

3/ ETHNO-NATIONALIST AND SEPARATIST TERRORISM

99 

foiled, failed and completed attacks carried out labeled as ethno-nationalist and separatist terrorism.

Dissident Republican groups

In 2016 Dissident Republicans were involved in 76 failed, foiled and completed attacks, of which four were carried out using improvised explosive devices, including one in March in which a prison officer was killed. The police, prison officers and members of the armed forces in North Ireland remain the primary targets.

There are three main violent Dissident Republican groups in Northern Ireland: the Continuity IRA (CIRA), the new IRA and Óglaigh na hÉireann (ONH). All mentioned groups retain access to a range of firearms and explosive devices, including under-vehicle IEDs. A total of 123 people were arrested in 2016 for terrorism-related offences.

In May 2016, the threat level in the UK for terrorism related to Northern Ireland was raised from 'moderate' to 'substantial', which means an attack is a strong possibility.

PKK (Kongra Gel)/KCK

A number of incidents targeting Turkish institutions, cultural premises and properties occurred in several EU Member States.

Five IED attacks against Turkish government buildings and cultural associations were reported by France. Belgium also reported incidents between Turkish and Kurdish groups involving the use of arson and explosives.

Germany reported various incidents. A significant number occurred in the context of demonstrations for or against the PKK. Turkish properties and institutions were damaged by incendiary devices. In one arson incident, the damage amounted to at least EUR 2 million. In August in Nuremberg, three participants were injured during a fight, in which at least one was stabbed.

Belgium, France, Germany*, Italy, Romania and Switzerland reported that the PKK continued its fundraising, propaganda and recruitment activities. In France it operated a legal front, which includes the *Conseil Kurde de France* (CDK-F) and the *Centre d'information du Kurdistan* (CIK); and a clandestine branch aimed at collecting funds, using violence in some cases. In France alone, the fundraising campaign is believed to have yielded EUR 5.3 million. Italy reported recruitment among Kurdish migrants to join Kurdish militia in conflict zones or to become PKK activists in Europe.

In addition, Switzerland stated that the PKK were maybe running a number of ideological training camps for its youth in remote pre-Alpine areas during the second half of 2016.

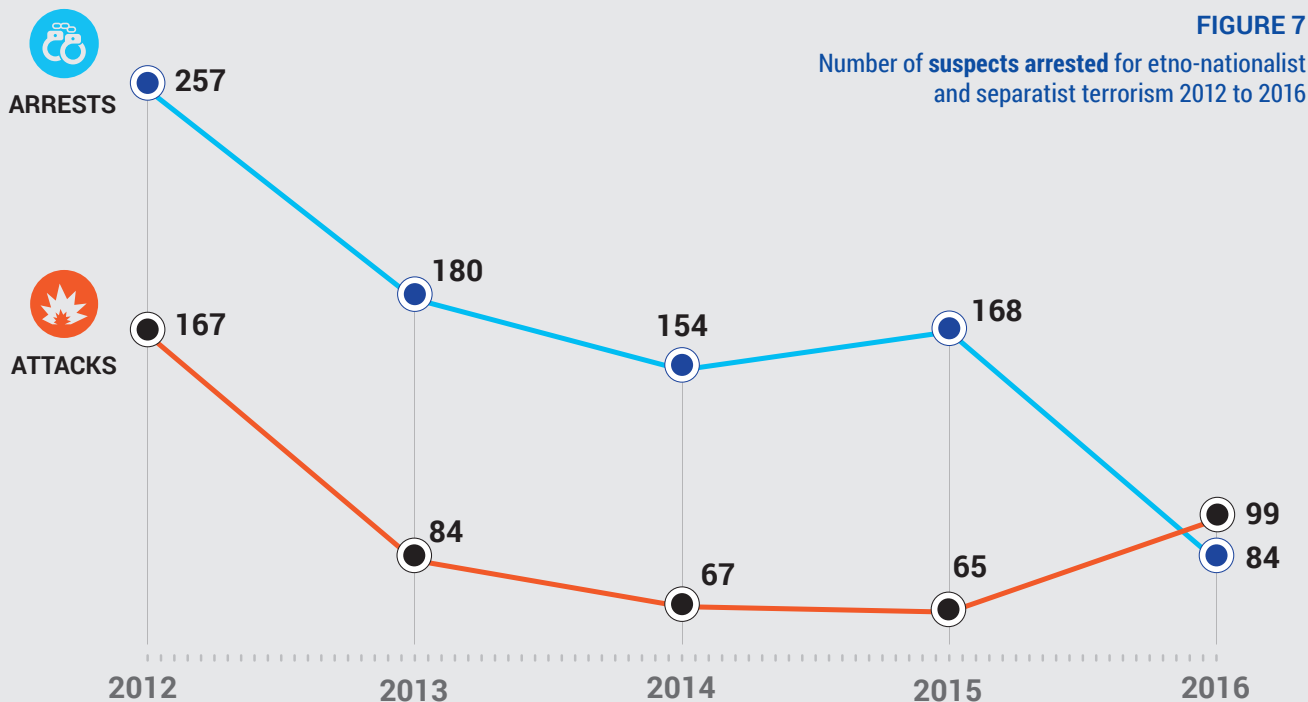
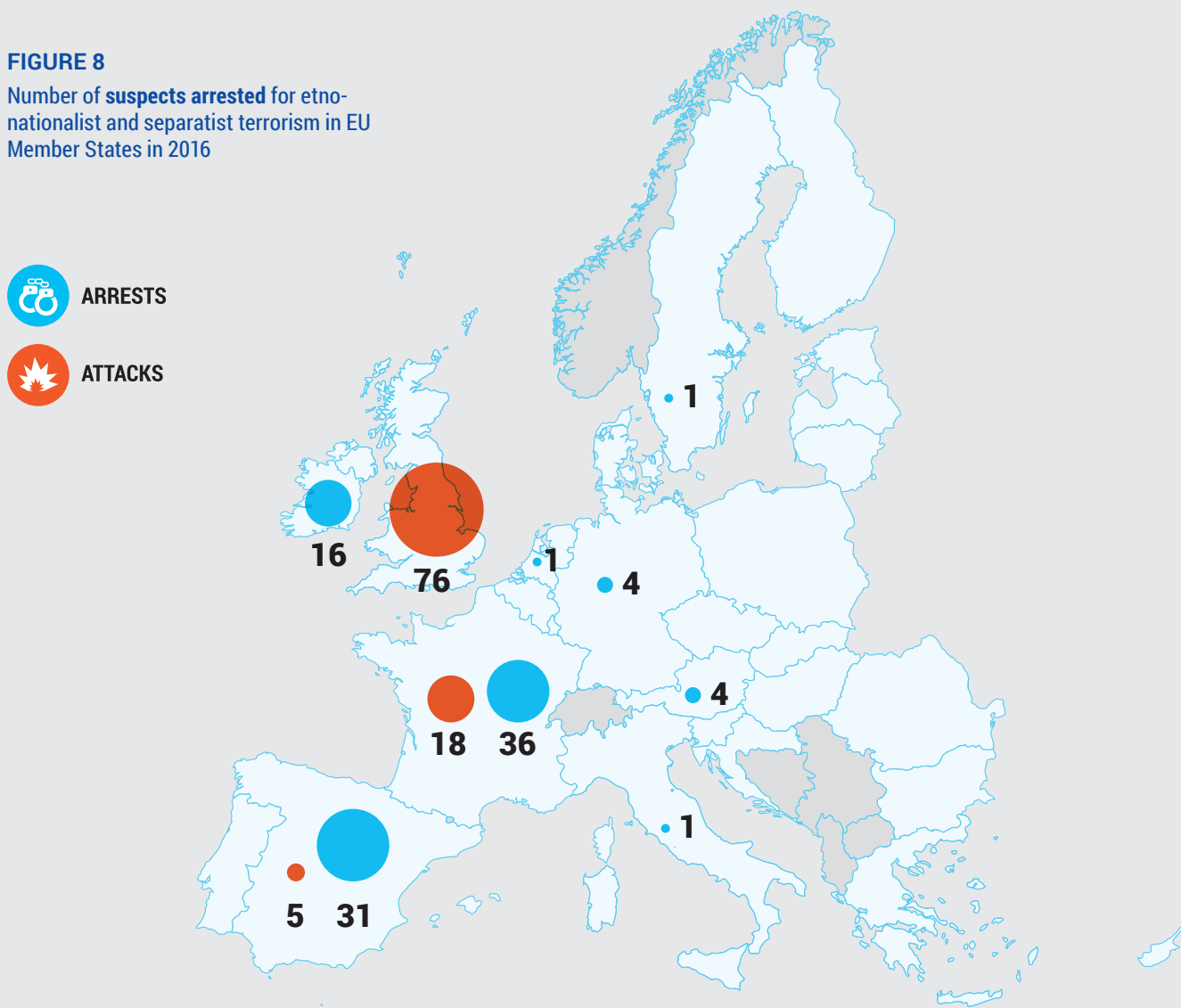


FIGURE 8
Number of **suspects arrested** for ethno-nationalist and separatist terrorism in EU Member States in 2016



Euskadi ta askatasuna (ETA)

Since ETA announced its ceasefire in October 2011, it released a series of communiqués to confirm its separatist objectives, aligned with the strategy of the Basque separatist left-wing *Izquierda Abertzale* movement; its activities were focused on propaganda and controlling the sealing of its arsenals.

