8
Spain	24	18		155	1	198
Sweden	2				2	4
UK	12		4	2	1	19
Total	84	37	4	201	6	332

2. Number of convictions/acquittals for terrorism charges in 2010, per Member State and group type<sup>15</sup>

<sup>13</sup> Verdicts received by the drafting team after the deadline for collecting information for TE-SAT 2011 could not be included.

<sup>14</sup> According to the information provided by national authorities, in 2010 one person appeared in five different court proceedings, three other persons were tried three times for terrorist offences, whilst another fifteen individuals each appeared in two different proceedings. These cases all originated from Spain.

<sup>15</sup> Figure 2 connects the reported verdicts in the Member States to the group type. It should be noted that ten individuals (the majority of them separatists) received more than one verdict and they have therefore been counted more than once in the calculation.

Member State	Convicted	Acquitted	Total verdicts	Acquitted %
Belgium	9	1	10	10%
Denmark	1	0	1	0%
France	40	0	40	0%
Germany	12	0	12	0%
Ireland (Republic of)	15	3	18	17%
Italy	16	6	22	27%
The Netherlands	8	0	8	0%
Spain	122	76	198	38%
Sweden	4	0	4	0%
United Kingdom	14	5	19	26%
Total	241	91	332	27%

### 3. Number of verdicts, convictions and acquittals per Member State in 2010

Member State	Final	Pending judicial remedy	Total verdicts
Belgium	9	1	10
Denmark	1	0	1
France	29	11	40
Germany	8	4	12
Ireland (Republic of)	17	1	18
Italy	11	11	22
The Netherlands	8	0	8
Spain	97	111	198
Sweden	2	2	4
United Kingdom	13	6	19
Total	175	157	332

### 4. Number of final and not final verdicts per Member State in 2010<sup>16</sup>

<sup>16</sup> Some verdicts are pending appeal or recourse. In those cases, where no confirmation was received on the finality of the decision, they have been considered as not final.

## ANNEX 5: METHODOLOGY

The TE-SAT is both a situation and a trend report. A trend can be defined as 'a general or new tendency in the way a situation is changing or developing'. The TE-SAT 2011 presents trends analysis and new developments for the period 2007 to 2010.

### Data collection

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 results were cross-checked with the Member States and, in case of divergences or gaps, 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.

With the approval of the TE-SAT Advisory Board, neighbouring countries of the EU that have 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 2011, 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.

### TE-SAT data analysis

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.

Although EU 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 2010 was of high quality.

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.

## ANNEX 6: IMPLEMENTATION OF THE EU FRAMEWORK DECISION ON COMBATING TERRORISM IN THE MEMBER STATES – CHANGES IN MEMBER STATES DURING 2010<sup>17</sup>

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



### Greece

In Greece, law 3875/2010 which incorporates the United Nations Convention against Transnational Organized Crime (Palermo Convention of 2000) and its Protocols, among them the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, brought amendments to article 187 of the Penal Code. The most significant one is the criminalisation of advertising and financial support of terrorist organisations. A penalty of up to 10 years imprisonment is foreseen.

In the same article, there are some changes regarding criminal procedures, identification of terms and differentiation of penalties. Finally, the same amendment made "delictum sui generis" the manufacturing of weapons, chemicals, biological materials or harmful radiation for terrorist purposes.



### Republic of Ireland

On 5 May 2010, the Third Anti Money Laundering Directive (2005/60/EC) was transposed in Ireland by the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 (number 6 of 2010). The aim of the Third Anti Money Laundering Directive is to widen the scope of previous anti-money laundering and terrorist financing legislation based on the revised recommendations of the Financial Action Task Force.

Act number 6 of 2010 provides for offences of, and related to, money laundering in and outside the state; gives effect to directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of

the use of the financial system for the purpose of money laundering and terrorist financing; it provides for: the registration of persons directing private members' clubs; the amendment of the Central Bank Act 1942 and the Courts (supplemental provisions) Act 1961; the consequential repeal of certain provisions of the criminal justice Act 1994 and the consequential amendment of certain enactments and the revocation of certain statutory instruments.



### Luxembourg

In Luxembourg, new legislation directed at reinforcing the fight against money laundering and financing of terrorism was passed on 27 October 2010. It refers to the organisation of controls of the physical transportation of cash entering, transiting or exiting the territory of the Grand Duchy of Luxembourg.

