KAUNAS UNIVERSITY OF TECHNOLOGY
FACULTY OF SOCIAL SCIENCES, ARTS AND HUMANITIES

IMPLEMENTATION, VALIDITY AND EFFECTIVENESS OF EUROPEAN UNION COUNTER-TERRORISM POLICIES IN THE CONTEXT OF CONTEMPORARY TRANSFORMATIONS OF TERRORISM

Final project for Master degree

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KAUNO TECHNOLOGIJOS UNIVERSITETAS
SOCIALINIŲ, HUMANITARINIŲ MOKSLŲ IR MENŲ FAKULTETAS

EUROPOS SĄJUNGOS KOVOS SU TERORIZMU POLITIKOS ĮGYVENDINIMAS, PAGRĮSTUMAS IR VEIKSMINGUMAS ATSIŽVELGIANT Į ŠIUOLAIKINIUS TERORIZMO POKYČIUS

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AKADEMINIO SĄŽININGUMO DEKLARACIJA

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LIST OF ABBREVIATIONS

COREPER - The Committee of Permanent Representatives in the European Union

CIA - Central Intelligence Agency

CFSP - Common Foreign and Security Policy

COM - Communication

CT - Counter-Terrorism

CTG - Counter-Terrorism Group

EIDHR - European Initiative for Democracy and Human Rights

EU - European Union

EAW - European Arrest Warrant

EC - European Commission

ETA - Euskadi Ta Askatasuna (separatist group)

Europol - The European Union Agency for Law Enforcement Cooperation

FEMYSO - Forum of European Muslim Youth and Student Organization

FRONTEX - European Border Agency

G6 - The Group of Six (Germany, France, United Kingdom, Italy, Spain, Poland)

GTD - Global Terrorism Database

IRA - Irish Red Army

IS - Islamic State

ISIS - Islamic State in Iraq and Syria

PWGT - Police Working Group on Terrorism

SIS - Schengen Information System

SITCEN/INTCEN - European Union Intelligence and Situation Centre

TE-SAT - EU Terrorism Situation & Trend Report

UN - United Nations

US - United States

USSR - Union of Soviet Socialist Republics

WW2 - World War II

9/11 - 2001 terrorist attacks in United States

3/11 - 2005 terrorist attacks in Spain, Madrid

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SUMMARY

Terrorism is one of the main threats of recent years, not only to national security, but also to the entire world community. This phenomenon has existed for at least a couple of multiple decades. However, in 2001 terrorist attacks in the United States, which were highlighted on live television broadcasts, have revealed to many people the destructive potential of this form of violence. This event has become fatal for terrorism studies, from the sight of academics, researchers to special services, which have become the subject of global interest. At the same time, this date symbolized a new phase in the transformation of terrorism, which has prompted states, in particular the United States, to initiate a counter-terrorism campaign. Precisely, in almost few decades that terrorism and the fight against this phenomenon can be traced to a transformation of terrorist threats, the consequences of which have also been felt by EU states. Terrorist attacks pre-9/11, after 9/11, in 2004 Madrid and in 2005 London confirmed the predictions by terrorist experts that Europe is a harbinger of Jihadist terrorism and that the manifestation of attacks on the territory of the EU is a matter of time. Nevertheless, in recent years, contradictories went real following most ferocious terrorism attacks in 2015 France and in 2016 Belgium. Human resources have become the main reason for Jihadist terrorism to function in the EU. It is precisely in Europe that is seen active trends of terrorist recruitment and radicalization. The targets of these processes are the members of the Muslim communities living in Europe who have not adapted and integrated into the socio-cultural life of the EU countries. In today's context, when terrorist activities are carried out in different EU countries, they move freely within the EU and enjoy other benefits provided by the EU. The need for an effective common EU counter-terrorism policy has emerged. Noteworthy that the safeguarding of national security still remains within the competence of the Member States. At the same time, the formation and implementation of EU counter-terrorist policies is one of the most dynamic areas. It is this aspect that justifies the relevance of the EU's fight against terrorism. Knowing that, the use of adequate counter-terrorist methods can only hold back terrorism, the EU's response to the threats of Jihadist terrorism in Europe over recent years is being addressed.

The object of the Master's thesis is the EU counter-terrorism policy. At the same time, a comprehensive analysis will also assess the processes and policies taking place in the European Union.

The aim of the Master's thesis is to study the formation of EU counter-terrorism policies in 2001-2016, assessing the validity of the applicable counter-terrorism measures and their success. To accomplish this, the following tasks have been implemented:

1. To define the transformation of threats of Jihadist terrorism in today's world;

2. To determine what is causing the tendencies of radicalization of Muslim communities;

3. To examine the evolution of the EU's counter-terrorism policy and thus to reveal its essential aspects in order to answer the question of whether the EU's counter-terrorism policy is of a preventative nature;

4. To examine the EU's institutional counter-terrorism mechanism in assessing whether the EU's fight against terrorism has been successfully coordinated at EU level;

5. To examine the practical application of key EU counter-terrorism measures;

6. Finally assessing whether the EU counter-terrorism measurements are adequate and whether responds appropriately to the tendencies of contemporary threats of terrorism in the EU.

Master's work structure reflects the sequence of tasks set. The first part briefly presents the main aspects of the transformation of terrorism and threats of Jihadist terrorism in the EU. As well analyzes the factors contributing to the radicalization of Muslim communities. The second part examines the evolution of the EU counter-terrorism policies, introduces the development of a legal framework for combating terrorism, and examines the features of the functioning of the counter-terrorism mechanism. The third part, examines the practical implementation of specific anti-terrorist measures, based on the findings of the study, highlights the evaluation in the EU's counter-terrorism policies and implementation of measures.

INTRODUCTION

Terrorism is one of the main threats of recent years, not only to national security, but also to the entire world community. This phenomenon has existed for at least a couple of multiple decades. However, in 2001 terrorist attacks in the United States, which were highlighted on live television broadcasts, have revealed to many people the destructive potential of this form of violence. This event has become fatal for terrorism studies, from the sight of academics, researchers to special services, which have become the subject of global interest. At the same time, this date symbolized a new phase in the transformation of terrorism, which has prompted states, in particular the United States, to initiate a counter-terrorism campaign. Precisely, in almost few decades that terrorism and the fight against this phenomenon can be traced to a transformation of terrorist threats, the consequences of which have also been felt by EU states.

Formerly active and, to date, terrorist organizations based on nationalistic ideals, extreme right or left ideologies such as Red Army Faction in Germany, Red Brigades in Italy, separatist group Euskadi Ta Askatasuna (ETA) in Spain, Republican Army (IRA) in Ireland, have been overshadowed by radical Islamist-motivated terrorists. Today, this type of terrorism, known as Jihadist terrorism, is the target of the EU's counter-terrorism policy. Overviewing religious aspect of Jihad in the Western world, the very notion of the concept of "jihad" in Arabic traditionally means, "fighting on the path to God". Usually, in Islamic context Jihad is understood one's duty towards Islam. This struggle in Islamic theology is understood in two ways. First, it is the great jihad, or the struggle of each believer for the purification of his soul, the pursuit of moral, ascetic and mystical perfection. Consequently, fighting the great jihad, Muslim rule his passions, avoid mistakes and deviations on the path to God, to full obedience to the divine will. However here is also a lesser jihad, understood both physically and socially. As in controversy its terminology is complicated due to generalizing and different outcomes of terrorism, what is necessary to outline.

Terrorist attacks in 2004 Madrid and in 2005 London confirmed the predictions by terrorist experts that Europe is a harbinger of Jihadist terrorism and that the manifestation of attacks on the territory of the EU is a matter of time. Nevertheless, in recent years, contradictories went real following most ferocious terrorism attacks in 2015 France and in 2016 Belgium. Human resources have become the main reason for Jihadist terrorism to function in the EU. It is precisely in Europe that is seen active trends of terrorist recruitment and radicalization. The targets of these processes are the members of the Muslim communities living in Europe who have not adapted and integrated into the socio-cultural life of the EU countries. True, these individuals make only a minor proportion of the Muslim communities in the EU, but they are the dominant public discourse.