Five separatist terrorist actions of sabotage were reported in 2016 by Spain, compared to 18 in 2015; these actions are attributed not only to *Izquierda Abertzale*, namely the youth group *Ernai*, but also to dissident groups within this movement. In 2016, a senior ETA leader was arrested and a significant amount of weapons and explosives were seized in Spain. France and neighbouring countries continue to be used by ETA for hiding operatives and weaponry.

Liberation Tigers of Tamil Eelam (LTTE)

Switzerland reported that, in July 2016, 13 defendants associated with the Liberation Tigers of Tamil Eelam (LTTE) were indicted on charges of supporting and/or being members of a criminal organisation, fraud, false certification and money laundering. The suspects are accused of having provided financial support to the LTTE through a sophisticated credit system. Members of the community were persuaded to enter into credit contracts and pass on the funds to the LTTE's Swiss branch and front organisations. This systematic and rapid scheme allowed them to obtain money from the Tamil diaspora in Switzerland. Investigations showed that substantial sums (around CHF 15 million) were obtained using this system as well as through donations and extortion. These funds, together with money collected abroad through similar schemes and transported to Switzerland by couriers, were to be later funnelled abroad to fund the purchase of weapons in Sri Lanka.



4/

LEFT-WING AND ANARCHIST TERRORISM



Numbers of attacks of left-wing and anarchist terrorists increased in 2016 compared to 2015



Left-wing and anarchist activities included riots, arson attacks and attacks with explosives, criminal damage and spreading propaganda

Terrorist attacks and suspects arrested

In 2016, left-wing and anarchist terrorist groups or individuals in the EU carried out 27 attacks. This was a sharp increase, compared to the number of attacks that occurred in 2015. EU Member State authorities arrested 31 people related to left-wing and anarchist terrorism in 2016, most of them in Spain.

Italy, Greece and Spain were again the only EU Member States to experience left-wing and anarchist terrorist attacks. Over the past two decades, anarchist terrorist groups in these three countries have developed similar characteristics, used the same *modi operandi* and endorsed similar agendas. In 2016, there were no coordinated terrorist campaigns across the three countries. However, it is assessed that some attacks in Italy were carried out in response to a call for action by imprisoned anarchist terrorists in Greece.

In Italy in 2016, a total of 16 attacks were carried out by left-wing and anarchist terrorist groups. Although the incidents increased in number compared to 2015, it appeared that

the operational capabilities of the groups remained low. The majority of the attacks in 2016 were carried out using unsophisticated improvised incendiary/explosive devices (IID/IEDs), containing flammable liquids or gunpowder and crude ignition mechanisms, some of which failed to operate. Eight people were arrested on charges related to left-wing and anarchist terrorism.

Italian anarchist terrorist groups targeted facilities related to the management of migration-related issues in general; and to the function of the Identification and Deportation Centres (CIE) in particular. Five victim-operated improvised explosive devices (VOIEDs, parcel bombs) were sent between February and September to travel agencies and companies related to the CIEs, without causing injuries or damage.

Italy also experienced the re-emergence of *Federazione Anarchica Informale/Fronte Rivoluzionario Internazionale* (FAI/FRI, Informal Anarchist Federation/International Revolutionary Front). In January for example, its Pyrotechnical Committee for an Extraordinary Year cell placed an IID outside the Courthouse of Civitavecchia in Rome, causing damage. In June, two VOIEDs were sent by the Danaus Plexippus FAI/FRI cell: one was addressed to the European Food Safety Authority in Parma and was detected by security personnel;

the other was sent to a private biotechnology company and caused minor injuries to the firm's owner. A FAI/FRI cell is also believed to have placed an IED outside a Carabinieri Station in Bologna that caused damage to the building.

In Greece, it appears that left-wing and anarchist terrorist groups have retained their operational capabilities as well as their access to weapons. In 2016 they carried out six attacks involving the use of IEDs, firearms and grenades. In October, *Synomosia Pyirnon tis Fotias* (Conspiracy Cells of Fire) placed an IED outside the residence of a prosecutor in Athens. The powerful explosion caused significant damage. The *Organosi Epanastatikis Aftoamynas* (Revolutionary Self-Defence Organisation) adopted a more international scope in its attacks. It targeted two foreign embassies in Athens: in July, its members carried out a drive-by shooting against the Embassy of Mexico and caused minor damage to the building; in November, they threw a hand grenade at the Embassy of France, slightly injuring the police officer guarding the premises.

In Spain, left-wing and anarchist terrorist activities remained at low levels. Five attacks occurred in 2016 but did not involve extensive operational planning or the use of sophisticated IEDs or firearms. Notwithstanding this, 19 people were arrested in relation to left-wing and anarchist terrorism. The number of arrests in the country has remained consistently high, with a total of 100 people arrested since 2013. This has apparently had an impact on operational capabilities, mainly of the anarchist terrorist groups, causing a decrease in the number of attacks over the same period of time.

Of interest is that members of Spanish extremist groups adhering to communist ideologies joined Kurdish militias in Syria and Iraq, and were actively involved in combat activities against the so-called Islamic State (IS). It remains to be seen how their participation in the conflict will affect their activities on Spanish soil.

Marxist-Leninist terrorist groups in the EU have ceased to be operational and limit their activities to propaganda. However, the Turkish *Devrimci Halk Kutrulus Partisi/Cephesi* (DHKP/C, Revolutionary People's Liberation Party/Front) remained active in Turkey and carried out five attacks, targeting police, judicial and government employees. The DHKP/C has never conducted attacks in the EU but retains a network in several EU Member States that provides financial and logistical support to operatives in Turkey. Its structures in the EU operate partially under the cover of legally established associations. In 2016, one Dutch citizen was arrested in Germany on charges of terrorism financing connected to the DHKP/C.

Violent extremist activities

In 2016, left-wing and anarchist extremist groups and individuals remained a public order threat in a number of EU Member States. Their activities included riots, arson attacks, criminal damage and spreading propaganda. Left-wing and anarchist extremists continued to take advantage of lawful demonstrations to launch violent attacks against governmental property and law enforcement. Anarchist groups and individuals tended to be more violent than those belonging to left-wing extremist movements.

Anarchist and left-wing extremist activities largely take place in urban milieu. In several cities in the EU, anarchists and left-wing extremists prefer to reside in specific areas. In these zones, they have established squats and "community centres", where they plan and organise actions. Extremists are also very active in and around universities, where they can find opportunities for recruitment.

Arson campaigns continued to occur in EU Member States with active anarchist communities. Groups and individuals employed unsophisticated IEDs or flammable liquids to torch their targets. In Germany, for example, anarchist extremists carried out numerous arson attacks in 2016, mainly targeting police and private vehicles on the streets. Belgium experienced similar problems with arsons of cars and cell-phone masts. In Greece and Italy, anarchists are believed to be behind a number of incendiary attacks on vehicles and property as well as on banks.

Apart from traditional means of propaganda, such as graffiti and leaflets, anarchist and left-wing extremists have extensively made use of the internet. Numerous websites, blogs and social media accounts provided "alternative news", translated communiqués, conveyed messages of imprisoned extremists and disseminated propaganda material. There were no changes in the themes of anarchist and left-wing extremist propaganda in 2016. The main subjects remained the criminal justice system, politicians and political parties, the refugee crisis, socio-economic issues and the activities of right-wing extremists.

In 2016, left-wing and anarchist extremists continued to travel around Europe to participate in violent and non-violent acts. For example, the "No Border Camp" which took place in Thessaloniki (Greece) in July, attracted left-wing and anarchist extremists from all over the continent. Their actions included violent riots and clashes with police forces in the city of Thessaloniki, as well as in rural areas in northern Greece. In addition, anarchists from Belgium were arrested in Germany, France, Finland and Switzerland for participating in riots and arson attacks. A French extremist was arrested in Germany, in execution of an international arrest warrant on charges related to participation in violent riots.