The new piece of legislation amends a series of legislative Acts, including the Penal Code, the Criminal Procedural Code, the 12 November 2004 law regarding the fight against money laundering and financing of terrorism, the 20 June 2001 law regarding extradition, the 17 March 2004 law on the European Arrest Warrant and the 8 August 2000 law on international mutual legal assistance in criminal matters.

The Act is also meant to transpose, into Luxembourg law, the United Nations Security Council resolutions and the normative Acts adopted by the European Union regarding interdictions and restrictive measures of a financial nature taken against certain persons, entities and groups within the context of combating the financing of terrorism.

<sup>17</sup> Contribution to the TE-SAT 2011: Eurojust.

On the same date, Luxembourg passed a law which approves the Rome 10 March 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. The aforementioned law modifies the 14 April 1992 law regarding the adoption of a disciplinary and criminal code for the marine.

### Netherlands

On 4 March 2010, the Netherlands confirmed the ratification of the Council of Europe Convention on the Prevention of Terrorism, adopted in Warsaw in May 2005, which requires Member States to establish 'training for terrorism' as a criminal offence under its domestic law. The participation and cooperation in terrorist training camps are both criminal offences that carry a maximum prison sentence of eight years.

### Slovakia

In Slovakia, amendments of the Slovak criminal Code related to terrorism were adopted by the Act 576/2009 coll. and came into force on 1 January 2010.

Section 129 of the Criminal Code was amended to incriminate the financial support of a terrorist group. Accordingly, the new wording of part 7 of this section is:

"Support of criminal group or terrorist group means the intentional acting consisting in providing financial or other means, services, cooperation, or creation of other conditions for the purpose of:

- a) Forming or maintenance of existence of such a group, or
- b) Commission of criminal offences as referred to in paragraph 4 or 5 by such a group."

Furthermore, this Act changed the wording of the crime of terrorism. This offence is defined in section 419 of the

Criminal Code. The current definition is more specific in describing the ways of committing the offence, e.g. it covers situations when a person gathers financial or other means with the intention to use them for terrorism purposes, provides his knowledge about biological or chemical weapons with the same purpose, publicly incites the commission of a crime of terrorism.

### Spain

Spain introduced a new law (Organic law 5/2010) in June 2010, which entered into force on 23 December 2010. This change of law implements the Framework Decision 2008/919/JHA of 28 November 2008, as well as United Nations instruments.

The new law declares that the statute of limitations is not applicable when terrorist acts result in fatalities - a provision included upon request of terrorism victims organisations.

The new law includes a more comprehensive definition of conduct related to membership of a terrorist organisation/group, adapting to the new regulation of the participation in a criminal organisation/group devoted to the perpetration of any criminal activities. Given the seriousness and danger of terrorism, no difference is being made between stable terrorist organisations and temporary terrorist organisations, set up with the sole aim of committing specific attacks.

There are two levels of seriousness of these conducts:

- Promotion, establishment, organisation or leadership of a terrorist organisation/group,
- Participation or membership in the organisation.

The crime of financing of terrorist activities is now punishable, going beyond facilitation and giving economical support, but also making negligent behaviour punishable. If negligent behaviour consists of not taking sufficient measures to prevent money laundering, so that the con-

duct facilitates or unwillingly supports the terrorist activities financially, this conduct can be prosecuted.

Although previously punishable, the activities of recruitment and training with a view to joining a terrorist organisation/group are specifically described in order to facilitate the prosecution and mutual legal assistance.

Finally, the distribution, or otherwise public dissemination, of messages or slogans aimed at inciting or favouring the perpetration of terrorist conducts has been criminalised.



#### Sweden

In Sweden, a new law on punishment for public provocation, recruitment and training for terrorist offences and other particularly serious criminal offences was passed on 29 April 2010 and entered into force on 1 December 2010.

This Act has been adopted in order to comply with the 16 May 2005 Council of Europe Convention on the Prevention of Terrorism and the Council Framework Decision 2008/919/JHA of 28 November 2008 amending Framework Decision 2002/475/JHA on combating terrorism.

According to paragraphs 3, 4 and 5, public provocation, recruitment and training for terrorism are punishable with maximum imprisonment of 2 years. In the case of serious offences, the imprisonment shall be imposed for a minimum of 6 months and a maximum of 6 years.