In today's context, when terrorist activities are carried out in different EU countries, they move freely within the EU and enjoy other benefits provided by the EU. The need for a common EU

counter-terrorism policy has emerged. Noteworthy that the safeguarding of national security still remains within the competence of the Member States. Therefore, an attempt to develop a common counter-terrorism policy is a new challenge for EU countries. At the same time, the formation and implementation of a EU counter-terrorist policy is one of the most dynamic areas. It is this aspect that justifies the relevance of the EU's fight against terrorism. Knowing that, the use of adequate counter-terrorist methods can only hold back terrorism, the EU's response to the threats of Jihadist terrorism in Europe over recent years is being addressed.

In the Master's Thesis non-state actors, targeting civilians or non-combatants in pursuit of political and ideological goals understand terrorism as the use of violence or threats. After 2001 attacks, EU has broaden the scope of a general definition of terrorism: *Terrorist act - intentional acts, which, given its nature or its context, may seriously damage a country or an international organization, as defined as an offence under national law, where committed with the aim of seriously intimidating a population, or unduly compelling a Government or an international organization to perform or abstain from performing any act, or seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization.*

The object of the Master's thesis is the EU counter-terrorism policy. At the same time, a comprehensive analysis will also assess the processes and policies taking place in the European Union.

The aim of the Master's thesis is to study the formation of EU counter-terrorism policies in 2001-2016, assessing the validity of the applicable counter-terrorism measures and their success. To accomplish this, the following tasks have been implemented:

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5. To examine the practical application of key EU counter-terrorism measures;
6. Finally assessing whether the EU counter-terrorism measurements are adequate and whether responds appropriately to the tendencies of contemporary threats of terrorism in the EU.

The hypothesis of paper - The EU counter-terrorism policy is being implemented too slowly, its application is complicated, and the accentuated methods are inadequate for today's terrorism. All of this determines the reactive, rather than preventive, nature of the counter-terrorism policy.

Thesis aims to answer two questions of the key problems risen. Are the EU Counter-Terrorism Policies reactive or preventive in nature? Are the EU Counter-Terrorism Policies succeeded at EU level?

Master's work structure reflects the sequence of tasks set. The first part briefly presents the main aspects of the transformation of terrorism and threats of Jihadist terrorism in the EU. As well analyzes the factors contributing to the radicalization of Muslim communities. The second part examines the evolution of the EU counter-terrorism policies, introduces the development of a legal framework for combating terrorism, and examines the features of the functioning of the counter-terrorism mechanism. The third part, examines the practical implementation of specific anti-terrorist measures, based on the findings of the study, highlights the evaluation in the EU's counter-terrorism policies and implementation of measures.

Methodology of thesis is based on the methods of content and secondary data analysis. The list of literature can be divided into several parts. The first part consists of the most important EU legal instruments covering the fight against terrorism. They include the Counter-Terrorism Strategy, the European Security Strategy, and other strategies and policies aimed at ensuring that specific counter-terrorist measures are taken. These sources include other EU documents, proposals, initiatives and statements by EU officials. Another part of the literature.is compiled from research papers, books, online sources that present the main theoretical aspects of terrorism and Jihad culture, evolution and the dynamics of the required data related with EU Counter-terrorism measurements implementation.

The Master's thesis consists of an introduction, three parts and conclusions - a total of 68 pages. The work presents 7 graphs, 3 tables and 2 annexes. 66 literature sources were used for preparation of the work.

1. CLARIFICATION OF TERRORISM PHENOMENA

1.1. Contemporary Threats of Terrorism

In analysing how today's terrorist threats to European states have formed; it is worth looking at the most important aspects of terrorism transformation in the last decade. In recent years, new terrorist targets, motivation and opponents have emerged. If formerly, terrorist organizations have not been innovative and have used traditional tactics, often copied from other terrorist organizations, today's activities of terrorist groups have become an ingenious way of acting against different types of targets.

It is precisely for these reasons that terrorist acts of recent years are increasingly referred to as the term "modern terrorism". According to Walter Laqueur (Spencer, 2006), definition it's different in character, aiming not for clearly defined political demands but for the destruction of society and the elimination of large sections of the population, in its most extreme form. It is possible to argue about such terminology, although it is obvious that terrorism in recent years has evolved not only in quantitative but also in qualitative performance parameters. In the presentation of the transformation of terrorism in recent decades, the following tendencies have been singled out:

1. terrorists have become capable of implementing global campaigns,

2. part of the terrorist organizations has developed new methods of organizing activities,

3. terrorism has become centered on the number of victims,

4. terrorists are effectively exploiting new communication technologies,

5. terrorist organizations have created new sources of resources,

6. terrorists are implementing strategic goals.

The recent terrorist attacks have confirmed that one of the fundamental foundations of contemporary terrorism is its international character. The current strategy of terrorist organizations is of a global nature. The guarantor of their successful activities is the large-scale international network. As an example, often provided, Al Qaeda's terrorist organization, which has links with as many as 60 nations and 20 operations around, as Bruce Hoffman points out. About 18,000 individuals who participated in Al Qaida training camps in Afghanistan from 1996 to 2001 today are scattered over 60 states. (Hofman, 2006) These impressive figures confirm that terrorist organizations created in a given region are no longer dependent on local support. Another striking trend is the new way of organizing activities. Terrorist groups transformed into a small creature to form a cobweb in order to remain effective and safe. In such groups, there is a division of functions in which different groups take care of individual reloading, training, exploration, planning, logistics, finance or propaganda. The next generation of terrorist groups replaces the previously used pyramidal, hierarchically

organized organizational structure, with a broad participation movement. And the implementation of their activities is based on a linear model, where responsibility is shared evenly. (Tucker, 2008)

The functioning of such an organization is based on a collective vision and a common value system. Distribution to small groups increases the chances of remaining unnoticed before attacks. In addition, once a single terrorist group is detected and destroyed, the entire network will be able to adapt by reorganizing, shaping the tactics of the new headquarters, changing the geographical location. In this way, a new cobweb will be formed, able to organize attacks.

The transformation of terrorism is characterized by a marked increase in the number of victims. If the purpose of previous terrorist attacks was primarily solely the psychological nature of the attack and the number of victims was less significant, today's terrorists are interested in the greatest possible loss of civilian life. Also, if formerly the priority was given to the execution of state officials, today the primary targets are civilians. So far, only 11 September (9/11) has been hit by unprecedented casualties. (Hofman, 2006) However, attempted endeavors by terrorists reveal that there were more such analogous attacks. Knowing this aspect of current terrorism, it is obvious that the consequences would be difficult to predict when terrorists use unconventional weapons. Despite the predictions by terrorist analysts that attack against trade, services and telecommunications (Navickas, 2014) will continue to increase in the future, such terrorist targets should be seen as a secondary objective, since the psychological nature of the attack remains a key element of the terrorist strategy, while the vulnerability of these targets only manifests itself in the long run.

Today's technological capabilities are a real "golden age" for terrorist organizations. The exploitation of modern communication channels is a fundamental cause of the strength of the phenomenon of terrorism. It lies in the nature of terrorism, the main purpose of which is the transfer of knowledge to the audience. The psychological effect of terrorism, which aims to destabilize a particular society, is unthinkable without the communication process. After all, when Palestinian Jewish terrorist groups began to realize that the essential precondition for their terrorist success was the transfer of knowledge to the widest possible audience, they partially succeeded in achieving their goals. (Hofman, 2006) The process of mediation for today's terrorist groups, the perception of the world as a "global rural", the Internet is a key to success. The current symbiotic relationship between terrorists and the media and the difficulty of controlling the promotion of activities on the Internet, ensures the vital interests of the terrorists. Modern technologies that facilitate mutual cooperation and ensure the effective implementation of terrorist propaganda contributed significantly to the strengthening of terrorism.

The effectiveness of terrorist organizations also depends on financial resources. In this regard, currently active structures, despite the international efforts to freeze financial resources related to terrorist activities, secure a source of income by investing in drug trafficking, diaspora victims, and

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various charitable foundations. (Thony, 2002) Traditionally, various organizations during the Cold War have been funded to maintain some influence or influence the agents in the region. As a rule, the enemy was guided by the support of the enemy. This is a false practice, which, as it is now known, has also come to the forefront of declaring the fight against terrorism. However, this allowed partial control of such marginal activities and the availability of at least minimal intelligence. In the absence of such practices, the influence of sponsors on such movements has also decreased.

