

**Opinion of the European Committee of the Regions — A Counter-Terrorism Agenda for the EU:
anticipate, prevent, protect, respond**

(2022/C 61/05)

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Reference document:	Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions — A Counter-Terrorism Agenda for the EU: anticipate, prevent, protect, respond COM(2020) 795 final

POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

Introduction

1. welcomes the Commission's counter-terrorism agenda⁽¹⁾, which recognises the key role of local and regional authorities, including in the prevention of radicalisation and in the protection of public spaces;
2. agrees with the Commission that the transnational nature of terrorist networks requires stronger cooperation so as to safeguard and uphold our common values and norms, our European way of life and our pluralistic society;
3. points out that counter-terrorism policy is part of security policy, which is a shared competence between the EU and the Member States, with the maintenance of law and order and the safeguarding of internal security being the responsibility of the Member States in accordance with the Treaty on the Functioning of the European Union⁽²⁾, and in this regard also points to the role played by regional law enforcement authorities in certain Member States;
4. stresses that the motivation for terrorist attacks in the EU is diverse, and has been divided into five categories by Europol: jihadist terrorism, left-wing and anarchist terrorism, right-wing terrorism, ethno-nationalist and separatist terrorism, and single-issue terrorism, and points to the growing phenomenon of perpetrators acting alone⁽³⁾;
5. points out that the curtailing of freedom of movement through COVID-19 measures hinders terrorists' activities, that unfortunately ways can be found to circumvent this, and that account must be taken of the socioeconomic impact of the pandemic, which creates an additional risk of radicalisation and a crisis situation that terrorists can use to further propagate their aims and activities⁽⁴⁾⁽⁵⁾;

Anticipate

Strategic intelligence and threat assessment

6. recognises, in view of the transnational nature of terrorist networks, the vital importance of the EU Intelligence and Situation Centre (EU INTCEN) for the EU's internal security, and welcomes the Commission's call to better integrate strategic intelligence and to continue providing EU INTCEN with high-quality threat assessments from national security and intelligence services and with the necessary resources;

⁽¹⁾ COM(2020) 795 final.

⁽²⁾ Articles 4, 67 and 72 TFEU.

⁽³⁾ Europol (2020). European Union Terrorism Situation and Trend Report (TE-SAT) 2020.

⁽⁴⁾ Europol (2020). European Union Terrorism Situation and Trend Report (TE-SAT) 2020.

⁽⁵⁾ United Nations Security Council Counter-Terrorism Committee Executive Directorate (2020). The impact of the COVID-19 pandemic on terrorism, counter-terrorism and countering violent extremism.

Reinforcing early detection capacity

7. welcomes the plan for EU security research to strengthen the capacity for early detection of potential terrorist threats, and stresses the importance here of interoperability in order to exchange information;

8. supports the further integration of research within the security policy cycle of the Horizon Europe programme, and the proposal for Europol to assist in identifying key research themes and in drawing up and implementing the relevant EU framework programmes;

Staying ahead of the curve: the role of new technologies

9. recognises the opportunities presented by new innovative technologies such as artificial intelligence and drones to proactively detect terrorist threats and contribute to the security of public spaces, welcomes the Commission's commitment to fund projects to develop new technologies under the Urban Agenda for the EU⁽⁶⁾, and calls for the exchange of best practices between governments, industry and experts;

10. points out that new technologies also create new threats, and welcomes, inter alia, the Commission's plans to better detect, track and identify potentially malicious drones;

11. emphasises that a balance must always be sought, but especially with new technologies, between, on the one hand, the right to security and physical integrity and, on the other hand, other fundamental rights and freedoms; checks and balances should be built in here, and proportionality and independent judicial oversight should be priorities;

Prevent*Countering extremist ideologies online*

12. welcomes the Commission's commitment, in cooperation with Europol, to see Europol's competent unit strengthened in terms of resources and capacity, to support the further implementation of the EU Crisis Protocol and thus to tackle viral dissemination of terrorist content online;

13. takes note of the Commission's commitment to extend the list of EU-level crimes⁽⁷⁾ to hate crime and hate speech and its proposal for a Digital Services Act⁽⁸⁾, stresses the need to take into account here the legal frameworks in the Member States, and points out that all fundamental rights and freedoms, including the right to freedom of expression, must always be taken into account;

14. stresses the importance of disseminating counter- and alternative narratives in the drive to combat radicalisation, terrorism and disinformation, and welcomes the Commission's commitment to support Member States in developing this strategic communication;

Supporting local actors for more resilient communities

15. stresses its commitment to continue playing an active role in combating radicalisation, and welcomes the Commission's support for the Radicalisation Awareness Network⁽⁹⁾ and the EU Cities Against Radicalisation initiative⁽¹⁰⁾;

16. emphasises, in particular with regard to early detection of radicalisation, the importance of a multidisciplinary approach in cooperation with civil society, points to best practices such as 'local integrated security cells', which bring together local administrations, police, social workers and prevention organisations, (non-formal) education services, religious counsellors, etc., and take a case-by-case approach to radicalised individuals⁽¹¹⁾, points here to the principle of shared professional secrecy, which is crucial, calls for an exchange of best practices in this regard, and stresses the need to take into account legislation in the Member States on the protection of privacy;

⁽⁶⁾ <https://futurium.ec.europa.eu/en/urban-agenda/security-public-spaces>

⁽⁷⁾ Article 83(1) TFEU.

