

Brussels, 30 April 2018
(OR. en)

7879/1/18
REV 1

LIMITE

**CT 46
ENFOPOL 162
COTER 37
COSI 72**

NOTE

From: Presidency
To: Delegations
Subject: EU threat assessment in the field of counter-terrorism

INTRODUCTION

1. The Terrorism Working Party is tasked, when the situation so requires, to prepare a set of conclusions and policy recommendations or to adjust the existing recommendations. This is done on the basis of the Europol reports giving an outlook on development in jihadist terrorism and on the EU Intelligence and Situation Centre's (EU INTCEN) sixth monthly Islamist terrorist threat assessments. This is an important task which provides the opportunity to actively steer, adapt and amend current EU counter terrorism (CT) policies.
2. A change in the threat picture or possible gaps identified in the relevant policies should trigger reflections as to whether the current recommendations¹ are sufficiently targeted and actionable.

¹ 13414/1/17

3. In line with the agreed way forward, the Presidency drew up the current document on the basis of the EU INTCEN sixth monthly Islamist terrorist threat assessment² and EUROPOL's report³. The findings were presented at the TWP meeting on 19 March, and the present paper was discussed on 24 April 2018. Additions to the initial version are marked in **bold** underlined and deletions in ~~striketrough~~.
4. The reported findings in the EU INTCEN assessment and the Europol report complementing each other are to a great extent convergent, and both conclude that the overall picture has not changed significantly. However, taking into account also the comments/contributions from Member States, the existing recommendations could benefit from an update due to the changes of some aspects/components of the threat picture.

FINDINGS

The above-mentioned report and assessment can be summarised in the following findings:

- The threat level remains high and new attacks in the EU by jihadist terrorists are highly likely.
- The sophistication of the attacks has decreased, but the attacks committed during the reporting period showed the vast damage that can be caused even using simple methodology.
- All of the attacks were inspired by global jihadist ideology and committed by individuals who had never been to conflict zones. In the majority of the recent attacks no direct links were found to Da'esh or any other jihadist organisation.
- The numbers of returning foreign terrorist fighters (FTFs) are low, but even low numbers of returnees can pose a significant threat. The postponed return of the FTFs poses a potential long-term challenge. Furthermore, many women and children return from conflict areas and also represent long-term potential threat to the security.

² EEAS (2018) 10077 (*EU CONFIDENTIAL*)

³ 6910/18 (EDOC 945139-V1): An outlook on developments in Jihadist terrorism - 4th report for the Terrorism Working Group (TWG) (*EU RESTRICTED*)

- Da'esh continues its activities to encourage (lone) actors residing in EU Member States to commit terrorist attacks. Meanwhile the probability of Al-Qaeda inspired attacks remains a possibility.
- Increasing polarisation between different interpretations of Islam and increasing tensions between Muslims and right-wing extremists are a security issue.
- Improvised explosive devices, firearms and "weapons by destination" remain the most popular means of attack.
- The **probability of use of chemical, and biological and radiological agents in attacks is a possibility, but is while less likely, is evolving.** ~~The use of nuclear and radiological agents is even less probable.~~ **The likelihood of a nuclear weapon attack by any non-State actor is considered lower than that of chemical, biological or radiological attacks.** However, there is a need to be vigilant **on all CBRN dimensions** due to indications suggesting an interest in the use of those agents and materials⁴.
- Attacks using the cyber environment are less probable in short and mid-term⁵.

POLICY RECOMMENDATIONS

5. Based upon the findings and taking into account the ongoing work at EU level, the following adjustments to the recommendations endorsed by the Standing Committee on Operational Cooperation on Internal Security (COSI) in December 2016⁶ and the update thereof of June 2017⁷ and the below new or elaborated recommendations should be discussed as a matter of priority:

⁴ EEAS (2017) 10401 (*EU CONFIDENTIAL*)

⁵ EEAS (2017) 10546 (*EU CONFIDENTIAL*)