Despite the fact that terrorist acts have always been accompanied by brutal methods of operation and an appropriate audience reaction, it has been difficult to imagine, until recently, that terrorist groups could play a significant role in shaping sovereign states' policies. Today's terrorist activities prove that they are able not only to provoke a reaction of the public in the affected countries, but are also capable of implementing strategic interests. At present, it is possible to monitor the influence of terrorist groups on developing processes in Iraq or Syria and on coalition governments. Similar effects are not accidental victimization of terrorists, but a well-planned plan is also revealed on websites of terrorist organizations in 2003 published a paper called "Jihadi Iraq, Hopes and Dangers" (FFI, 2015), which was devoted to the analysis of the situation in Iraq and several European countries involved in this war. It was stated in this publication that Spain is the weakest link before the upcoming elections and that they will be able to choose their target to bring the expected results - the withdrawal of troops - this is precisely the ability to achieve goals that are consistently planned.

All of the above features confirm that terrorism has undergone a major transformation in recent years. It is obvious that terrorists are innovative, exploiting all modern technologies, are able to adapt to a changing situation.

1.2. The Threat of Terrorism to Europe

In recent years, the EU has faced with changed terrorist threats. Even in the past, the Member States of European Union have had counter-terrorism combat experiences with local terrorist organizations following the leftist Basque nationalist and separatist organization Euskadi Ta Askatasuna (ETA), the Irish Republican Army (IRA), the Red Army, EU had forced to radically change their methods of countering terrorism. Despite the existence of "traditional" terrorist organizations in some EU countries, the focus is currently on fighting Jihadist terrorism. As a result of the altered behavior of terrorists, Member States fails to provide security and are forced to abandon unilateral security.

Despite the past existence of a terrorist phenomenon in Europe, only after 9/11 attacks was perceived by the EU as a priority area for action in the EU. As revealed following the sequel actions in New York and Washington, Spain and Germany have served as the main terrorist planning and

logistics bases for this terrorist attack. There were also a number of individuals who have been arrested in Belgium, France, Italy, and Great Britain for allegedly planning to commit terrorist acts. The study of European terrorist networks has made it possible to assert that Europe has become a harbinger of radical Islamist terrorists. Terrorist attacks in Madrid and London, following the recent ones in Paris and Brussels, has confirmed that terrorism is one of Europe's major security threats. In spite of the fact that in some EU countries there still remain topicalities of other terrorist organizations based on ideologies (described as ethno-nationalist, separatists, anarchists, extreme right or left movements), the focus is currently on jihadist terrorism.

As revealed by Europol's 2017 EU Terrorism Situation & Trend Report (TE-SAT), in 2015-2016, 353 terrorist attacks were committed in the EU. However, most of them were planned only to cause minimal material damage while avoiding human casualties. Nearly all reported fatalities and most of the casualties were the result of Jihadist terrorist attacks. (EU Terrorism Situation & Trend Report (Te-Sat), 2017) Meanwhile, between 700 September 2001 and December 2004, 700 people were detained in Al Qaeda's network. (Wilkinson, 2005) The risk of terrorist threats was confirmed and The US Department of State's annual report on terrorism, which stresses "the existence of terrorist activities and the existence of their support networks in Europe is a matter of concern." At the same time, it is emphasized that efforts to overcome the terrorist threat in Europe are slow, due to legal procedures that impede the persecution of terrorists. (US Department of State, 2017)

Graph 1. The average number of terrorist attacks in 2001-2008 in EU Member States[1]
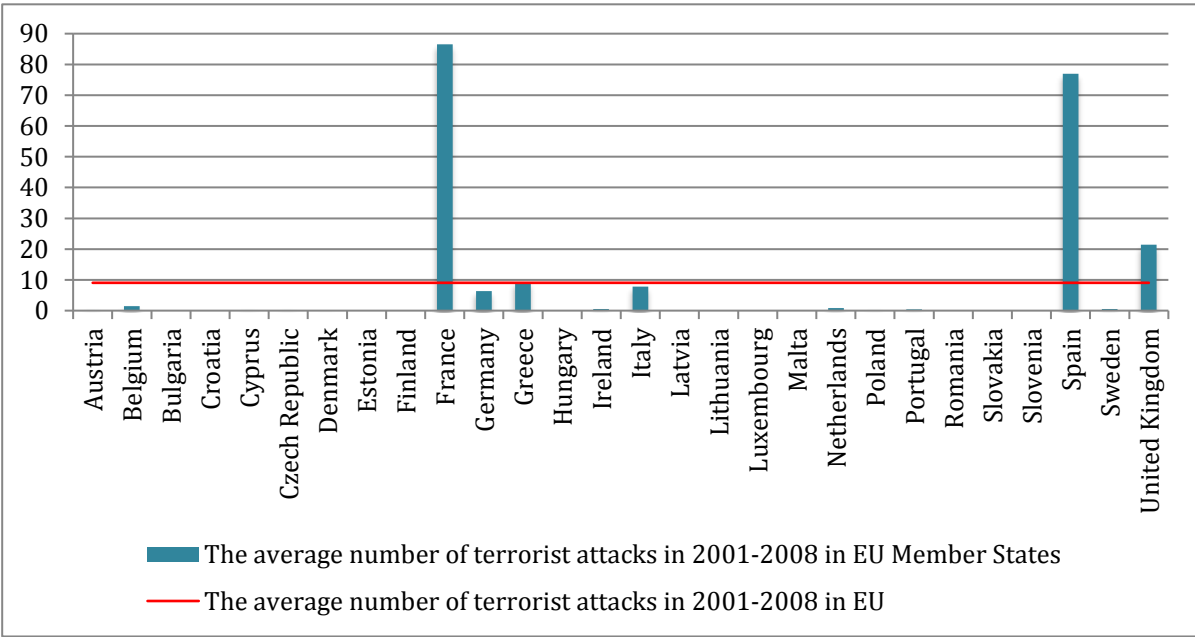
Graph 2. The average number of terrorist attacks in 2009-2016 in EU Member States[2]

The average number of terrorist attacks in 2009-2016 in EU Member States

The average number of terrorist attacks in 2009-2016 in EU
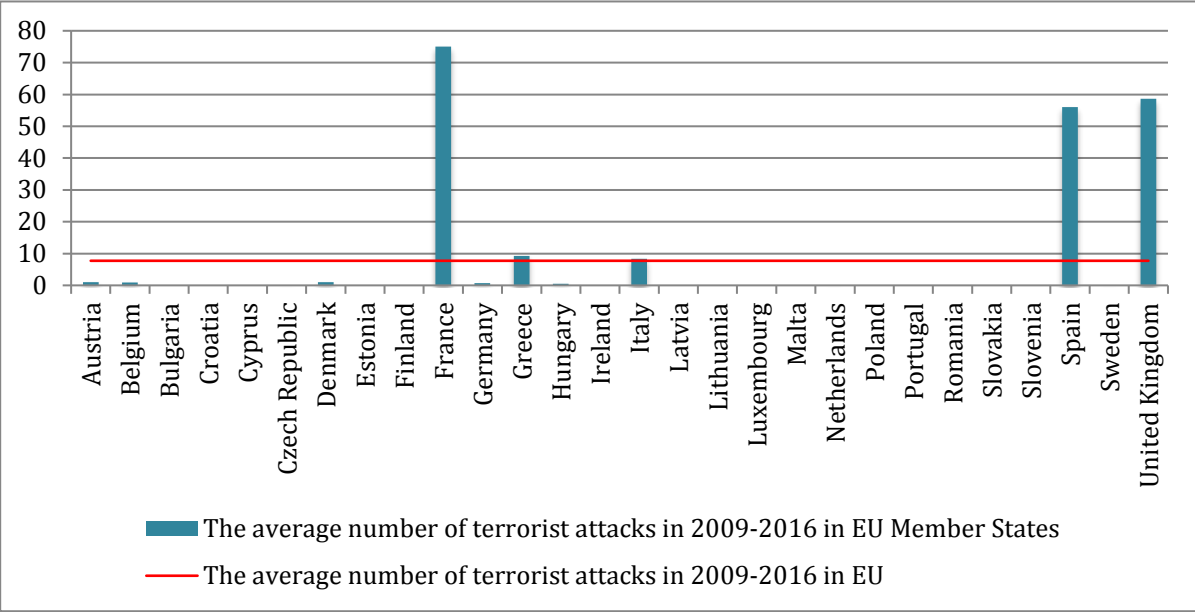
Such statistics confirm the real threat of Jihadist terrorism in the EU. Also, as already mentioned in previous part of the paper, it is difficult to compare the threats posed by modern terrorism with "traditional" terrorist organizations whose operational objectives were not so devastating. It is clear that the focus of the fight against terrorism in the EU is on Jihadist terrorism, whose threat to the EU materialized in the London-Madrid-Paris-Brussels terrorist attacks. The murder of the Dutch artist Theo van Gogh, which is also seen as a terrorist attack and was organized on a similar principle to the before mentioned terrorist attacks, also had a particularly significant impact. (Rabinowitz, 2004)