FIGURE 9

Number of **suspects arrested** for left-wing and anarchist terrorism 2012 to 2016

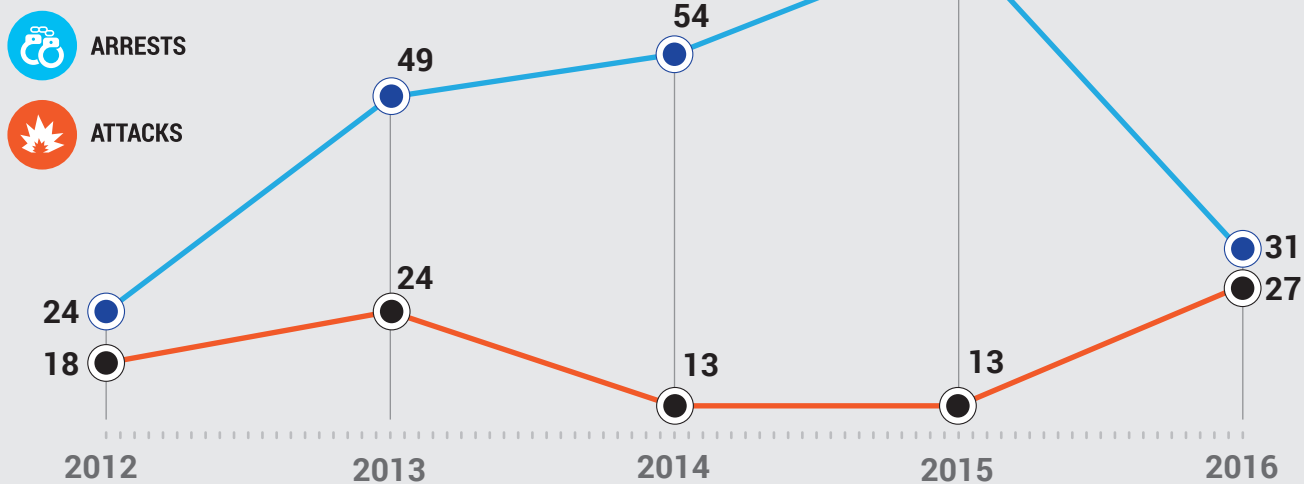
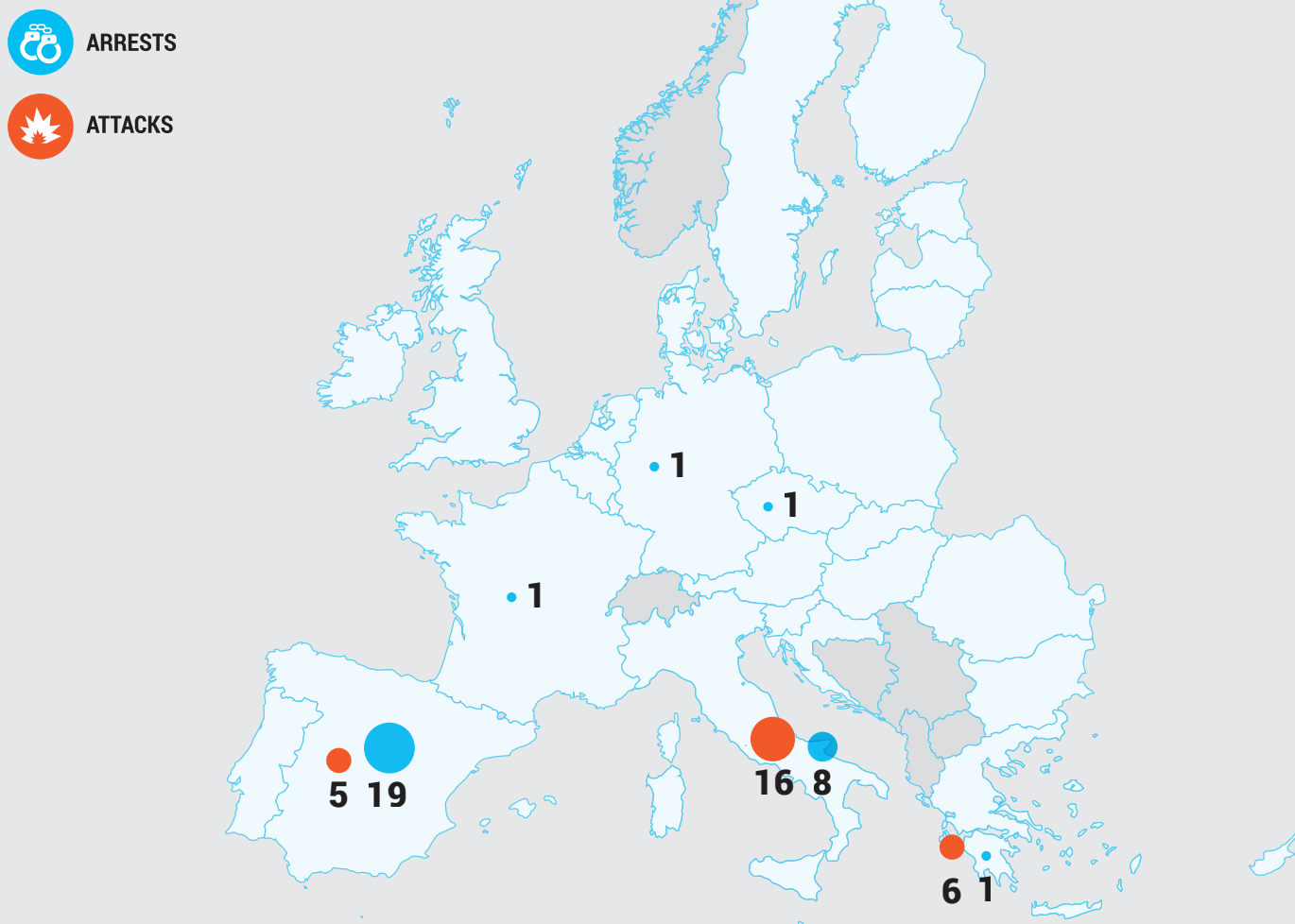


FIGURE 10

Number of **suspects arrested** for left-wing and anarchist terrorism in EU Member States in 2016



5/ RIGHT-WING TERRORISM



Right-wing extremist activities primarily carried out by individuals, or loosely coordinated networks or groups



Migration and the perceived threat from Islamisation are key topics on the agenda of right-wing extremists

Terrorist attacks and suspects arrested

For 2016 the Netherlands reported an incident which was classed as an act of right-wing terrorism. This marks a significant decrease compared to 2015, when a total of nine right-wing terrorist attacks were reported by France and Greece. Poland, Germany and the Netherlands reported a total of 12 arrests related to right-wing terrorism.

In February 2016 six individuals were arrested in connection to an arson attack on a mosque in the Dutch city of Enschede. At the time of the attack several people were inside the mosque. They detected the fire which was extinguished quickly and nobody was injured. The group was charged with attempted arson with terrorist intent. The court later decided this was a terrorist attack. Four attackers were sentenced to prison terms of several years. This decision marked the first (failed) right-wing terrorist attack in the Netherlands and the first terrorist attack in 12 years.

Germany stated that after the investigation into the *National-Sozialistischer Untergrund* (NSU, National Socialist Underground) in 2011, additional investigations into

groups such as the Old School Society in 2015 and *Gruppe Freital* (Freital Group) in April 2016 demonstrated that the formation of right-wing terrorist structures cannot be excluded. With regard to Gruppe Freital, police searched 20 houses in the federal states of Saxony and Mecklenburg-West Pomerania in April. Five suspects were arrested and charged with membership of a terrorist organisation, attempted murder and the detonation of two explosive devices at two asylum seeker homes in Freital, as well as another one at an 'alternative living project' (commune) in Dresden.

Violent right-wing extremism

Similar to previous years a majority of EU Member States have no indication that terrorist methodologies or tactics have been adopted by their right-wing scenes and considered the threat from (violent) right-wing extremism (RWE) to be low. The scene is described by most Member States as fragmented, lacking consistent leadership and organisation, and suffering from internal conflict. However, in some EU Member States the right-wing extremist scene increased its activities to a level causing concern to authorities. Confrontations with political opponents

continued and xenophobic offences became more violent.

Numerous RWE-motivated attacks have been committed by loosely coordinated networks/groups or individuals not necessarily linked to a known RWE group or party. This underlines the threat from lone actors and small groups in or outside the scene.

According to national statistics for 2016, almost 50% of all known RWE individuals in Germany are prone to violence. This is mirrored in the increased numbers of attempted murder offences³³ as well as the use of incendiary and explosive devices³⁴ against migrants and migrant shelters throughout the reporting period³⁵. In addition, it was stated that Germany faces an increasing amount of first-time offenders who were previously unknown to authorities as extremists³⁶.

The crimes against asylum accommodation have at times shown the modus operandi of a well-organised group, however they have predominantly been committed by individuals and small groups. A high number of perpetrators of these attacks remain unknown.

Migration and Islamophobia

The migration phenomenon affecting the European continent and the perceived threat from Islamisation remain key topics on the RWE agenda and have been used by the right-wing scene to induce public opinion to adopt its xenophobic and Islamophobic position. These topics are exploited to spread fear and concern. Events such as the Paris attacks in 2015, Brussels and Berlin in 2016, as well as the sexual assaults during New Year's Eve 2015/2016 in Cologne, serve as justification for xenophobic offences. In addition, the Netherlands and Germany reported cases of vigilantes (showing affinity with the right-wing scene) who claimed that the authorities were unable to protect society from these threats. These vigilantes appear at times in 'civil patrols' in their local districts. This phenomenon was previously observed in Finland in 2015.