⁽⁸⁾ COM(2020) 825 final.

⁽⁹⁾ https://ec.europa.eu/home-affairs/what-we-do/networks/radicalisation_awareness_network_en

⁽¹⁰⁾ https://ec.europa.eu/home-affairs/policies/internal-security/counter-terrorism-and-radicalisation_en

⁽¹¹⁾ https://preventie-radicalisering-polarisering.vlaanderen.be/sites/preventie-radicalisering-polarisering/files/leidraad_livc.pdf

17. points out that local and regional authorities are the most directly confronted with the opportunities and challenges of integration and expects, particularly at that level, support from the Commission to safeguard and strengthen social cohesion, including through its Action Plan on Integration and Inclusion ⁽¹²⁾;

Prisons, rehabilitation and reintegration

18. welcomes the Commission's commitment to focusing more on the issue of radicalisation in prisons through the disengagement, rehabilitation and reintegration of radicalised inmates, stresses the need for a comprehensive approach whereby prison staff, social workers, religious counsellors etc. receive specialised training on how to deal with radicalised prisoners and which ensures that the mentoring of radicalised individuals does not stop after their detention or disengagement, and points to the importance of exchanging best practices;

Consolidating knowledge and support

19. welcomes the Commission's commitment to support the further development of national networks of relevant actors, looks forward to the proposal on setting up an EU Knowledge Hub on prevention of radicalisation which, in addition to disseminating knowledge and expertise, should also promote the optimal use of funding opportunities under the various EU programmes, notes the high level of knowledge and expertise that already exists in local and regional authorities ⁽¹³⁾, and calls for competent regional law enforcement authorities and intelligence services to be involved in the development of national networks of relevant stakeholders and the EU Knowledge Hub on the prevention of radicalisation;

20. stresses, moreover, the importance of the Internal Security Fund (ISF) in Europe's fight against terrorism and highlights the need to ensure that the share of funds managed by the Member States reaches all competent national and regional authorities in this field;

Protect

Protecting people in public spaces

21. stresses the vulnerability of public spaces to terrorist attacks, welcomes the Commission's commitment to putting more emphasis on the 'security by design' principle, looks forward to the Commission's 'virtual architecture book' on incorporating security aspects in the design of future and the renovation of existing public spaces, and points to the balance to be struck between the security of public spaces and the openness liveability and accessibility of those spaces;

22. recognises the high symbolic value of places of worship, which often makes them the target of terrorists, and looks forward to the projects that the Commission intends to support in coordination with the Member States to enhance their physical protection, where once again a balance must be struck between openness, liveability and accessibility;

Cities as the backbone of urban security

23. welcomes the Commission's proposals regarding an EU Pledge on Urban Security and Resilience and a new Cities against Radicalisation and Terrorism initiative, and calls for the one-stop-shop principle to be used here to ensure a single point of contact;

24. calls on the Commission to include the Committee of the Regions as a full partner in the EU Pledge on Urban Security and Resilience and for it to always be consulted on relevant proposals;

25. stresses that EU cohesion policy funds can also be used to prevent radicalisation and upgrade public infrastructure through investments aimed at social cohesion, integration and resilience;

⁽¹²⁾ COM(2020) 758 final.

⁽¹³⁾ Flemish Parliament (2015). Document 366 (2014-15) — No 3 and Flemish Government (2017). Flemish Action plan for the prevention of violent radicalisation and polarisation.

Making critical infrastructure more resilient

26. emphasises that critical infrastructure runs the risk of being a terrorist target, highlights the importance of reporting cyber incidents under the legislation on the security of network and information systems⁽¹⁴⁾, and looks forward to the Commission's proposals to enhance the resilience of operators and step up security against physical and digital risks;

27. welcomes the fact that the scope of the proposed directive on the resilience of critical infrastructure⁽¹⁵⁾ has been substantially extended to cover energy, transport, health, drinking water, waste water, digital infrastructure, public administration and space. Reiterates⁽¹⁶⁾ its call on the European Commission to consider in the future further increasing the number of sectors to be covered by the directive to also include the distribution chains of essential items;

Border security

28. points out that the free movement of persons within the EU must be inextricably linked to proper external border control, agrees with the Commission that more needs to be done to achieve an effective border management system with the aim of ensuring systematic checks of all travellers at the external borders so that people suspected of terrorism are detected and denied entry into the EU, and looks forward to the Commission's proposals for a new Schengen strategy;

29. recognises the need to achieve interoperability and swift and full implementation of the Entry/Exit System (EES)⁽¹⁷⁾, the European Travel Information and Authorisation System (ETIAS)⁽¹⁸⁾ and the European Criminal Records Information System — Third Country Nationals (ECRIS-TCN)⁽¹⁹⁾;