According to the Dutch intelligence, the terrorist group of Hofstad cell that had organized the attack was revealed, and at the time in the Netherlands there were at present about 200 abusive extremists and some 1,200 suspected abusers. (Wilkinson, 2005) The consequences of all these attacks confirmed that the EU has a particularly well-developed network of terrorist organizations, and that there is an effective potential for terrorist recruitment. According to the studies by the Dutch intelligence, terrorist organizations and cells in the EU Member States have confirmed that not only unscrupulous emigrants, but also seemingly successful citizens of those countries born and raised in Europe (Kfir, 2005) are involved in terrorist activities. According to the Norwegian Defense Research Establishment report, which carried out analyzes of recent terrorist groups that carried out or planned terrorist attacks, most of their participants met specific criteria. The terrorist cells consisted of a small

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[2] Source: made by author, based on the data provided by TE-SAT reports 2009 – 2016. Full table see Annex 2.

number of Muslim immigrants (5-10 individuals) aged between 20 and 30. Most of them were emigrants from North Africa. (Bakker E. , 2006) Terrorist involvement in radical Islamic extremists in Europe is the main concern of the experts in the fight against terrorism. The vast majority of suspected terrorist investigations revealed that the radicalization process was taking place in Europe, regardless of whether the person was an immigrant, or he was growing up in Europe. It is precisely in the EU countries that the process of islamisation of such people, when person lives a long-time in Europe, is involved in the activities of radical Islamist groups. Despite the fact that most of these people are confessing the religion of Islam, their identification with the European Muslim community is false. Their acclaimed radical Islam is unacceptable to the vast majority of European Muslims, while being exploited as a means of manipulating them. Also, radical Islamic followers in the EU are a minor part of the Muslim community.

However, the fact that some members of the European Muslim community are involved in extremist activities is a matter of great concern, not only for the EU's counter-terrorism system. In recent years, extremists residing in Europe have been recruiting not only to carry out terrorist attacks in Europe or other continents, but also engage in hostilities in Iraq and Syria and in other "hot spots". This trend inevitably requires examining why some of the people living in the EU Member States are involved in terrorist activities and how this mechanism is being implemented. This issue is particularly important in order to find out if the EU counter-terrorism policy is using adequate counter-terrorist measures.

1.3.   Factors contributing to the Radicalization of European Muslim communities

The facts listed in the previous part of the Master's Thesis contributed to the prevailing view that the growing Muslim community is influencing the spread of Jihadist terrorism in Europe. However, such a provision is taken as accurately not adequate. The main perpetrator of such thinking is the presentation of the Muslim community as a homogeneous entity. The Muslim community and its radical elements need to be clearly identified. It is agreed that only a minor part of the community is involved in Islamic extremist movements. The activities of this group that is often represented as an expression of the position of the entire Muslim community. Such a general stereotype is also due to the dominance of the group in the public discourse. In order to justify this position, it is necessary to assess the essential factors contributing to the radicalization of Muslim communities.

1.3.1. The Review of the Muslim communities in Europe

The terrorist attacks in Madrid, London, Paris and Brussels and the intensification of radical Islamist organizations in European countries, have contributed to shaping the view that the rise of terrorism in Western Europe is primarily due to the large Muslim communities.

According to different calculations in the European countries, excluding Turkey and Albania, the Muslim community reaches between 50 and 56 million (Foundation, 2017) people. Islam is currently the fastest growing European religion. In addition, it is projected that, without decreasing immigration rates, the European Union's fertility rate, based on a high birth rate, suggests that by the year 2050, the Muslim community in Europe will double. By 2050, Christians and Muslims will make up nearly equal shares of the world's population. The Muslim community in Austria, Denmark, Belgium, Netherlands and Sweden is currently approximately up 5% per year. (PRC, The Future of World Religions: Population Growth Projections, 2010-2050, 2015). It is also worth noting that over one million immigrant Muslims are migrating to Western Europe over the year. Current figures also reflect the fact that Muslims represent a significant proportion of the European population, with 4.22% Muslims in Austria, 5.8% in the Netherlands, United Kingdom - 4%, 6% in Belgium, 4% in Denmark, 10% in France, 5.2% in Germany, Switzerland - 4.2%. (Kettani, 2010) In keeping with these trends, it is possible to predict an even bigger contradiction between immigrants and host societies.

On the other hand, the Muslim community is often inspired by the idea that itself it is homogeneous, and its members profess the same values. Nonetheless, it is worthwhile to emphasize that European Muslims are ethnically divided, confessing different cultural and religious practices. The Muslim community can be divided into three segments, with a separate and efficient analysis. This division also does cover general aspects of the Muslim community. Nonetheless, when analysing Muslim communities in Europe, such or similar categorization is most commonly used and can be used to illustrate the trends taking place in today's Muslim communities.

The European Muslim community can be divided as follows:

1. Labor immigrants arrived after the Second World War. It is the first group of Muslim immigrants, most of who came from former European colonies. This group has always lived side by side with European societies, shaping certain cultural ghettos.

2. The first-born children of the first-generation emigrants born in Europe who have completed their education at European schools. They are more adapted and familiar with the languages of the host countries. However, this generation has faced barriers to joining European societies, faced with discrimination and xenophobia.

3. This group includes third-generation representatives, young European Muslims who are experiencing difficulties to fully integrate themselves into Western societies. This group also includes people who converted to the religion of Islam, whose number is quite high. According to M. Georgiaddes alone in France, according to Islamist organizations, they count about 70 thousand. Most often, young individuals compile it. (Georgiaddes, 2016)

Given the diversification of European Muslims, several ways of adapting to Europe societies can be singled out:

1. Assimilation. Some Muslim-born in Europe have become secularized and adapted to the host society. This group represents a minor part of the Muslim world in Europe.

2. Integration. Many live peacefully, keeping their ancestors' cultural and religious traditions. In addition, they have maintained a strong bond with the tide of the first generation of emigrants (parents). It is this part that constitutes the largest part of the Muslim community that does not engage in radical Islamist organizations, professing traditional Islam.

3. Resistance. Nevertheless, a part of the Muslim society holds and lives apart. This group of Muslims grows apart from their parents' culture and from the culture of European societies. These individuals are based on the teachings of radical Islam in building their own community and identity. According B. Gabriel, it is said that around 15% of the Muslim community in the whole of Europe has links to radical Islamist movements. (LaCasse, 2015) It is this part of the Muslim community that is least integrated into European societies.

1.3.2.   The Influence of radical Islamist preachers

In analysing the tendencies of radicalization of Western Muslim communities, it is essential to take into account the influence of radical Islamic preachers - imams. It is known; Islamic religion is not institutionalized and has no single center. This is partly due to the fact that Islamic religious tribunals publish imams who interpret religious texts in a manner that is consistent with their ideologies. The work of these religious figures, also referred to as "hater preachers," is extremely effective in incorporating non-aligned Muslims into extremist movements in Western societies. Education of Radical Islam is not a traditional Islam, but a tool to manipulate intolerable Muslims who survive the identity crisis. The traditionally radical adoption of Islam is associated with engagement with the activities of a radical Muslim clergy-led mosque.

Parts of Western-European Islamist imams are attributed to the radical recognition of Islam. In 2004 according to French intelligence, extremists controlled 150 of the 1,600 mosques and wardens registered in the country (Powell, 2009). The essential element of such mosques is becoming imam,

whose radical outlook was shaped by the same causes as the Muslims discussed. In this case, the phenomenon of islamisation, when the radical direction of Islam's acceptance is obtained, is also characteristic of the most famous radical European imams. These include Omar Bakri Mohammed whose mosque in London was famous for radical Islamist gatherings.