⁶ 14555/2/16

⁷ 6699/2/17

- With a view to ~~improve the detection of~~ **identity fraud by terrorist suspects**, the ongoing work on the interoperability package should be finalised as soon as possible. The enhanced use of the recently launched SIS II AFIS (Automated Fingerprint Identification System) platform by eu-LISA, should be encouraged.
- Further work towards a common EU approach for returnees, taking into account the situation in the EU Member States and the closer neighbourhood, should be undertaken. The work with third countries should be enhanced in view of the capacity building and information exchange on FTFs (travels, possible returns, existing networks facilitating the travels). ~~Concrete operational~~ **Actionable** measures / **best practices** ~~or proposals~~ regarding women and children returning from the conflict areas⁸ should be **discussed** ~~elaborated~~ by TWP **drawing on the work carried out for instance by the Radicalisation Awareness Network (RAN), as well as the network of national prevent policy makers.**
- A discussion at EU-level on how to tackle FTFs (incl. women and children) under arrest in detention in Syria, Iraq and Turkey, including criminal justice, would be welcome.
- Continue the discussion at the political level on various aspects of terrorist travel. The most relevant aspects are: information exchange on criminal antecedents of FTFs; tracking movements of terrorist suspects, and taking the appropriate measures against them while fully making use of the existing tools at EU level, in particular the new biometrics' feature of SIS, and making sure that the PNR Directive⁹ is properly implemented.

⁸ EU CTC questionnaire on child returnees circulated on 19 February 2018

⁹ Directive (EU) 2016/681 of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime (OJ L 119, 4.5.2016, p. 132)

- Taking into consideration the growing threat from home-grown terrorists, to explore further how to prevent violent radicalisation and violent extremism, using the existing instruments and focusing on priority areas identified by the High Level Commission Expert Group on Radicalisation (HLCEG-R), *inter alia* asylum centres, prisons, educational institutions and structures, worship places, and assessing the impact of EU policies and guidelines in this area. Building upon the future recommendations of the final Report of the HLCEG-R, a discussion in the JHA Council could give guidance to its preparatory bodies to translate these recommendations into operational measures **and structures which better involve Member States in order to effectively address their needs and priorities. The network of national prevent policy makers could be instrumental in taking forward the implementation of such measures.**
- Lessons learned from recent attacks clearly show that (efficient national) cooperation between law enforcement and intelligence actors within the existing legal framework is needed, maintaining a clear distinction between criminal intelligence and security intelligence. For further strengthening of cooperation between intelligence and law enforcement within the existing legal framework, efforts at national level are crucial.
- The question of possible links between organized crime and terrorism needs to be further analysed in order to **address the generation of funds, access to weapons and forged documents and the recruitment of terrorists from the criminal milieu.** improve the fight against terrorism financing, through an enhanced cooperation amongst Competent authorities financial intelligence units (FIUs), **should increase their cooperation to identify the possible links** and determining the use of illegal activities for funding terrorist activities.

- In **the framework** of the efforts underway within the EU Internet Forum and on the basis of the Commission Recommendation on measures to effectively tackle illegal content online¹⁰, redouble the efforts on **tackling terrorist content online** via establishment of the required notice and referrals mechanisms; development and sharing technological solutions for faster detection and removal of the terrorist content; deepen the cooperation between Industry and Europol and competent authorities of the Member States; working in close cooperation with the civil society organisations; seconding national experts to the EU internet referral unit (IRU) and exploring the possible connections of the national IRU structures with the Internet Referral Management Application (IRMA).
- To establish tangible operational measures to better protect and build resilience to further secure public places, **strengthen its resilience against CBRN-related risks**¹¹ and better protect critical infrastructures, including the cyber environment.

NEXT STEPS

The Presidency invites ~~the TWP~~ **COSI** to:

- discuss and endorse these policy recommendations with a view to including them in the ongoing work and implementation of action against terrorism;
- ~~provide COSI with input on where to focus efforts in the CT domain; and~~
- indicate possible future focus areas for Europol and INTCEN.

¹⁰ 6717/18 (COM (2018) 1177 final)

¹¹ **EUCO 1/18**