30. following the new regulations on the Schengen Information System (SIS)⁽²⁰⁾, recognises the need to implement the Automated Fingerprint Identification System (AFIS) and to ensure that information on foreign terrorist fighters provided by trusted third countries is entered into SIS;

Denying terrorists the means to attack

31. recognises the threat posed by homemade explosives, supports the Commission's call for full implementation and enforcement of the legislation on explosives precursors⁽²¹⁾, and stresses the importance of regularly reviewing and updating this legislation;

Respond*Operational support: strengthening Europol*

32. recognises the crucial role of Europol and its European Counter-Terrorism Centre (ECTC), stresses the need for additional resources, and welcomes the Commission's commitment⁽²²⁾ to strengthen Europol's mandate, so as to enable it to cooperate effectively with private parties, to support national criminal investigations into terrorism as regards the processing and analysis of big data, and to deploy its research and innovation expertise;

Law enforcement cooperation

33. stresses the need for cross-border and cross-sectoral cooperation in combating terrorism, calls for close cooperation between regional and national law enforcement authorities and Europol, highlights the added value of the relevant CEPOL training⁽²³⁾, looks forward to the Commission's proposal for an EU police cooperation code, while calling for it to take account of the decentralised nature of security policy in certain Member States, welcomes the Commission's commitment to continue supporting and safeguarding the ATLAS network of special intervention units⁽²⁴⁾, and calls for pooling and sharing options to be explored;

⁽¹⁴⁾ Directive (EU) 2016/1148.

⁽¹⁵⁾ COM(2020) 829 final

⁽¹⁶⁾ CoR opinion on the resilience of critical entities, NAT-VII/017.

⁽¹⁷⁾ <https://www.eulisa.europa.eu/Activities/Large-Scale-It-Systems/Sis-li>

⁽¹⁸⁾ <https://www.eulisa.europa.eu/Activities/Large-Scale-It-Systems/Etiias>

⁽¹⁹⁾ <https://www.eulisa.europa.eu/Activities/Large-Scale-It-Systems/Ecris-Tcn>

⁽²⁰⁾ Regulation (EU) 2018/1860, Regulation (EU) 2018/1861 and Regulation (EU) 2018/1862.

⁽²¹⁾ Regulation (EU) 2019/1148.

⁽²²⁾ COM(2020) 796 final.

⁽²³⁾ <https://www.cepola.europa.eu/education-training/what-we-teach/counter-terrorism>

⁽²⁴⁾ Decision 2008/617/JHA.

Strengthening information exchange

34. recognises the need for stronger coordination, cooperation and information exchange between local and regional authorities, the Member States, police forces, justice systems, and security and intelligence services, both among themselves and with the relevant European agencies, highlights best practices using multidisciplinary task forces, working groups and security cells at local, regional and national levels⁽²⁵⁾, looks forward to the Commission's proposals for an efficient mechanism for information exchange in counter-terrorism cases, and stresses the importance of discretion and mutual trust;

35. acknowledges the need for a better exchange of DNA profiles, fingerprints and palm prints, and national vehicle registration data between Member States that meets the operational needs of law enforcement authorities and complies with the EU legal framework for data protection, and looks forward to the Commission's proposals to revise, update and extend the Prüm Decisions⁽²⁶⁾;

Supporting investigations and prosecution

36. recognises that information encryption is not only an important tool for the protection of cyber security and fundamental rights, but is also misused by terrorists, and looks forward to the cooperation proposed by the Commission with Member States to identify solutions for lawful access to these data in line with our fundamental rights and freedoms and the EU data protection legal framework;

37. acknowledges, in the context of identifying, detecting and prosecuting returning foreign terrorist fighters, the necessity and complexity of gathering evidence and battlefield information, looks forward to the Commission's initiatives to support Member States in this regard, and welcomes the Commission's commitment to strengthening cooperation with third countries;

Strengthened support to victims of terrorism

38. stresses the enormous impact of terrorist attacks on victims, and points out that victim support should be based on recognition, remembrance, justice and truth-seeking;

39. emphasises the need to unburden victims, and points out the good practice of a case management system with coaches, in which victims are individually supported both administratively and emotionally;

40. stresses the added value of the pilot EU Centre of Expertise for Victims of Terrorism⁽²⁷⁾, and calls for it to be continued and expanded beyond 2021 in order to carry out further practical work on the ground, and calls for strong cooperation with the future EU Knowledge Hub on the Prevention of Radicalisation, and not integration of the two;

41. welcomes the Commission's commitment to exploring ways to improve victims' access to compensation, including in relation to victims of terrorism in cross-border situations, who are residents of another Member State than that where the terrorist attack occurred, and calls for consideration of systems such as a guarantee fund for victims of terrorism.

Brussels, 12 October 2021.

The President
of the European Committee of the Regions
Apostolos TZITZIKOSTAS

⁽²⁵⁾ https://www.besafe.be/sites/default/files/2019-06/planr_en.pdf

⁽²⁶⁾ Decisions 2008/615/JHA and 2008/616/JHA.

⁽²⁷⁾ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/eu-centre-expertise-victims-terrorism_en