The main reason why these imams are posing such a threat is their manipulation of religion and some gaps in religious education. As M. Radu points out, the imposition of duties in Muslim countries is granted to religious education. In theory, only those who have acquired formal education have the right to conduct a religious interpretation of specific questions or problems. For example, in Turkey, before becoming imam, individual has two requirements: graduation and receipt of government licenses (Radu, 2015). Most of the preachers in Europe can be attributed to this group, which has a proper religious education. However, some of the imams operating in Europe are self-employed. This is partly due to the lack of state control so far that unqualified imams were allowed to practice. However, it is worth noting that after the terrorist attacks, the special services of the EU Member States began to monitor their activities carefully.

Such a culturally free radicalization of European Muslims and imams has influenced the spread of radical Islam not only in Europe but also in Muslim countries. Examples of these include the movement of Hizb ut-Tahrir (PRC, Radical Islamist Movements: Jihadi Networks and Hizb ut-Tahrir, 2010). This radical organization, based in London, later split into Central Asia, Pakistan, and the Middle East.

It is also important to note that radical preachers work together with the guerrilla fighters in Islamic countries called Mujahideen who have participated in the Afghan war, also called "holy warriors". Attending meetings in mosques often involves a representative of the Afghan-US-led global jihad movement, whose purpose is to recruit potential activists. As usual, these preachers and organizations target the third generation of Muslims by explicitly manipulating the feelings of racism, loneliness, or lack of response in the West. This tactic is successful in recruiting dark skinned people, or who do not yet recognize the people of Islam's lowest social class. Radical preachers offer a "new" identity and the proposed status of international jihadists, the fight against the international system and global supranationalism, offers a chance for self-realization.

However, under no circumstances can radical European Muslims be identified with Muslims with a low social status. As the analysis of those involved in terrorist acts reveals, individuals who have acquired a secondary social class, materially well off, educated become radical Islamic followers.

1.3.3   The Radical Islamist Movement Factor

Although in the last decade radical Islamic movements have also emerged in European countries and spread to other regions, it is wrong to underestimate the traditional course of radical Islam movements, when the movements of Islamic fundamentalism that have emerged in Muslim countries became significant in Europe.

The radicalization of the European Muslim community was influenced by the global rise of Islamic political movements. It can be linked to the beginning of modern fundamentalism after the Iran revolution, Afghanistan, Algeria, Bosnia wars (Ross, 2011). The growing Muslim political movements have contributed to the rise of terrorism in Europe. Political and social movements marked religious rebirth as a response to Western dominance and influence. It was like an attempt to create an alternative to a Western society based on religion (Butrick, 2012). These political movements were not overwhelmed by the Europe in which the rise of Islamic politics had the goal of uniting Muslims of different nationalities and orientations. The purpose of this movement was to seek and to achieve recognition of the Muslim nation, its values or faith. Along with the pursuit of such recognition, political representation was also expected. However, as has already been mentioned, with the failure to integrate into Western societies, the emergence of closed Muslim communities partly was radicalized.

The influence of radical Muslim movements in Europe is perfectly reflected in the consolidation of Muslim organizations like the "Muslim Brotherhood" in Europe. Organizations that are developing radical Islamic identities, having ties to terrorist organizations, fund by Saudi Arabia's capital; plays an increasingly important role, while at the same time gains political influence. This type of organization gained its influence by gradually increasing the number of emigrants, creating well-organized networks that included mosques, various funds, and Islamic organizations (LOUIZI, 2016). Although radical organizations, representing a minor part of the Muslim world's movements in Europe, thanks to funding, have gained a disproportionately large influence on shaping the views of the Muslim communities in Europe. In Germany there is the Muslim Brotherhood, in France the Union of Islamic Organizations of France (Union of Islamic Organizations of France (UOIF), 2017) and the Union of Islamic Communities and Organizations in Italy (Kern, 2012). However, the most important aspect is that they are seen as representatives of the entire Muslim community. The aforementioned Italian and French organizations are key partners in the government's dialogue with Muslim organizations in addressing their community issues (LOUIZI, 2016). It is noted that the activities of such organizations are not restricted to national frameworks. The integration of European Muslim organizations has contributed to the creation of the "European Islamist Youth Organization" and the "Forum of European Muslim Youth and Student Organizations " (FEMYSO). Despite the

moderate rhetoric that is presented in the description of their activities (Forum of European Muslim Youth and Students Organization, 2017), most of the organizations that make up this forum have links to the Muslim Brotherhood, whose provisions surpassingly are not overall modest.

Following, the case of the "Muslim Brotherhood" is taken as an example. It is noteworthy to mention that this organization is not attributable to supporting terrorism, but promotes Islamism (FDD, 2017). However, attention is drawn to the fact that it is precisely such organizations that become partners in European countries' dialogues. Such a policy is uncertain, knowing that the perception of the socio-cultural environment promoted by these organizations is completely contrary to the values declared by the EU. It is likely to believe that only a minor fraction of such organizations is attributed to radicals with links to terrorists, however, the influence of such organizations grows, and at the same time the voice of moderate Muslim organizations is inaudible. Simultaneously, such partial legalization of the status of indirect advisers in Muslim communities contributes to the strengthening of European radicalization of Muslims.

1.3.4. The challenges of Integration policies

The formation of such a group shows the ineffectiveness of integration policies. One states (Germany, Austria, or Switzerland) regarded Muslims as temporary incoming workers whose integration was not given significance. Yet other states (the Netherlands or Great Britain) recognized the principle of multiculturalism, encouraged integration with the preservation of immigrant identity. The Dutch example is the most agonizing advocate for such an integration policy. Despite country's efforts to integrate the Muslim community by financing language-training courses, Muslim religious schools and mosque activities, this did not prevent the emergence of radical Islamic followers. Following a wide-ranging attack on Dutch director, the Dutch special services stated that there are a number of radical Islamic groups in the country, some of which are linked to terrorist organizations. (Victor, 2005) Great Britain's transformation to The European Islamic extremist communication center was also affected by false assumptions. The model of "vigilant tolerance" applied by the officials of this country did not succeed in such extremism, e.g. case of Syrian Islamist militant leader and The British son of the hate preacher Omar Bakri Mohammed. (Weeks, 2016) The notion that freedom of speech must be defended, and that the persecution of such imprisonment will force them to withdraw from the underground, while at the same time preventing access to sensitive information to be false.

As practice has shown, such policies have failed and pushed for establishment of closed Muslim communities, functioning separately from the culture of the host nation. Even a part of a

European Muslim youth who is a second or third generation European is isolated from society. These Muslims are citizens of Western European countries who only formally have citizenship. However, from the cultural or social point of view, they are not integrated into Western societies. Such a high degree of segregation and the closure of some Muslim communities is a good medium for spreading the ideology of Islamic extremism. According to French academic Olivier Roy, " most of them (Muslims) became born-again Muslims in the West after living 'normal' lives in their countries of origin. " (Roy, 2015). As a result, Islam becomes an expression of cultural identity, which is often radicalized by radical Muslim clergy. Moreover, the situation is complicated by the wave of new emigrants who often feel "passionate" to Western values and join the ranks of radical Muslims. All of these tendencies encourage the radicalization of the Muslim community.

As revealed by the biographies of London, Madrid, Paris and Brussels terrorist attackers, their identification was not socially feasible from a social point of view. All of these people had different social status, their level of education varied. Nonetheless, the people involved in the attacks in Europe have a common feature - all of them began to profess a radical Islamic version of Western Europe. Moreover, in many cases, these individuals did not follow the Muslim tradition before engaging in radical movements, and their relatives were not described as extremely religious (Whine, 2008). Their ties to the countries of origin were weak or non-existent. Such insights confirm the assumption that this part of individuals has meager to do with the traditional Islamic religion. Rather, it encourages the view that the Islamic religion has become a terrorist sword. This is to say that religious terrorism is motivated by Islamic terrorism, based on different interpretations of religious texts, which are misleading as traditional Islamic teachings. Therefore, in examining the links between European Muslim communities and terrorist activities, it should be emphasized that only a minor part is engaged in the activities mentioned and cannot be equated with the traditional practice of Islamic teaching.