Germany, among other EU Member States, has reportedly experienced high numbers of attacks on refugee shelters since the start of the migration crisis in 2015. Resumption of border controls and improved checks led to decreasing numbers of newly arriving migrants in 2016. Nonetheless, xenophobic and racist criminal acts increased both in number and level of violence.

In June 2016, the UK voted to leave the EU and as a result, a significant number of Brexit-inspired events were held across the country in the run up to the voting date of 23 June. There was a sharp increase in the number of racially

or religiously aggravated offences recorded by the police following the EU Referendum. The number of racially or religiously aggravated offences recorded by the police in July 2016 was 41% higher than in July 2015³⁷. Negative online commentary towards migrants, refugees and foreign workers has increased and continues at a higher level than previously seen.

Threat to politicians

The threat from extremists in the UK was realised on 16 June, when a British Labour Party Member of Parliament was murdered by a lone actor, shortly before she was due to hold a constituency surgery for the UK to remain a member of the EU.

In Germany politicians continue to be the target of an increasing amount of harassment and threats³⁸. According to figures collated by the German government in regard to current members in the German national parliament (Bundestag), incidents against politicians reached an all-time high in 2016. These included physical attacks, but also non-violent incidents such as damaged offices, spray-painting of unconstitutional signs on politicians' houses/offices, or harassment via the internet. Politicians advocating pro-refugee policies and active against right-wing extremism were more likely to fall victim to such attacks.

Nationalist groups

In 2016, in addition to existing far-right or extremist groups, a number of new ones were founded and several others banned.

In Germany in October 2016, one police officer was shot and killed and three others injured by a member of the *Reichsbürger* movement³⁹ in the federal state of Bavaria when they attended his premises to confiscate his weapons. Already in August, a member of the same movement shot and injured a police officer during a house eviction.

The German anti-Islam movement *Patriotische Europäer gegen die Islamisierung des Abendlandes* (PEGIDA, Patriotic Europeans against the Islamisation of the West) appears to have lost momentum, having previously attracted thousands of people to its demonstrations. In 2016 EU MS noticed a decrease in people identifying themselves with PEGIDA.

In December the UK proscribed the group National Action

³³ 2016 = 11; 2015 = 7; 2014 = 1.

³⁴ 61 incendiary devices; 10 violations against the explosives law; 4 cases in which an IED detonated in or at an asylum shelter.

³⁵ <http://www.zeit.de/gesellschaft/2016-10/asylunterkuenfte-angriffe-800-straftaten-fluechtlingsheime>

³⁶ <http://www.dw.com/en/germanys-ever-growing-right-wing-extremist-scene-becomes-more-violent/a-37262596>

³⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/559319/hate-crime-1516-hosb1116.pdf

³⁸ There was a near-fatal knife attack on a mayoral candidate in Cologne in 2015.

³⁹ The *Reichsbürger* (Empire's citizens) movement comprises an estimated 4500 supporters. It consists of either small groups or single individuals, who deny the legitimacy of the Federal Republic of Germany and assert that the German Reich continues to exist in its 1937 pre-WWII borders.



(NA), the most active and well organised RWE group in the country. This is the first time a RWE group has been proscribed in the UK. In 2016 the group increased its recruitment campaigns and attendance at other RWE groups' events, compared to previous year.

Weapons and IIDs/IEDs

MS investigations throughout the last few years have consistently confirmed that the RWE scene has access to weapons. Although the majority of these weapons appear to be knives and other cut-and-thrust bladed weapons, at times firearms were also seized.

A few EU MS mentioned the use of improvised incendiary devices (IIDs) and improvised explosive devices (IEDs) to commit an attack.

In Germany the significant increase of such attacks, as well as of seized precursors for these devices, came in conjunction with a continued escalation in violence connected to the migration phenomenon.

Internet

The use of the internet has maintained its importance to the right-wing scene with regards to radicalisation, recruitment, mobilisation and networking. The migration phenomenon and the jihadist terrorist threat have dominated social media and forum conversations within the right-wing scene. Most hate postings are on the edge of lawful expression of opinion and criminal incitement.

Language is becoming more aggressive and hate crimes such as sedition, encouragement of crimes on minorities and migrants as well as disparagement up to threats towards representatives of the state, have significantly increased. These xenophobic and racist comments have even caused the closure of comment sections attached to articles of news and TV outlets.

RWEs urge their peers to protect themselves or their organisation online so as not to jeopardise their activities. Several RWE websites have published guidelines giving advice on how to protect personal data and directions on how to communicate on the internet.⁴⁰ On social media, RWEs have increasingly made use of closed or hidden groups.

⁴⁰ "Leitfäden zur Dokumentation bei Spitzelei und Anquatschversuchen"/ Guidelines for documentation in case of spying efforts and approaches" – *Right-wing extremists and their Internet Presence* issued by the German Federal Office for the Protection of the Constitution/Bundesamt für Verfassungsschutz (BfV).

6/ SINGLE-ISSUE TERRORISM

Single-issue movements remain currently largely peaceful and within the boundaries of law

Environmental issues and animal rights remain the main themes of single-issue activism

In 2016, no attack related to single-issue terrorism occurred in EU Member States. Single-issue movements in the EU remained largely peaceful and within the boundaries of law, pursuing their goals via demonstrations and online activities. Nevertheless, a number of violent incidents linked to single-issue activism took place in several EU Member States. This is due to anarchist and left-wing extremist groups and individuals consistently attempting to impose their ideology and *modus operandi* in the single-issue arena. The role of extremists in single-issue movements varied: on some occasions, extremist groups constituted the actual movement; on others, single-issue movements marginalised radical elements.

In 2016, there were no thematic changes in the single-issue agenda, with environmental and animal rights subjects remaining the main themes. Activists opposed, among others, the construction of large infrastructure projects, animal testing, animal exploitation, nuclear energy and oil drilling. *Modi operandi* also remained unchanged: demonstrations were the predominant mode of action. In Belgium, for example, animal rights activists organised numerous protests against animal testing and slaughtering of animals without anaesthesia. Their acts were lawful with the exception of a few cases of trespassing in fur farms that aimed to record the conditions of the animals and

denounce their abuse. In Germany, extremists sabotaged railways and cable connections related to the railway system. They also targeted a vehicle belonging to an electric power company related to open-cast mining.

In Italy, the movement opposing the construction and function of the *Treno ad Alta Velocità* (TAV) largely marginalised its anarchist elements and was comprised of left-wing groups operating under the umbrella of the *Bussoleno Comitato di Lotta Popolare* (People's Struggle Committee) that promoted a less violent strategy. This led to a decrease in the number of unlawful actions against TAV-related infrastructure. However, anarchist extremists appeared to be willing to continue their violent activities without the support of the wider movement, embedding their opposition to the construction of the TAV in a broader anarchist agenda. An arson attack on a TAV building site in Bologna in January and another one on the railway traffic control system in Rome in May are assessed to be part of this campaign. The 'No Tav' movement has inspired the creation of a number of similar -issue initiatives in Italy, such as the *No Grandi Navi*, against the arrival of large cruise ships in Venice; the *No Ponte*, against the construction of a bridge over the Messina strait; and the *No Ombrina*, against the construction of offshore oil drilling platforms in the Adriatic Sea.

ANNEX 1

OVERVIEW OF THE FAILED, FOILED AND COMPLETED ATTACKS IN 2016 PER EU MEMBER STATE AND PER AFFILIATION

Member State	Jihadist	Left-wing	Right-wing	Separatist	Single issue	Not specified	Total
Belgium	4	0	0	0	0	0	4
France	5	0	0	18	0	0	23
Germany	4	0	0	0	0	1	5
Greece	0	6	0	0	0	0	6
Italy	0	16	0	0	0	1	17
Netherlands	0	0	1	0	0	0	1
Spain	0	5	0	5	0	0	10
UK	0	0	0	76	0	0	76
Total	13	27	1	99	0	2	142

In 2016, 142 terrorist attacks occurred in eight Member States. The United Kingdom reported more than half of the total number of attacks (76). The total number of terrorist

attacks dropped by 33% in 2016 (142) compared to 2015 (211). 379 casualties and 142 fatalities were reported as a result of terrorist attacks.

- › For the majority of the attacks the affiliation was separatism (99).
- › Italy, Greece and Spain together reported 27 terrorist attacks by left-wing and anarchist groups. Despite the continued decrease of the total number of attacks, the number of attacks by anarchist and left-wing groups increased by more than 100% (from 13 in 2015 to 27 attacks in 2016).
- › The countries reporting terrorist attacks linked to separatist terrorism are the UK (76), France (18) and Spain (5).
- › The 13 attacks classified as religiously-inspired terrorism were reported by France (5), Belgium (4) and Germany (4). This category is the one causing the most casualties (374 out of 379) and 135 out of 142 fatalities).
- › The Netherlands reported one right-wing terrorist attack.
- › No attack related to single-issue terrorism was reported in 2016.
- › Attacks in which firearms were used dropped from 57 in 2015 to 6 in 2016.

