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From:	EU Counter-Terrorism Coordinator
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To:	Delegations
Subject:	Right-wing violent extremism and terrorism in the European Union: discussion paper

I. Introduction

Similarly to the need to address jihadist terrorism, which remains a priority, it is important to address right-wing violent extremism and terrorism. The EU CT and CVE framework applies to terrorism in all its forms, including right-wing violent extremism and terrorism. Given the specificities of right-wing violent extremism and terrorism, it should be discussed whether the response measures within the EU CT and CVE framework need to be specifically tailored to respond effectively to this threat as well.

Attacks in Western countries such as Norway[1], Germany[2], Italy, the United Kingdom, Canada[3], the United States[4] and New Zealand[5], as well as foiled attacks in France[6], have shown that there is a **need to further strengthen the EU approach in tackling right-wing extremist violence**.

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[1] Attacks in Norway, July 2011; attack at Al-Noor Islamic centre in Oslo, August 2019.

[2] For an overview see the 2018 Report of the German security service (BfV).

[3] Attack on the Québec Great Mosque in Canada, January 2017.

[4] Between 2010 and 2017, 92 out of 263 terrorist attacks in the US have been conducted by right-wing attackers according to Courrier international (https://www.courrierinternational.com/article/eclairage-le-terrorisme-dextreme-droite-une-menace-mondiale-sous-estimee). In 2018, according to ADL (https://www.adl.org/media/12472/download), "every single extremist killing - from Pittsburgh to Parkland - had a link to right-wing extremism". Also recent shootings in the US (El Paso/Texas Walmart shooting; Poway/California synagogue shooting) had a right-wing violent extremist background.

While the threat of right-wing violent extremism and terrorism is not the same in all Member States, it might be useful to discuss challenges and the different approaches to tackle this threat in the EU in order to learn from each other's experience and consider EU level responses in support of Member States. The figures and trends presented in the EU Terrorism Situation and Trend Report[7] (Europol's TE-SAT) show that violence motivated by right-wing extremism is a problem in Europe[8]. Right-wing extremist violence has given rise to growing concerns and discussion in the Member States at political and law enforcement level. Reliable statistics based on common criteria would be key to determine the extent of the phenomenon in the EU.

The focus of this paper, which is **meant for the Terrorism Working Party (TWP)**, is right-wing violent extremism and terrorism. The EU CTC thanks the Presidency, the Commission services, the EEAS, Europol and Eurojust for their input and comments.

The note serves as a **discussion paper,** highlighting some of the current developments as an illustration of the **urgency to address the matter**, offers recommendations and lists open questions. More detailed background information is contained in the addendum. The note does not provide a threat assessment, which will be done by INTCEN. It complements work conducted and supported by the Commission in the Network of Prevent Policy Makers, as well as through the European Strategic Communications Network (ESCN) and the different Radicalisation Awareness Network (RAN) Working Groups[9]. To be mentioned are also the Commission's Study Visit in Sweden in May 2019, the RAN Policy and Practice workshop in Amsterdam in July 2019, the RAN Member States Workshop on far right extremism that will take place in Rome on 26-27 September 2019, as well as the "RAN Factbook: A practical introduction to right-wing extremism" (final version to be released).

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[5] Attacks in New Zealand, March 2019.
[6] A right-wing violent extremist nationalist was arrested in July 2017 in France for plotting to kill the French President at Bastille Day parade in Paris; a right-wing violent extremist group arrested in November 2018 was planning to attack the French President.
[7] 10769/19 (TE-SAT 2019) and 10259/18 (TE-SAT 2018).
[8] Eurojust reported in the TE-SAT 2019 an increase in the verdicts for right-wing terrorist offenses from four in 2017 to 22 in 2018. The TE-SAT 2019 mentions only one attack in Italy in February 2018 but a total of 44 people have been arrested in the Czech Republic, France, Germany, Italy and the Netherlands on suspicion of offences related to right-wing terrorism. In 2017, five foiled, failed or completed terrorist attacks attributed to right-wing violent extremists were reported, all of them by the UK.
[9] Especially RAN Police and Law Enforcement Working Group (RAN POL), RAN Communications and Narrative Working Group (RAN C&N), RAN Education Working Group (RAN EDU), RAN Local Working Group (RAN LOCAL), RAN Prison and Probation Working Group (RAN P&P)

It is important to underline that **this paper does NOT address or provide a value judgment about political parties or political views that are present in the context of democracy**, for example in parliaments of EU Member States. It is crucial to highlight that freedom of speech, opinion and expression must be respected and that dissent can be expressed freely. However, violence is unlawful and freedom of speech is not unlimited: the EU legal framework, in particular the EU CT directive[10] and the EU Framework Decision on combating racism and xenophobia 2008/913/JHA[11], needs to be respected[12].