Involvement of the individuals intricate in terrorist activities is related to the recognition of the sacralized Islam, social problems, and the absence of identity. According to Olivier Roy, "radical euro-islamists are clearly more postmodern than pre-modern phenomena" (Roy, 2015). On the contrary, such a situation of radical Muslims is able to explain only the preconditions for engaging in terrorist activity. Despite that, the radicalization of European Muslims is also encouraged by other causes that it have been addressed in other sections of the paper work.

1.4. The rise of Jihadi culture

Evaluating the tendencies of European Muslim radicalization, it is expedient to examine the grounds on which it is motivated. In this regard, the essential aspect must become the jihad culture.

Namely, by manipulating the concept of jihad, these radical movements and imams motivate Muslims who are not culturally involved.

The concept of jihad can be manipulated as it has several meanings. The widespread belief that jihad is understood solely through the prism of force, as the duty to engage in the "Holy War" against "unbelievers" (The Islamic Supreme Council of America, 2016). Such a "jihadist" definition and understanding based on terrorist attacks are popular in the West. Moreover, radical imams, motivating to engage in terrorist activities, also guide such a concept of "jihad".

Overviewing religious aspect of Jihad in the Western world, the very notion of the concept of "jihad" in Arabic traditionally means, "fighting on the path to God". This struggle in Islamic theology is understood in two ways. First of all, it is the great jihad, or the struggle of each believer for the purification of his soul, the pursuit of moral, ascetic and mystical perfection. Consequently, fighting the great jihad, Muslim rule his passions, avoid mistakes and deviations on the path to God, to full obedience to the divine will. However here is also a lesser jihad, understood both physically and socially. It is a work activity for the wellbeing of the family and community, as well as military, coercive actions to defend the attackers and to defeat the "unbelievers" to make all human beings Muslim. Just the second, the concept of "lesser jihad", that it is a military campaign against mischief or a sacred war, has become the basis of the corrupt practices of Islamic terrorists around the world. The Islamic Book of Revelation, Koran, states that those who perish in the sacred warfare are forgiven of all sins and immediately fall into paradise. Thus, through the lesser jihad, Muslims can win a victory in the great jihad, a struggle for the salvation of their souls. According to Michael Taarnby, it is believed that the terrorist organization uses the concept of jihad as a pretext to fight against Islamic enemies, which refer to unbelievers, imperialists or bad Muslims (Taarnby, 2003). Such "jihad" treatment is the simplification of this term, which is used by radical imams. As O. Roy notes, "the traditional jihad has long been understood as a collective defensive duty transformed by today's radicals into a permanent and individual duty to fight against the West" (Roy, 2015). However, the term "jihad" has several meanings, which vary according to the context in which they are used. In popular interpretations, both Muslim and otherwise, Jihad is often translated as the duty to engage in Holy War against infidels with no holds barred. The term Jihad would mean "struggle" or "efforts" that should be understood as an attempt "to concentrate the greatest efforts to achieve the highest goal" (Taarnby, 2003). However, the radical Islamic confessor treats the concept of "jihad" only in a military context.

Moreover, as has already been mentioned, most radical imams interpret Islamic religious texts in their own way. This also applies to the rhetoric of Bin Laden, which often finds expressions such as "Holy War" or "jihad". This problem of different interpretations of jihad confirms that the image of Islam as a militant religion is shaped by radical interpretations of religion. The concept of "jihad"

is particularly relevant in investigating the terrorist reburial in Europe. This process reflects the transformation of the former local Jihad into a global one. Based on the postulates of a modern radical Islam, which was developed by the Muslim Brotherhood, jihad can be understood as a global mode of action. Researchers of terrorist argue that the spread of terrorism in Europe can be seen as an ideological basis for a global strategy for jihad. In order to create a world based on Allah's rule, genuine Muslims must begin military jihad against unbelievers. As radical Islamic proponents believe that Muslims in their homeland are under pressure, they must emigrate and establish a genuine Muslim community based on undistorted Islamic conditions (Brown, 2010). Radical Islamists who, by doing so, have created a mechanism for attacking Europe and other continents have successfully exploited this ideological basis.

On the other hand, transnational factors have contributed to the transformation of this jihad. As agreed by most academics studying the phenomenon of terrorism, the decisive breakthrough in the formation of a global jihad was the Afghan-USSR war. According to A. H. al-Rahim, US support to the Afghan rebels in the war against the USSR was used as a mobilizing factor in the formation of secularized national liberation, and international jihad (Al-Rahim, 2011). It is precisely for this reason that the Afghan rebels created the entire resistance mechanism by mobilizing Muslim guerrilla fighters' ideology to Jihad.

1.4.1. Al-Qaeda's and ISIS activities in Europe

Terrorist attacks in Europe and consistent reporting of failed terrorist plans are often linked to Al Qaeda's terrorist organization. Analysing the trends of radical Islam spread in Europe, Al - Qaeda 's terrorist organization, which carries out its activities through autonomous currents spread across Europe, also plays a significant role. Noteworthy, that so far, all attempts to expose terrorist attempts to use violence in London, Madrid or Paris have confirmed that attacks are planned in small, several groups of people (usually consisting of 5 to 10 people). Muslims living in Western Europe are recruited through these terrorist cells, which maintain close ties with radical Islamic and inspirational motions of such groups.

Such an activity model formed the view that Al-Qaida is responsible for the rise of extremism and terrorist attacks in Europe. However, such an assessment often overwhelms the real role of Al Qaeda. Al - Qaeda is said to be a "successful product or brand of a public relations campaign (Desai, 2007), even though its business is terror". After the September 11 attacks Al Qaeda became understood as a transnational radical Islam movement. Often, this organization is equated with a military alliance, a business company or an educational institution. However, Al Qaeda's relationship

is completely not institutionalized. Academics who analyse this organization claim that Al Qaeda should be understood as a particular entity and idea that manifests itself at three levels:

1. the core of Al Qaeda, which includes the people of Bin Laden's immediate surroundings,

2. cobweb, which consists of various related groups and cells, located around the world.

3. the idea of Al Qaeda based on terrorist cells that operate independently of the nucleus.

Such an assessment of Al Qaeda's structure explains how frequently autonomous Islamic groups engage in terrorist activities. In addition, the absence of a clear structure, volatile relationships reduce the likelihood of being tracked down by the secret services. On the other hand, it is said that the origins of the current terrorist networks need to be sought in the middle of the last decade. According to Evan Scott Stewart, which reveals how Europe has become a target for terrorist groups, the breakthrough was the last decade when the so-called "sleeper cells" (Stewart, 2014) were created in Europe through the Bosnian war. Using a military cover during the invasion to Afghanistan, well prepared Mujahedins, funded by the Middle Eastern religious and charity organizations, has created a certain terrorist network (Leiken, 2012). Muslims from different parts of the world who have been trained in Afghanistan have an essential role to play in keeping secret networks under the lead of communication and logistics. The establishment of such cells has determined not only the growing threat of terrorism in Europe, but also contributed to the recruitment of terrorists. If formerly, the core of individual involvement was from in the Middle East, South-East Asia or other regions, in recent years European citizens have enhance its position joining the terrorist ranks.

ISIS or the Islamic State (IS) is a relatively new, compared to other terrorist organizations, jihadist militia in Iraq and Syria, often associated with well-known terrorist group al Qaeda. Since IS uprising in 2011 the association has obtained control over an expansive land range in northern Iraq and eastern Syria and is exploiting the rest of the dislodged Al Qaeda supporters in the region, retaining them into the Islamic State (Phillips, 2014). Although Al Qaeda and ISIS were allies and are still often associated and comparable, but even to the above-mentioned and well-known group in the world, the ISIS measures, killing Muslims, and others, were far too radical to attain their goals (Hanna, 2016). The truth is that IS birth came at the ideal time for it to succeed. With a coming up short government and insufficient compromise process in Iraq, a diverted Washington and the disorderly condition of neighboring Syria, IS with a lot of subsidizing from universal contributors has outperformed Al Qaeda as the world's biggest Jihad group (Cockburn, 2015).

The Islamic State is presently testing regional expert and territorial cases. By expanding on an, as indicated by IS, Sunni religious outlook, the Islamic State has accumulated an estranged Sunni populace in northern Iraq represented by a degenerate Shia government (Cockburn, 2015). In opposition to Al Qaeda's more established definition of terrorism, attacking regular civilian and military objectives are far from their home soil (Hofman, 2006). IS are battling and holding, a

noteworthy part of geographical land. Due to IS brutal strategies and their control over their regions there is next to no western scope from inside IS borders. The Islamic State have not been reluctant to execute foreigners in an open and public way, prompting numerous journalist remaining out of IS controlled zones (Cockburn, 2015).