ANNEX 2

ARRESTS IN 2016 PER EU MEMBER STATE AND PER AFFILIATION

Member State	Jihadist	Left-wing	Right-wing	Separatist	Single issue	Not specified	Total
Austria	30	0	0	4	0	0	34
Belgium	62	0	0	0	0	3	65
Bulgaria	5	0	0	0	0	0	5
Czech Republic	1	1	0	0	0	0	2
Denmark	8	0	0	0	0	0	8
France	429	1	0	26	0	0	456
Germany	25	1	5	4	0	0	35
Greece	15	1	0	0	0	1	17
Ireland	1	0	0	16	0	0	17
Italy	28	8	0	1	0	1	38
Netherlands	36	0	6	1	0	2	45
Poland	5	0	1	0	0	0	6
Romania	1	0	0	0	0	0	1
Slovenia	1	0	0	0	0	0	1
Spain	69	19	0	31	0	1	120
Sweden	2	0	0	1	0	0	3
UK	-	-	-	-	-	149	149
Total	718	31	12	84	0	157	1002

In 2016, 1002 individuals were arrested for terrorism-related offences in 17 EU Member States. This was a decrease of 7% compared to 2015, from 1077 to 1002. Most arrests were reported by France (456), United Kingdom (149) and Spain (120). There is a decrease of 50% in the number of individuals arrested for separatist terrorism, and a continued increase for the third consecutive year of those arrested for religiously-inspired terrorism, from 395 in 2014, to 687 in 2015 and to 718 in 2016.

Most of the countries registered a decrease or a similar number of arrests in 2016, apart from France where the arrests number continued to increase from 238 in 2014, to 424 in 2015, and to 456 in 2016, and Belgium from 61 to 65, but still under the level of 2014 (72).

The number of EU citizens amongst the arrestees decreased by 25% in 2016 compared to 2015, from 592 in 2015 to 437 in 2016.

- › Arrests for religiously-inspired terrorism continue to represent the largest proportion of the total arrests in the EU.
- › The arrests for ethno-nationalist and separatist terrorism dropped from 168 in 2015 to 84 in 2016.
- › The number of individuals arrested for anarchist and left-wing terrorism offences dropped from 67 in 2015 to 31 in 2016.
- › The number of arrests for right-wing terrorism in 2016 (12) is quite stable compared with 2015 (11).
- › No arrests were reported in relation to single-issue terrorism.

ANNEX 3

CONVICTIONS AND PENALTIES (EUROJUST)

This annex contains statistical information on the concluded court proceedings for terrorist offences in 2016, as reported to Eurojust. It highlights some key figures and, where relevant, compares those with the figures for previous years. The key figures are supplemented by further details and clarifications, as needed.

TABLE / Number of individuals in concluded court proceedings for terrorist offences per EU Member State in 2014, 2015⁴¹ and 2016⁴², as reported to Eurojust.

Member State	2014	2015	2016
Austria	2	29	26
Belgium	46	120	136
Denmark	13	1	8
Estonia	0	0	2
Finland	4	0	4
France	36	14	66
Germany	11	17	30
Greece	10	38	3
Hungary	0	0	2
Italy	4	0	11
Lithuania	4	1	1
Netherlands	5	18	42
Portugal	0	0	1
Slovenia	0	1	1
Spain	191	166	154
Sweden	0	2	4
United Kingdom	115	106	89*
Total	441	513	580

* The figures included in the UK submission to the TEOSAT differ from those reported by Eurojust. The UK submission included a figure of 68, consisting of 56 convictions and 12 acquittals. The TEOSAT is using the Eurojust figures for consistency.

- In 2016, 17 EU Member States reported to have concluded a total of 275 court proceedings in relation to terrorism.
- The concluded court proceedings concerned 580 individuals. Seven of those individuals appeared before the court more than once in 2016 in the framework of different criminal proceedings⁴³. As a result, the total number of verdicts pronounced for terrorism-related offences in 2016 was 587.
- In 2016 there were 53 female defendants in the concluded court proceedings for terrorist offences.
- In 2016, Spain reported the highest number of concluded court proceedings and the highest number of individuals convicted or acquitted of terrorist offences.

⁴³ In Spain, three individuals appeared before the court twice in 2016 in the framework of different criminal proceedings. In Belgium, the cases against two individuals were annulled on the basis of the *ne bis in idem* principle, as the court ruled the two had been convicted of the same facts earlier in 2015 and 2016. In France, two individuals appeared before the juvenile court and the criminal court.

- › The vast majority of verdicts in the Member States in 2016 were pronounced in relation to jihadist terrorism. Similar to 2015, courts in Belgium rendered the highest number of verdicts concerning jihadist terrorism in 2016 (138).
- › All verdicts pronounced in Austria, Belgium, Estonia, Finland, France, Italy, Portugal and Sweden in 2016 related to jihadist terrorism. A large number of such verdicts were also rendered in Germany and the Netherlands. The Spanish courts dealt with the highest number of separatist terrorism cases in the EU in 2016. Individuals charged with offences related to separatist terrorist groups were also tried in Denmark, Germany and the Netherlands. Greece was the only Member State that reported verdicts for left-wing terrorist offences, while courts in Hungary, the Netherlands and Spain also tried right-wing terrorism cases.
- › The highest number of female defendants in the concluded proceedings in 2016 were tried for separatist terrorist offences (22) and for jihadist terrorist offences (also 22).
- › The average prison sentence for left-wing terrorist offences was the highest, increasing from 12 years in 2015 to 28 years in 2016. Jihadist and separatist terrorist offences were punished with an average prison sentence of 5 years, and right-wing terrorist offences with 4 years.

TABLE / Number of verdicts in 2016 per EU Member State and per type of terrorism, as reported to Eurojust.

Member State	Jihadist	Separatist	Left-wing	Right-wing	Not specified	Total
Austria	26	0	0	0	0	26
Belgium	138	0	0	0	0	138
Denmark	6	2	0	0	0	8
Estonia	2	0	0	0	0	2
Finland	4	0	0	0	0	4
France	68	0	0	0	0	68
Germany	28	2	0	0	0	30
Greece	0	0	3	0	0	3
Hungary	0	0	0	1	1	2
Italy	11	0	0	0	0	11
Lithuania	0	0	0	0	1	1
Netherlands	32	5	0	5	0	42
Portugal	1	0	0	0	0	1
Slovenia	0	0	0	0	1	1
Spain	38	116	0	3	0	157
Sweden	4	0	0	0	0	4
United Kingdom*	0	0	0	0	89**	89
Total	358	125	3	9	92	587

* The data provided by the United Kingdom was not broken down by type of terrorism and is therefore included under the category 'Not specified'.

** The figures included in the UK submission to the TE-SAT differ from those reported by Eurojust. The UK submission included a figure of 68, consisting of 56 convictions and 12 acquittals. The TE-SAT is using the Eurojust figures for consistency.

Member State	Convictions	Acquittals	Total	Acquittals In %
Austria	26	0	26	0%
Belgium*	127	11	138	8%
Denmark	4	4	8	50%
Estonia	2	0	2	0%
Finland	0	4	4	100%
France	68	0	68	0%
Germany	30	0	30	0%
Greece	3	0	3	0%
Hungary	2	0	2	0%
Italy	6	5	11	45%
Lithuania	0	1	1	100%
Netherlands	39	3	42	7%
Portugal	0	1	1	100%
Slovenia	0	1	1	100%
Spain	134	23	157	15%
Sweden	3	1	4	25%
United Kingdom**	89	-	89***	-

TABLE / Number of verdicts, convictions and acquittals per EU Member State in 2016, as reported to Eurojust.

* The number of acquittals in 2016 includes the annulled cases against two individuals in Belgium, in which the court referred to the *ne bis in idem* principle.

** The UK data for 2016 refers only to convictions and is not included in the calculations of percentages.

*** The figures included in the UK submission to the TE-SAT differ from those reported by Eurojust. The UK submission included a figure of 68, consisting of 56 convictions and 12 acquittals. The TE-SAT is using the Eurojust figures for consistency.

- In 2016, Austria, Estonia, France, Germany, Greece and Hungary reported successful prosecutions resulting in no acquittals for terrorist offences.
- Germany remains the only Member State where prosecutions for terrorist offences led to guilty verdicts and no acquittals in the period 2010-2016⁴⁴.
- The year 2016 registered a record high conviction rate in concluded court proceedings (89%). The acquittal rate of 11% is significantly lower than those in 2015 (21%) and in 2014 (24%) and continues the downward trend compared to the years before.

⁴⁴ Eurojust considers it one verdict if an individual is convicted of more than one terrorist offence within the same proceeding, or convicted of a terrorist offence and acquitted of another offence. If an individual is acquitted of a terrorist offence and convicted of another offence, the verdict is included in the overview as acquittal of terrorism.