II. Context and challenges

Violent right-wing extremists or terrorists **do not belong to a homogeneous movement**. Right-wing violent extremism in Germany, for example, appears in various forms incorporating ultra-nationalist, racist and anti-Semitic elements to different degrees and pursuing correspondingly different objectives[13].

The right-wing violent extremist and terrorist threat often comes from lone actors, small cells or very small groups. On the other hand, there have also been cases of more organised networks or groups carrying out attacks, such as those carried out by the National Socialist Underground in Germany[14]. An additional observation - not limited to right-wing extremism - is that increasingly individuals without previous connection to an extremist movement are involved. Just a few incentives might be sufficient to turn individuals to violence[15], which makes it challenging to formulate adequate responses.

In addition to organized right-wing violent extremist or terrorist cells, there is also **right-wing extremist collective violence during protests**, which is dynamic and flexible and allows to strategically attack, hide in the crowd and escape. Due to its spontaneity, focus on prior detection of communication and group structures might not work in all cases.

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[10] Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism (OJ L 88 of 31.3.2017, p. 6)

[11] OJ L 328 of 6.12.2008

[12] Article 1 of the EU Framework Decision on combating racism and xenophobia: Each Member State shall take the measures necessary to ensure that the following intentional conduct is punishable: a) publicly inciting to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin; b) the commission of an act referred to in point (a) by public dissemination or distribution of tracts, pictures or other material.

[13] https://www.verfassungsschutz.de/en/fields-of-work/right-wing-extremism/what-is-right-wing-extremism

[14] See also the 2018 Report of the German security service (BfV).

[15] See also the 2018 Report of the German security service (BfV).

Daniel Koehler describes this new form of violence as "hive" terrorism that should be further studied: "terrorist acts or violent hate crimes committed by a spontaneously formed crowd that quickly disbands after the incident"[16]. However, while the violence might seem spontaneous, it may also be the result of a well-planned action.

As pointed out in the recent "Terrorist Threat Assessment for the Netherlands 50"[17] issued by the Dutch National Coordinator for Security and CT, the Christchurch attack "*revealed the ideological variety within right-wing extremism (neo-Nazism, the counter-jihad movement, identitarianism) and the increasing influence of the alt-right, coupled with the emergence of an international parallel online world with its own visual language and radicalising discourse. The individual responsible was inspired by a wide range of right-wing extremist ideas that he had mostly encountered online*." The attack "*will continue to be a source of inspiration*".

There are contacts between people living in different countries and sharing similar extremist ideas, and right-wing violent extremists and terrorists can be **inspired by attacks committed elsewhere**. For example, the Nordic Resistance Movement established in Sweden in 1997 also has branches in Norway and Finland and presence in Denmark and Iceland as well.[18] They have links with each other. The Nordic Resistance Movement in Finland, for example, takes part in gatherings and demonstrations in Nordic countries as well as in similar activities Germany, Greece and the UK.[19]

Classification of right-wing violent extremism and terrorism as hate crimes or terrorist acts might be a challenge: In this context, it will be important to analyse the practice in the Member States and the impact of the EU CT directive as implemented by national law, which is the yardstick.

One challenge to establish the terrorist nature of a right-wing extremist violent act relates to the nature of right-wing terrorism: it tactically and strategically aims to blend in with the surrounding societies in order to minimize repression and countermeasures, for instance by blurring lines with broader protest groups and carrying out seemingly spontaneous attacks[20].

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[16] Koehler, Right-Wing Extremism and Terrorism in Europe, Current Developments and issues for the future, PRISM 6, No. 2 pp. 92

[17] https://english.nctv.nl/binaries/Samenvatting%20DTN50%20EN_tcm32-396781.pdf, June 2019.

[18] https://nordicresistancemovement.org/who-are-the-nordic-resistance-movement/

[19] Sallamaa, D. O. (2018). *Ulkoparlamentaarinen äärioikeistoliikehdintä ja maahanmuuttovastaisuus 2010-luvun Suomessa*. (Valtiotieteellisen tiedekunnan julkaisuja; Nro 97). Helsinki: University of Helsinki, p 51

[20] See Koehler

Related challenges are **under-reporting of right-wing extremist violence** because of different classification. This might have consequences for assessing the scale of the problem and policy responses. Moreover, establishing the violent extremist or terrorist nature of an attack may have implications for sentencing. Hate crimes can also be a stepping stone to commit terrorist attacks afterwards[21].