A consequence of this is that IS administering the media inside their region and now controls what is coordinated outwards, particularly towards western states. Henceforth, the Islamic State is in a position where they have the likelihood to control the forming of their outside character through media. As specified under the meaning of psychological oppression, the Islamic State can from various perspectives be characterized as a terrorist oppressor group, yet their geographical struggle approach varies from the modern definition of a terrorist. Besides, IS are supposedly endeavoring to legitimize their association through images, for example, distinguishing identity cards and uniforms (Lajka, 2015).

In 2015 the Islamic State has a lot to do with its revenge and attempt to stop foreign activities in the Middle East region. IS expanded its terrorist activities beyond the local regional level and chose the path of international terrorism. On 13th of November assuming responsibility for attacks in several parts of Paris, attacking Saudi Arabia and Lebanon, and this year, continuing these preventive measures against Western European countries and other adversaries (Tamašaityte, 2017). These means symbolize how IS are endeavoring to vary themselves from past worldwide jihadist groups. However, the techniques of IS has psychological warfare explanatories, for example, Hans Brun contrasting the group with semblance of the Nazis and the Cambodian Khmer Rouge, two governments in charge of two of the most terrible genocides in modern times (Stern, 2016). In spite of the fact that there are parallels to be drawn between the Islamic State and semblance of Nazi Germany there is one essential contrast. The Nazis endeavored to conceal their monstrosities; the Islamic State then again gladly presents their mercilessness to the outside world (Stern, 2016).

2. THE APPROACH OF COUNTER-TERRORISM IN THE EU

Inside the going parts with segments on the recorded advancement of the European counter-terrorism subject, the generally examples of the extent will be demarcated.
Bringing full evidence, in the way of operational tracing, of all the reasons for an institution and its changes over time is not fully attainable because of the vast assorted variety and number of initiatives (Argomaniz, Bures, & Kaunert, 2015). Moreover, the present condition of separated reconciliation of the area will be rated and plotted. The emphasis outlined on the fundamental legitimate and functioning tools within Europe. For as much the coordinator of EU counter-terrorism has an order

that is exclusively centered on terrorism, the vast majority of the organizations specified, cover diverse purposes (Argomaniz, Bures, & Kaunert, 2015).

Their incorporation is advocated on account of the supposition that on the off chance that they work generously in the space of fighting terrorism and become significantly comparative (Argomaniz, Bures, & Kaunert, 2015). Taking in the account that the policies and strategies of European Union combating terrorism are not considered important by nation states in view of their absence of restricting requirements, their usage was moderate and inadequate (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011). The depiction of the historical background of EU's anti-terrorism is partitioned into subchapters displayed to the events of significant terrorist assails which are utilized roughly in Europe before and after attacks in the United States 2001 and Madrid 2004, London 2005. The current advancements will be compressed in the area of European Union's contribution related to the attacks of France 2015 and of Belgium in 2016.

2.1. The evolution of the EU's counter-terrorism policies

Knowing that terrorism in Europe is not a new phenomenon and that the fight against the IRA, the ETA or the Red Army has taken place not so long ago, it's natural to expect that antiterrorism is not a new area for States facing this occurrence. Therefore, the transformation of terrorism presented in the first part of the master's thesis allows stating that today's terrorism is completely different; the threats posed by it require innovative solutions. So following section will analyse the EU's response to terrorist threats.

The efforts of the EU Member States to fight organized crime in their territory are outgoing process. The attempt to create a joint counter-terrorism mechanism was to be attained in the 8th decade. In order to achieve more effective cooperation in the field of law and order, in 1975, the TREVI Group was created, but it did not have permanent staff, headquarters and finances. This initiative remained as a forum for exchange of views, and real cooperation was implemented in a bilateral format. In 1977 The European Convention on the Suppression of Terrorism was also adopted, the purpose of which was the extradition and delivery of persons suspected of terrorist acts into national law. It is worth mentioning the Schengen Agreement adopted in the 9th decade. However, these attempts in the fight against terrorism have not yielded adequate results. This was determined by the crucial factor: the EU is not a national state and Member States still maintain national security and law and order issues at national level. In addition, current terrorist organizations did not endanger such as today's jihadist terrorism. They were local in nature and this has led to the cooperation of States in anti-terrorist research in a bilateral format, and not at European level. In

addition, the evolution of counter-terrorism policies can be understood as the existence of such a national sovereignty in the anti-terrorist field. Since the fight against terrorism has been and remains highly uncertain, the scope of many factors is involved. In the broad sense of the fight against terrorism, counter-terrorism policies include a large number of different politicians. Thus, coordinated counter-terrorism policies need to coordinate not only the activities of the departments that deal with the strengthening of rights, border control, coordinating foreign and defense policy, but also find a consensus among the ministries of finance, etc.

This multidisciplinary counter-terrorism strategy allows us to understand why, even with the free movement of people, justice and law-and-order matters have remained at the intergovernmental level, in the third pillar. So, it's not only law enforcement officers, as well terrorists can move freely within the EU. This situation is successfully exploited by terrorist organizations whose members succeed in changing their place of residence while avoiding prosecution. On the other hand, though slowly, the EU is moving towards greater institutionalization of the fight against terrorism. In this case, the Constitutional Treaty, which was not ratified, is still significant in idea, which consolidates the principles that goes beyond the existing "intermediate" structure. The main aspects of this treaty were dealing with the fight against terrorism (Communities, 2005).

When analysing the evolution of the EU counter-terrorism policy, it is noteworthy to highlight that, at least at the rhetoric level, terrorism is recognized as one of the greatest threats to the security of the EU. Declarations are made to create a joint counter-terrorism mechanism, to act with solidarity. The EU Security Strategy adopted in 2003 states that terrorism is one of the main threats and also emphasizes that Europe is not only a target, but also a base for terrorist organizations (Planning, 2003). An example of 9/11, revealing the scale of the attack against the most powerful state, has led us to look at the issue of terrorism at the highest political level. However, it can be assumed that only the personal experience of terrorism in recent years has forced the EU to seek a common response, to take wider reforms in the field of anti-terrorist policies. Analysing the institutional and legal framework of the EU fight against terrorism in the period up to the 9/11 terrorist attacks, it is difficult to detect a resultant effort or strategy on how to combat terrorism at the European level.

The new EU counter-terrorism policy is shaped by terrorist acts. This is confirmed by the EU's response to the latest major terrorist attacks - 9/11, Madrid, London, Brussels, Paris. It is after each of these attacks that an appropriate act is adopted, and new structures are created.

2.1.1. Counter-Terrorism in the EU prior 9/11

In spite of the increased pivot on EU's part in combating terrorism after terrorist attacks in United States in 2001 September 11 (9/11) it must be considered that existence at that point regular

activities for countering terrorism were existing in Europe prior (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011). Generally, in the seventies the type of the perspective of the EC due to counter-terrorism can be portrayed as "simply intergovernmental participation". Besides, researchers attest an absence of EU approaching terrorism as key priority issue before attacks in 2001 (9/11) (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011).

Overviewing the history events, in the beginning 1970s, several unique cords of policy appeared. The European Political Cooperation (EPC), which fundamentally centered on external measurements and the internal measurement secured by the Terrorisme, Radicalisme, Extrémisme and Violence Internationale (TREVI) initiative and different non-standard engagements of action within Europe, for example, the Police Working Group on Terrorism and the Club of Berne. The concentrate will occur on the inner dimension. TREVI rooted out by the arrangement thought by EU member states and expresses that local ways to deal with fight terrorism may be more compelling than international strategies (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011).

In this manner the initiative comprised of police authorities that traded information and helped one on issues related to terrorism and specific violations through TREVI's own open framework (Edwards & Meyer, 2007). The TREVI amass did not have an institutional structure or an administrative unit. Moreover, in 1979, Germany, Belgium and Great Britain made the Police Working Group on Terrorism (PWGT) additionally enhance the dispersal of data in instances of terror threats in Europe (Hunko, 2013). Design of PWGT was intergovernmental and informal and since 2000 it has its own data trade framework (Hunko, 2013). A further unofficial group outward of EU framework exists the Berne Group or Club of Berne, between nine countries: the Italy, Germany, Luxemburg, Denmark, Switzerland, France, Great Britain, Belgium and Netherlands (Guttmann, 2017). It concentrated from the begin on functional coordination by uniting security services keeping in mind the end goal to acknowledge and contribute with effective practices and best classified information. y the absence of an expressed, public commitment and open responsibility (WALSH, 2006), and extremely hidden nature the Club of Berne from past till nowadays is portrayed in this discourse.