All prosecutions for left-wing and right-wing terrorist offences resulted in convictions in 2016. Also the concluded jihadist terrorism cases had a very high conviction rate (92%), similar to that in 2015 (94%)⁴⁵. The acquittal rate among the verdicts related to separatist terrorism decreased significantly in 2016 (18%), compared to 2015 (47%).

⁴⁵ The data provided by the United Kingdom was not broken down by type of terrorism and is therefore not included in the numbers.

ANNEX 4

METHODOLOGY

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 (USA), as a reporting mechanism from the Terrorism Working Party (TWP) of the Council of the EU to the European Parliament. In 2006 Europol replaced the TWP. The methodology for producing this annual report was developed by Europol and endorsed by the Justice and Home Affairs (JHA) Council on 1 and 2 June 2006.

The content of the TE-SAT is based on information supplied by EU Member States, some third states and partner organisation Eurojust, 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 EU. The report also aims to present trends and new developments identified 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.

This edition of the TE-SAT has been produced by Europol in consultation with the 2017 TE-SAT Advisory Board, composed of representatives of the past, present, and future Presidencies of the Council of the EU, i.e. Slovakia, Malta and Estonia (the 'Troika'), along with permanent members, representatives from France and Spain, the EU Intelligence Analysis Centre (INTCEN), Eurojust, the office of the EU Counter Terrorism Coordinator, and Europol staff.

For the preparation of this report, Europol collected qualitative and quantitative data on terrorist offences in the EU, and data on arrests of people suspected of involvement in those offences, provided or confirmed by Member States. As in previous years, Eurojust collected data on the number of court proceedings in each Member State, the number of individuals in concluded court proceedings, the number of convictions and acquittals, the type of terrorism, the gender of defendants, the penalties imposed, as well as the type of verdicts – final or pending judicial remedy. Similar data were collected, when available, of offences in which EU interests were affected outside of the EU. Eurojust contributed data on convictions and penalties for terrorist offences in EU Member States and relevant

amendments in national legislation on terrorism.

Included as 'arrests' are those judicial arrests warranted by a prosecutor or investigating judge, whereby a person is detained for questioning on suspicion of committing a criminal offence for which detention is permitted by national law. The fact that the person may subsequently be provisionally released or placed under house arrest does not impact the calculation of the number of arrests.

The definition of the term 'terrorist offences' is indicated in Article 1 of the Council Framework Decision of 13 June 2002 on combating terrorism (2002/475/JHA), which all EU Member States have implemented in their national legislation. This Framework Decision specifies that terrorist offences are intentional acts which, given their nature or context, may seriously damage a country or an international organisation when committed with the aim of: seriously intimidating a population, or unduly compelling a government or international organisation to perform or abstain from performing an act, or seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation.

In cases in which the wording of Article 1 of the Framework Decision leaves room for interpretation, the TE-SAT 2017 respects Member States' definitions of terrorist offences on their territories. At times, it can be difficult to assess whether a criminal event should be regarded as an act of 'terrorism' or as an act of 'extremism'. Contrary to terrorism, not all forms of extremism sanction the use of violence. Nevertheless, extremism as a phenomenon may be related to terrorism and exhibit similar behavioural patterns. Therefore, the TE-SAT 2017 mentions criminal acts with the potential to seriously destabilise or destroy the fundamental political, constitutional, economic or social structures of a country, when they were reported by the Member States as extremism, in an effort to provide a clearer picture of the phenomenon and its relation to terrorism. However, these cases were not considered in the statistical data of this report, which exclusively reflect incidents reported as terrorism by EU Member States.

The EU Council Decision of 20 September 2005 (2005/671/JHA), on the exchange of information and cooperation concerning terrorist offences⁴⁶, 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,

⁴⁶ Amended by the Council Framework Decision 2008/919/JHA of 28 November 2008.

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. In cases of divergences or gaps, the results were corrected, complemented, and then validated by the Member States.

Eurojust also collected data on prosecutions and convictions for terrorist offences on the basis of the aforementioned EU Council Decision. The data used in this report concerns relevant court decisions and legislation amendments in 2016. Due to the specifics of reporting, Member States submit information on both final and non-final decisions. Therefore, reference is also made to those decisions pending judicial remedy. Verdicts from 2016 on which an appeal is pending are included in the reporting as pending judicial remedy. In cases where a verdict pronounced in 2016 was appealed, and the appeal was concluded before the end of the year, Eurojust counted the proceeding as one. Eurojust's contribution was verified with the Member States that provided relevant data.

Types of terrorism

The TE-SAT categorises terrorist organisations by their source of motivation. However, many groups have a mixture of motivating ideologies, although usually one ideology or motivation dominates. It is worth noting that a categorisation of individuals and terrorist groups based on the ideology or goals they espouse should not be confused with motivating factors and the paths to radicalisation. The underlying causes that lead people to radicalisation and terrorism must be sought in the surroundings (structural factors) and personal interpretations (psychological factors) of the individual. 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.

JIHADIST

Jihadist terrorist acts are those that are committed out of a mindset that rejects democracy on religious grounds and uses the historical comparison with the Crusades of the Middle Ages to describe current situations, in which it is believed that Sunni Islam is facing a "Crusader alliance" composed of Shi'is, Christians and Jews.

RIGHT-WING

Right-wing terrorist organisations seek to change the entire political, social and economic system on an extremist right-wing model. A core concept in right-wing extremism is supremacism, or the idea that a certain group of people sharing a common element (nation, race, culture, etc.) is superior to all other people. Seeing themselves in a supreme position, the particular group considers it is their

natural right to rule over the rest of the population. Racist behaviour, authoritarianism, xenophobia and hostility to immigration are commonly found attitudes in right-wing extremists. Right-wing terrorism refers to the use of terrorist violence by right-wing groups. Variants of right-wing extremist groups are the neo-Nazi, neo-fascist, and ultra-nationalist formations.

LEFT-WING AND ANARCHIST TERRORISM

Left-wing terrorist groups seek to replace the entire political, social and economic system of a state by introducing a communist or socialist structure and a classless society. Their ideology is often Marxist-Leninist. A sub-category of left-wing extremism is anarchist terrorism which promotes a revolutionary, anti-capitalist and anti-authoritarian agenda. Examples of left-wing terrorist groups are the Italian Brigade Rosse (Red Brigades) and the Greek Revolutionary Organisation 17th of November.

ETHNO-NATIONALISM AND SEPARATISM

Ethno-nationalist and separatist terrorist groups are motivated by nationalism, ethnicity and/or religion. Separatist groups seek to carve out a state for themselves from a larger country, or annex a territory from one country to that of another. Left- or right-wing ideological elements are not uncommon in these types of groups. The Irish Republican Army (IRA), the Basque ETA, and the Kurdish PKK organisations fall into this category.

SINGLE-ISSUE

Single-issue extremist groups aim to change a specific policy or practice, as opposed to replacing the whole political, social, and economic system in a society. The groups within this category are usually concerned with animal rights, environmental protection, anti-abortion campaigns, etc. Examples of groups in this category are the Earth Liberation Front (ELF), and the Animal Liberation Front (ALF).

ANNEX 5

ACRONYMS

AMISOM	African Union Mission in Somalia	ISIL	Islamic State in Iraq and the Levant <i>Al-Dawla al-Islamiyya fi al-Iraq wal-Sham</i>
AQAP	al-Qaeda in the Arabian Peninsula <i>Tanzim qa'idat al-jihad fi jazirat al-'arab</i>	JHA	Justice and Home Affairs
AQIM	al-Qaeda in the Islamic Maghreb <i>Tanzim al-qa'ida bi-bilad al-Maghrib al-Islami</i>	KGK	Kongra Gel
BNP	British National Party	LTTE	Liberation Tigers of Tamil Eelam
CBRN	Chemical, Biological, Radiological, Nuclear	NA	National Action
CDK-F	Conseil Kurde de France	NSU	<i>National-Sozialistischer Untergrund</i> National Socialist Underground
CIK	Centre d'information du Kurdistan	ONH	Óglaigh ná h'Éireann Warriors of Ireland
CIRA	Continuity Irish Republican Army	OPCW	Organisation for the Prohibition of Chemical Weapons
DHKP/C	<i>Devrimci Halk Kurtuluş Partisi/Cephesi</i> Revolutionary People's Liberation Party/ Front	PBIED	person-borne improvised explosive device
DR	Dissident Republican	PEGIDA	<i>Patriotische Europäer gegen die Islamisierung des Abenlandes</i> Patriotic Europeans against the Islamisation of the Occident
EDL	English Defence League	PKK	<i>Partiya Karkerên Kurdistan</i> Kurdistan Workers' Party
ERW	Explosive remnants of war	RG	<i>Resistência Galega</i> Galician Resistance
ETA	<i>Euskadi ta Askatasuna</i> Basque Fatherland and Liberty	TATP	triacetone triperoxide
EU	European Union	TAV	<i>Treno ad Alta Velocità</i> high speed train
EU MS	European Union Member States	TE-SAT	European Union Terrorism Situation and Trend Report
FAI	<i>Federazione Anarchica Informale</i> Informal Anarchist Federation <i>Federazione Anarchica Informale</i>	TTP	terrorist tactics, techniques and procedures
FAI/IRF	Informal Anarchist Federation/International Revolutionary Front	TWP	Terrorism Working Party
FSA	Free Syrian Army	UAV	Unmanned aerial vehicle
FTF	foreign terrorist fighter	UK	United Kingdom
HME	home-made explosive	UN	United Nations
HSM	<i>Harakat al-Shabab al-Mujahidin</i> mujahid youth movement <i>Irautzaleen Bilguneak</i>	US	United States (of America)
IBIL	Revolutionary Assemblies	UXO	unexploded ordnance
IED	improvised explosive device	VBIED	vehicle-borne improvised explosive device
IID	improvised incendiary device	VOIED	victim-operated improvised explosive device
INTCEN	EU Intelligence Analysis Centre		
IS	Islamic State		