Regarding the **online aspect**, the following questions arise: In which way is the internet used? What is the threat and what intervention(s) would be effective? What makes online content unlawful? What about the people making/disseminating this content? Is the internet harnessed to raise funds and if so, how? And what about their audiences: should we invest more in strengthening (digital) resilience?

III. Recommendations

Overall, it is important that Member States devote **adequate staff and resources** to investigate and address right-wing violent extremism and terrorism, based on national threat analyses and good practices. Regular threat assessments by INTCEN and Europol, including analysis of links across the EU, are important to inform policy-making. Further research is also necessary.

It is important to better understand the underlying currents influencing the growth of right-wing violent extremism and terrorism in Europe. The use of online technologies by right-wing violent extremists and terrorists, as well as the offline environment that supports violent right-wing extremists, require an in-depth analysis. It is important that **policy responses are based on relevant research and statistics.** It is also important to explore possible **cross-border aspects**, in particular links that have been established across EU Member States.

With regard to addressing right-wing violent extremism and terrorism at EU level, the following aspects[22] in particular could be considered:

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[21] Koehler

[22] The Commission's study visit to Borlänge/Sweden in May 2019 about right-wing extremism in Sweden developed several recommendations about legislative measures, actions at local level, online/propaganda, and EXIT strategies. Some of the recommendations are also reflected in the report of the study visit.

Development and sharing of good practices

1. The Commission could be invited to continue to support the development and sharing of good practices on how to prevent, detect and address right-wing extremist terrorism and other right-wing extremist violence, including via study visits and the Network of Prevent Policy Makers. RAN and ESCN could be encouraged to continue their work on right-wing terrorism and other right-wing extremist violence, so contributing to making policy recommendations, including in the context of prevention of radicalization and disengagement programmes.

2. It is important that Member States develop and share experiences on how to prevent and address right-wing terrorism and other right-wing extremist violence, including on exit and disengagement programmes and on risk analysis related to radicalized persons, including prevention of radicalization in prisons, in line with Council Conclusions 9366/19.

3. Based on Member States contributions, the Commission could as a first step be invited to map national legal and policy frameworks and practices based on which Member States can ban symbols or texts, organisations or list right-wing violent extremist groups as terrorist groups or other groups of concern. On this basis, the Commission could be invited as a second step to establish and regularly update an overview of right-wing terrorist groups that have been listed by the Member States, as well as right-wing violent extremist or terrorist groups, symbols and texts that have been banned by Member States and what the criteria for such bans are.

Further research

4. To better understand the development of right-wing extremist radicalisation leading to terrorism or other forms of violence, more research is needed. Specific topics of attention could be the potential audience vulnerable to violent right-wing extremist online content, the reasons why some individuals move from online to offline violent extremist behaviour, exit and disengagement strategies and ideological sources of right-wing violent extremism and terrorism.

Social or political grievances are exploited by right-wing violent extremists and terrorists. These should be analyzed carefully to develop efficient counter-narratives and answers. RAN, the ESCN and EU funding instruments, such as the ISF-police fund, should be used and include right-wing violent extremism in their work programmes. All types of violent extremism and terrorism should be tackled.

Europol and Eurojust support

5. Member States could give greater consideration to requesting Europol and Eurojust support in right-wing violent extremist and terrorist cases and share information via Europol (through, for instance, the Analysis Project (AP) Dolphin, EU Internet Referral Unit (IRU)) and Eurojust (European Judicial CT register). Member States could request the **EU IRU** to provide operational support to detect and refer right-wing violent extremist content online.[23] Europol, including the Joint-Liaison-Team and the EU IRU, could be invited to help identify links of right-wing violent extremist and terrorist groups across the EU. Such support would require a considerable increase in the amount and quality of operational data provided by Member States in this area. It would also require that the Europol's European Counter-Terrorism Centre (ECTC, including the EU IRU) has the appropriate resources (staff, specialized training, technical tools) to increase its support, including in the online space.

6. Eurojust could be invited to establish a more detailed overview of the different legal approaches in the Member States and identify the elements that led to convictions for participation in right-wing terrorist groups or other right-wing extremist terrorist or violent offenses.

7. Member States, with the support of the Commission, could work towards increasing the transparency and uniformity of registering right-wing extremist violence. To support this process, Europol could be invited to collect statistics on hate crimes and other forms of right-wing extremist violence in addition to terrorism motivated by right-wing extremism based on statistical data provided by Member States. A common data model could be proposed. Cooperation with civil society could also be considered.

Promoting European values

8. It is important to promote European values to counter the right-wing violent extremist and terrorist threat. Member States could continue or strengthen efforts to implement the Council Recommendation on promoting common values, inclusive education, and the European dimension of teaching (2018/C 195/01), supported as appropriate by the Commission, for example through Erasmus, for projects in this field.

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[23] Europol's mandate includes preventing and combating racism and xenophobia online and allows the agency to prevent and combat forms of crime, which are facilitated, promoted or committed using the Internet.

Online sphere

9. Member States are invited to reflect to what extent the tech companies could be briefed by competent services in each Member States to fully understand country-specific right-wing violent threats present on websites.

10. The Commission, Member States and tech companies could discuss in the **EU Internet Forum** challenges and possible solutions regarding illegal right-wing violent extremist and terrorist content and closely involve the EU IRU in this regard. Topics that could be addressed are for example the detection and removal of right-wing violent extremist symbols and content, the use of automated detection, cooperation between tech companies and law enforcement, the collection of data sets to map vulnerable audiences and the support for start-ups and smaller tech companies.

11. The Commission's **hate speech dialogue** and supported flagging includes right-wing extremist illegal hate speech, including banned right-wing extremist symbols. Member States could consider how to deal with websites that allow posts with unlawful content or that host closed-door fora in which unlawful content is shared. The Commission could be invited to inform about the extent of unlawful right-wing violent extremist hate speech which is removed under the Code of Conduct.

Cooperation with traditional media

12. The Member States and the Commission could consider promoting a dialogue with traditional media and helping to raise awareness of news reporting after attacks and around high-profile investigations or trials to avoid further polarisation in society.

Counter-Terrorist Financing

13. The Commission could start with the support of Europol to assess the financing of right-wing violent extremist and terrorist groups.

Cooperation with third countries

14. The EEAS and the Commission could explore how to support **Western Balkan** partners to counter right-wing terrorism and violent extremism, also in the framework of the bilateral implementation with each partner of the "Joint Action Plan on Counter-Terrorism for the Western Balkans".

15. The EU could discuss the issue in dialogues with strategic partners such as the **United States, Canada, Australia, New Zealand** with a view to sharing threat analyses and best practices and further strengthen cooperation in this area, including regarding the online space.

IV. Questions for discussion

Definitions, bans and listings

1. How is the **distinction** drawn between right-wing extremist violence and right-wing terrorism in your Member State? How do you assess the threat of both? What are the main challenges in prevention and detection?

2. Do we need a **common definition** of right-wing violent extremism? If so, how can we proceed in achieving such a working definition?

3. What are criteria in your Member States for listing or banning **groups, symbols or materials**? What kind of legislation and approach is in place for this purpose? Would it be useful for Member States to **align standards**?

4. Do you see the need for an **EU listing**[24] of right-wing terrorist groups? Which groups or organizations could be listed on EU level? What would be the criteria to list groups at EU level (e.g. EU-wide/international networks of the groups)?

5. Do you see an evolution in the threat as regards the **capacity of right-wing extremist violent or terrorist groups to harm**, including as regards operational and strategic organization, attractiveness and paramilitary capacities?[25]

Ideology

6. What are the primary intellectual and doctrinal sources of contemporary violent right-wing extremists and terrorists in the EU?

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[24] Is there a need to update Council regulation 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism? For the first time, Canada recently listed two right-wing extremist organizations as terrorist organizations Blood & Honour and its armed branch, Combat 18. Both groups are also present in the EU. The EU has not yet listed any such organizations.

[25] In July 2019, an arsenal of military weapons that was in the hands of a right-wing violent extremist group in Italy was seized by the Italian State Police. This happened after an investigation into individuals with violent extremist ideology who had fought alongside Russian-backed separatist forces in Donbass, eastern Ukraine. The incident also highlighted the link of some Italian right-wing violent extremists with other parts of the world (https://edition.cnn.com/2019/07/15/europe/italy-nazi-weapons-missile-seizure-intl/index.html).

7. Are there similarities between parts of the right-wing violent extremist ideology and far-left violent extremist ideology? Are there similarities with jihadist extremist ideology?

Exit programmes and risk analysis

8. How can Member States best support individuals that would like to **exit** right-wing violent extremist and terrorist groups?

9. What type of **risk indicators/risk analysis tools** do Member States use to assess the dangerousness of persons in the context of right-wing violence and their likelihood to resort to violence? Are those the same as used for jihadist terrorism or are they different? How do Member States prevent and address right-wing violent extremist radicalization in prison?

Online

10. What have the **greatest challenges** been in the dialogue with internet companies on right-wing terrorist and other unlawful right-wing extremist content?

11. Do we need **common criteria** for unlawful right-wing extremist content qualifying for online removal, which could be applied at the EU IRU at Europol and shared with tech companies?

FTF

12. Do you have information indicating that right-wing violent extremists from your Member State **travel abroad**, in particular to Russia or Ukraine, **for training and/or fighting**?