ANNEX 6

AMENDMENTS IN NATIONAL LEGISLATION ON TERRORISM IN 2016

Belgium

By virtue of the Law of 27 April 2016, the Belgian legislation was amended to allow house searches and arrests to take place between 9 p.m. and 5 a.m. in case of a terrorist offence or a planned attack. Furthermore, the Law of 5 August 1992 on the Police Service was amended to provide for the establishment of common databases aimed at the prevention and suppression of terrorism or of extremism that can lead to terrorism, as well as for the possibility to share information from such databases with foreign law enforcement and intelligence services and international organisations for police and judicial cooperation. The existing provisions of the Belgian Criminal Code were extended by the Law of 3 August 2016 to include the incitement (Article 140bis) and the recruitment (Article 140ter) to travel to or from Belgium for terrorist purposes (Article 140sexies).

Furthermore, the Law of 3 August 2016 extended the Belgian extraterritorial jurisdiction to allow the prosecution of those who commit terrorist offences, provided for in Book II, Title Iter of the Criminal Code, against a Belgian national or a Belgian or European institution abroad. The Law also specified the powers of the Federal Prosecutor's Office in relation to terrorist offences. The Law of 14 December 2016 introduced further amendments to the Criminal Code, concerning: (i) the participation in an activity of a terrorist group, making it sufficient to know or could have known that such participation could contribute to the commission of a crime by the terrorist group (Article 140, § 1), (ii) the preparation of terrorist acts by the so-called 'lone wolves' (Article 140septies), and (iii) the provision or collection of direct or indirect material support, including financial means, for the commission of a terrorist offence (Article 141).

Denmark

Amendments concerning Article 114j of the Danish Criminal Code came into force on 30 September 2016. They criminalise the travel to certain areas in Syria and Iraq without a permit from the Danish authorities. The amendments envisage a penalty of up to six years of imprisonment for Danish nationals or persons with a permanent residence in Denmark, who travel into or stay in the designated areas.

Finland

As of December 2016, new legislation entered into force in Finland. The new legislation criminalises travel to a State other than the State of residence or nationality of the traveller, if the purpose of the travel is to commit, plan or prepare a terrorist act or to give or to receive terrorist training. The new legislation also criminalises funding of travel for the aforementioned purposes. The new legislation is based on United Nations Security Council Resolution 2178 (2014) of 14 September 2014.

France

By Law n° 2016-731 of 3 June 2016, the French Criminal Code was amended and supplemented by criminalising: (i) the trafficking of cultural goods coming from areas in which terrorist groups are operating and (ii) the regular consultation of online content with messages, pictures or other material that can lead to or provoke someone to commit a terrorist act or that promotes or glorifies those acts. This last incrimination has been censored by the French Constitutional Court in Decision n° 2016-611 of 10 February 2017 and as a consequence has been redrafted by the new Law n° 2017-258 of 28 February 2017.



Law n° 2016-731 of 3 June 2016 also extended the powers of magistrates and investigators, making it possible to conduct night-time house searches and use new investigation techniques for data collection. Furthermore, the law reinforced arms and ammunition control, created provisions aimed at protecting witnesses, and strengthened the efficiency of administrative controls to avert terrorist acts and to allow for the surveillance of those coming back to France after travelling abroad to participate in terrorist activities.

Hungary

In 2016, the Hungarian Parliament amended the regulation of acts of terrorism, provided for in Articles 314-316 of the Criminal Code of Hungary. The amendment criminalises the travel through or from Hungary with the intention to join to a terrorist group, and envisages a penalty of between 2 and 8 years' imprisonment. Furthermore, the 'organisation of a terrorist group' has also become punishable. The amendment entered into force on 17 July 2016.

Italy

A new provision was added to the Italian Criminal Code (Article 270quinquies), which criminalises any conduct consisting of gathering funds or goods with the objective of committing terrorist offences, even without a link to a criminal association or a conspiracy to commit terrorist offences. Therefore, any conduct for the purpose of procuring means to finance terrorist activities is criminalised as such. Furthermore, by Law No. 153 of 28 July 2016, Italy ratified several conventions in the field of counter-terrorism, including the Council of Europe Convention on the Prevention of Terrorism, the International Convention for the Suppression of Acts of Nuclear Terrorism, the Protocol amending the European Convention on the Suppression of Terrorism, the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of Proceeds from Crime and on the Financing of Terrorism, and the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism.

Latvia

In February 2016 the Latvian Saeima adopted amendments to the Law on the

Prevention of Money Laundering and Terrorism Financing. The amendments concern, among others, the government regulations on the lists, compiled by certain countries or international organisations, of persons suspected of being involved in terrorist activities or of the manufacturing, keeping, transporting, using or distribution of weapons of mass destruction, as well as the sanctions lists compiled by the Latvian government with the aim of combating the involvement in terrorist activities or the manufacturing, keeping, transporting, using or distribution of weapons of mass destruction. The Law on the Prevention of Money Laundering and Terrorism Financing was further amended in May 2016. The amendments envisage a number of measures to be taken by legal persons to ensure compliance with the law.

The Netherlands

On 1 April 2016, the legal possibility to take away Dutch citizenship in case of dual citizenship and final conviction for terrorist offences was extended to preparatory offences (including training for terrorism). Such a measure would require the decision of the Minister of Security and Justice.

Romania

In March 2016, Article 57 (2) of the Law 135/2010 on the Code of Criminal Procedure was amended. The article concerns the criminal investigation acts carried out by special criminal investigation bodies. In conformity with the amendment, these bodies may, upon the prosecutor's order, enforce technical surveillance warrants in case of terrorist offences and of offences against the national security, as provided for in Title X of the Criminal Code. Also in March 2016, Articles 8 and 13 of the Law no. 14/1992 on the organisation and functioning of the Romanian Intelligence Service were amended to designate the National Centre for Interception of Communications of the Romanian Intelligence Service as a competent authority to obtain, process and store information on national security retrieved from providers of publicly available electronic communications. It was established that, for the purpose of enforcing technical surveillance (as a special investigative technique), the Centre has to allow the criminal investigation bodies to have direct and independent access

to its technical systems. The possibility, by way of exception, to designate the bodies of the Romanian Intelligence Service as special criminal investigation bodies in accordance with Article 55 paragraphs 5 and 6 of the Romanian Criminal Procedure Code, is also envisaged. Furthermore, in November 2016 Law no. 535/2004 on the prevention and fighting against terrorism was amended to define travel abroad for terrorist purposes. The amendment criminalises the (attempt to) travel to a state, other than the state of nationality or residence, for the purpose of committing, planning or preparing a terrorist offence, participating in or providing or receiving instruction or training for the purpose of committing terrorism, or for the purpose of supporting in any way a terrorist entity. The law envisages a custodial sentence between 5 and 12 years' imprisonment and restriction of rights.

Slovakia

At the end of 2015 the Slovak Parliament adopted the so-called 'anti-terror package' in response to the November 2015 terrorist attacks in Paris. As part of the package, police, prosecution offices, courts and intelligence services received new powers in the fight against terrorism. Prison sentences for those convicted of conspiracy to commit a terrorist act were extended, as the offence was included in the category of 'particularly serious crimes'. A new criminal offence of 'participating in combat operation within an organised armed group abroad' was introduced into the Criminal Code also in response to the phenomenon of foreign terrorist fighters. All changes and amendments came into force in January 2016.

Sweden

Further amendments to the Swedish Criminal Code were made to counter the phenomenon of foreign terrorist fighters. On 1 April 2016, new provisions came into force criminalising travelling to a country other than the country of which the suspect is a citizen, with the purpose of committing or preparing serious crimes, particularly terrorist crimes, gathering, supplying or receiving money or other property with the purpose of supporting such travel and also passive training for terrorism.

ANNEX 7

EUROPOL ACTIVITIES IN COUNTER- TERRORISM

FIRST-LINE INVESTIGATIVE SUPPORT: THE EUROPEAN COUNTER-TERRORISM CENTRE (ECTC)

Recent developments that include the terrorist attacks in Brussels and Berlin, a number of failed, foiled and also completed other attacks, the propaganda videos that have been produced in European languages by IS to call for attacks, and a high number of arrests on suspicion of terrorist activities, show that the terrorist threat towards the EU is high. Even though a further military defeat of IS in Syria and Iraq is expected, the severity of the threat in the EU may even increase. The videos indeed give the impression that IS is increasingly under strain in Syria and Iraq, but at the same time they show a strategy of mobilising lone actors to commit attacks against citizens in countries of the anti-IS coalition.

To ensure an effective response to the constant changing developments in terrorism, the European Counter Terrorism Centre (ECTC) has been established at Europol, under the authority and direction of the European Council. It builds further on the already established tools and counter terrorism (CT) networks of Europol, but includes a number of new features. These aim at enhancing the CT capabilities and at better facilitating information exchange among CT authorities, to bring cross-border cooperation in this field to a new level.

The ECTC is designed as a central hub in the EU in the fight against terrorism. In fact, it is the single point in the EU where CT operational information from law enforcement from all EU MS, but also from third parties, is brought together for analytical purposes. Specialised teams of CT analysts and experts work on this information to establish the wider EU perspective on CT phenomena for both operational and strategic goals. To ensure efficient information exchange, the ECTC benefits from an excellent network of CT officers throughout the EU and beyond.

The principal task of the ECTC is to provide operational support upon MS's request for ongoing investigations, such as those following the Paris attacks. The ECTC can assist by cross-checking live operational data with the already available data at Europol, quickly bringing financial leads to light, and by analysing all available investigative details to assist in compiling a structured picture of the terrorist network. In case of a major terrorist event, the ECTC can contribute to the coordinated response. For this purpose different teams are available, often combined with CT experts temporarily seconded from MS, depending on the nature of the event.

EUROPOL INFORMATION SYSTEM (EIS)

One of Europol's core databases is the Europol Information System (EIS). Through this system, Member States directly share and retrieve information on suspects, convicted persons, events and devices connected with serious and organised crime and terrorism. The EIS offers first-line investigative support as this reference system allows MS to quickly identify whether or not information they are looking for is available in one of the EU MS, with cooperation partners or Europol. In case of a positive hit, more information may then be requested through the user's Europol National Unit. In December 2016 the EIS held information on over 7800 foreign terrorist fighters, contributed by 24 countries.

FURTHER IN-DEPTH ANALYSIS: THE COUNTER TERRORISM ANALYSIS WORK FILE (AWF) AND THE FOCAL POINTS

For a more in-depth analysis, the ECTC works with the counter terrorism analysis work file (AWF). This file provides the framework for operational analytical support with the MS and third partners. As a result, the number of data categories that are permitted to be stored and processed is broader than in the EIS (within the CT AWF, there is focused analysis on certain CT phenomena). Existing and emerging terrorist phenomena are handled within separate focal points. In these highly secure environments the information is collected, cross-matched and analysed. This is done by dedicated teams of CT analysts and CT experts. Within CT, a major focal point is 'Travellers', which deals with foreign terrorist fighters. In response to the concerted efforts of Member States with the assistance of Europol the amount of data on foreign terrorist fighters within Focal Point Travellers increased substantially in 2016, reflecting the increase of entries on foreign terrorist fighters in the EIS.

The ECTC uses an integrated approach, meaning that data inserted in one system is automatically cross-checked against all other databases at Europol, to close intelligence gaps. In addition regular manual checks are carried out.

INFORMATION EXCHANGE: SIENA

In an organisation like Europol, with its main focus on information exchange, secure and swift transmission of data is essential, especially when it comes to CT data. Information from a Member State must reach Europol, and vice versa, without the risk of interception. To facilitate this information exchange, the Secure Information Exchange Network Application (SIENA) was designed and has been in use for a number of years by MS, Europol and third parties that have operational cooperation agreements with Europol.

A dedicated area has been created within SIENA especially

for CT authorities. This means that CT authorities now have the possibility to send information directly to Europol or other CT authorities. Until very recently, countries could only use SIENA for sending their contributions on terrorism to Europol indirectly, through the Europol National Units and Liaison Bureaux. The extended infrastructure now also allows CT authorities from different countries to directly exchange information amongst themselves, and the involvement of Europol is optional. However, it is recommended that Europol is involved, otherwise possible links to other MS and third partners may remain undiscovered as well as potential links between organised crime and terrorism.

In practice, this means that every CT officer in the Member States can check the EIS from their own computers, or can directly send information to, or receive information, from the focal points. The options described for sharing information are at the discretion of the Member State. The dedicated SIENA CT environment is already operational with 90% of all MS, and in total 46 CT authorities, now connected to the system.

INTERNET REFERRAL UNIT (IRU)

Terrorists' use of the internet and social media has increased enormously over the course of recent years. Jihadist groups, in particular, have demonstrated a sophisticated understanding of how social networks operate and have launched well-organised, concerted social media campaigns to recruit followers and to promote or glorify acts of terrorism and violent extremism.

As this is a problem that spans multiple linguistic audiences and jurisdictions, a common EU response was necessary, hence the establishment of an Internet Referral Unit (IRU) at the ECTC. The IRU has the following core tasks:

- › To coordinate and share the identification tasks (flagging) of terrorist and violent extremist online content with relevant partners;
- › To carry out and support referrals quickly, efficiently and effectively, in close cooperation with industry;
- › To support competent authorities, by providing strategic analysis and operational analysis.

TERRORISM FINANCE TRACKING PROGRAMME (TFTP)

The ECTC uses a number of tools to help detect financing of terrorism, of which one of the most known is TFTP - the Terrorism Finance Tracking Programme. In 2010, the European Parliament adopted the EU-US Terrorist Finance Tracking Programme (TFTP) Agreement.

Relevant information obtained through the TFTP is provided by the US Treasury Department to Europol, competent authorities of EU Member States and Eurojust

(either spontaneously by the US, pursuant to Article 9, or upon request, Article 10), with the aim of combating terrorism and terrorist financing.

The TFTP has proven to be a valuable tool in terrorism-related investigations - it enhances the ability to map out terrorist networks, often filling in missing links in an investigative chain. It is used to track terrorist money flows, allowing authorities to identify and locate operatives and their financiers, and assists in broader efforts to uncover terrorist cells.

EXPLOSIVES AND CBRN THREATS

The bomb-making process, potential recipes for the harmful use of explosives precursors as well as potential new threats using chemical, biological, radiological and nuclear (CBRN) materials are monitored daily and cross-checked by Europol specialists at the ECTC. Europol also facilitates cooperation between CBRN and explosives specialists through the European Explosive Ordnance Disposal Network (EODN). The agency provides seminars and training where responses to potential and realistic scenarios of terrorist attacks can be rehearsed.

EUROPEAN CYBERCRIME CENTRE (EC3)

Launched in January 2013, the European Cybercrime Centre (EC3) can deliver high-level technical, analytical and digital forensic expertise to support investigations of EU Member States and third parties in cases of convergence of cyber and terrorism.



DIRECT OPERATIONAL SUPPORT FOR CT CASES

The ECTC's core business is to support MS in ongoing investigations, for which it has several teams and analysts available to produce analytical products, ranging from cross-check reports to intelligence notifications, and risk and threat assessments. To provide direct operational support, and to also contribute to a coordinated response in cases of major terrorist attacks or threats, the ECTC applies a scalable approach where other teams can be activated depending on the need. For example, the Europol Emergency Response Team (EMRT). This team exists of Europol experts and analysts with relevant backgrounds and experience, to support emerging investigations on a 24/7 basis.

THE CT JOINT LIAISON TEAM

European Union Member States have recently established the Counter Terrorism Joint Liaison Team (CT JLT) for closer cooperation on cross-border investigations. The team consists of CT experts/analysts from the Member States and Europol.

TEAM OF ROTATING GUEST OFFICERS AT IMMIGRATION HOTSPOTS

Between January and December 2016, approximately 363 400 migrants entered Europe by sea, mainly in Greece and Italy. And still, every day, many people attempt to cross those borders to escape the atrocities in Syria and Iraq. There is no concrete evidence that terrorist travellers systematically use those flows of refugees to enter Europe unnoticed, but it is indisputable that some terrorists have entered the EU posing as a refugees, as was seen in the Paris attacks of 13 November 2015.

To counter this threat, Europol has recently approved the recruitment of up to 200 counter-terrorist and other investigators for deployment to migration hotspots in Greece and soon also to Italy. Up to 50 of these "guest officers" will be deployed on rotation at key points on the external borders of the EU to strengthen security checks on the inward flows of migrants, in order to identify suspected terrorists and criminals, establishing a second line of defence.

**TE
SAT**

EUROPEAN UNION
**TERRORISM SITUATION
AND TREND REPORT**

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EISENHOWERLAAN 73, 2517 KK
THE HAGUE, THE NETHERLANDS

www.europol.europa.eu

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