With the Treaty of Maastricht in 1992 counter-terrorism together with TREVI activity were set beneath the EU systematic framework and distributed to the third pillar as the idea of intergovernmental collaboration on terrorism (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011). Progressively observed the embodiment toward the European Union frame demonstrates terrorism as an "inner security issue of the European Union". Nonetheless the member countries held power over the Union's direct around this subject of matter. The breakdown that went for judicial combination and integration of the Dublin agreement in 1979 must be seen as the initial of numerous indications of sensitiveness of member states towards their power and opposed integration

(Argomaniz J. , 2012). As far as functional work combating terrorism, the development of the administrational section - in 1993 Europol Drug Unit, that would later move toward becoming massive organization Europol, along with the following extension of its command to terrorism, as an example, it was another progression in 1999 forward in considering terrorism as important part on the European Unions' level. Be that as it may, the part was restricted to coordination at first and this widespread pattern proceeds with (TE-SAT 2015, 2015). When different inside security efforts on police participation, immigration and border security, it can be visible at the European Council of Tampere 1999, in addition initiation of the foundation of the agency for dealing in criminal matters Eurojust, along with a due date for implementation (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011). Nonetheless, these suggested implementations were not particularly outlined in combating terrorism nor gradually implemented or putted forward (Argomaniz J. , 2012).

The accomplishments of Tampere in 1999 were essentially in view of the foundation of the Schengen territory. The Schengen assentation, at first was excluded of the European Union framework however then incorporated to the law of European Union with the Amsterdam Treaty in 1999 and made the requirement for internal, compensatory safety efforts, for example, the measures of Tampere and the Schengen Information System (SIS) (Webber, 2012). Following system is a data framework to assist law enforcement collaboration with an expansive practical extension (henceforth terrorism is only one of several examples where and how utilization works) within Schengen. In any case, around then, counter-terrorism itself was not that pertinent than other subjects, for example, immigration or different types of cross border culpability. Thus, the Schengen Information System was overwhelmingly a directory and database of people who were not permitted to enter the Schengen area (Balzacq, The Policy Tools of Securitization: Information Exchange, EU Foreign and Interior Policies, 2007).

The primary security question of the European Union had progressed from basic terrorism, to a considerably more extensive scope of concerns connected to unlawful stream of merchandise, cash flows or people among the states.

In the Treaty of Maastricht, terrorism was said as one between different motivations to elevate the police of EU into the participation and cooperation. Different reasons were tranquilized trafficking of drugs and different sorts of genuine global crimes. The Treaty of Maastricht alluded terrorism as a genuine crime, which ought to be counteracted and battled through the improvement of joint activity in three diversified options:

1) nearer participation between police powers, traditions specialists, and other equipped experts, including agency Europol;

2) nearer participation among legal and other skillful experts of the MS;

3) estimation, where fundamental, of tenets on criminal issues." (Younan, 2017)

This subtopic demonstrated that in the EU level, measures before 9/11 on terrorism took after with organization within governments and the predominant pattern of contemporary period in Europe. The definition of counter-terrorism in parallel was observed as a "state issue" (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011), in exceptionally sensitive parts, for example, knowledge and information exchange and police support, collaboration was intergovernmental and informal. Additionally, membership to activities, such as, PWGT and the Club of Berne were confined to a couple of European states.

2.1.2. Counter-Terrorism in the EU after 9/11

Undeniable that terrorism attacks in United States 2001 of September 11, gravely affected the counter-terrorism policies of the European Union (Argomaniz J. , 2012). The shocking affection utilized as an initiator of this project was Graham Watson - the member from European Parliament in 2008 that "Osama Bin Laden has helped out towards integration of Europe than anybody since Jacques Delors" (Palmer, 2008) is absolutely an exaggeration, which will likewise become known in the following subsection. The underlying responses by the European Union depended on way reliance and the proceedings with pattern of inter govern mentalism (Argomaniz J. , 2012). At an atypical European Council forum several weeks after 9/11 the heads of member states chose to dole out yet again the prompt of the ministers and the intergovernmental Council of Justice and Home Affairs (Meyer, 2009). The leaders of governments likewise concurred on the requirement for an exhaustive European policy against terrorism, which should profit EU residents with greater security against terrorism attacks (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011). The analogous arrangements and policies were basically in light of the trash - can model (Bossong, 2013). Implying that dismissed strategies of the 1999 Council of Tampere in 1999 were presently adopted in a fast way. Most prominent measures were: Eurojust, Council of European Framework Decision and European Arrest Warrant. Accordingly, the assails in the United States at that point made a space of chance for the reception of these three overwhelmingly legitimate measures (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011) one year after 9/11 and the EC tirelessly pushed overall process to adopt them (Kaunert, 2010).

A frequent European meaning of terrorism was built up, due to the Framework Decision on Terrorism. Despite the fact that this is viewed as a noteworthy accomplishment on the international level by researchers, one cannot recognize an entire supra nationalization of counter-terrorism legal rules in the European Union. Despite everything it remains the right of national decision to convict and judge terrorist, however the fruitful meaning of minimum legitimation on terrorist offenses is significant for battle terrorism. Prior 9/11 just six states of Europe considered and add terrorism as a

felony expressly in their state law. When the section went into power in 2002 of decision of Framework this at that point changed continuously (Argomaniz J. , 2012).

The following legitimate strategy coming from that period is Eurojust. Which built up in 2002, till now envisaged and was not set up following the consensus. Rather, in 2000, France Belgium, Sweden and Portugal made the temporary Pro-Eurojust, which rivaled with an ideology of Germany. Foundation of Eurojust followed back to the strategy coercion after 2001 attacks and the hesitance of the nation states to permit a more above national level Chief Prosecutor of Eurojust. Member states approached with intergovernmental proposition, which was favored, by the major member states (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011). By the legitimate activities, institutions and organizations concentrating on the functional measurement were found, for example, the Situation Center (SITCEN). It was established as official EU organization in 2003, the Situation Center, in which experts of the European states deliver reports in light of information that was given by national states on a willful basis, is another formation of an official EU organization (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011). Fight against terrorism was a part of its order from the beginning. As commitments stay deliberate and the Europe Union had own resources to generate knowledge and intelligence, the instant effect of this institution had thought to be constrained and was portrayed by an absence of integration. The exchange of knowledge, information and intelligence, particularly towards counter-terrorism insight was and continuously is essentially in a multilateral and bilateral way among European countries externally of Unions framework.

It could be found in another not formal institutions and organizations that were established during that time. For instance, in 2001 set up Counter-Terrorism Group (CTG) as an offshoot of the Club of Berne that directed national specialists due to combating terrorism (Bures, Informal counterterrorism arrangements in Europe: Beauty by variety or duplicity by abundance?, 2015). The far-off nature to the European Union and its organizations support by the CTG was purposeful (Bures, Informal counterterrorism arrangements in Europe: Beauty by variety or duplicity by abundance?, 2015). In addition, in 2003, then five biggest EU countries established the Great Five (in 2006 Poland joined and it was renamed to Great Six) for having an extra counter-terrorism discussion. It is utilized for insight intelligence and information exchange and to achieve agreements among the biggest member states to start with, even before processing it to the level of European Union (Bures, Informal counterterrorism arrangements in Europe: Beauty by variety or duplicity by abundance?, 2015). The desires for cooperation in this discussion by excluded other states as Netherlands was dismissed. Researchers surveyed that expanded insight collaboration is more probable among G6 than within the entire EU. Thus, the casual form and the planned avoidance of smaller states of European Union are demonstrated of an inclination for a not formal, inter-governmental managing functional counter-

terrorism. Other case can be mentioned the inclusion of terrorism to the command in 2002 of Europol while at the same time the capacities of Europol was not expanded (Eur-Lex, 2003).

The examination of EU's counter-terrorism tackle on the track of 9/11 demonstrated two noteworthy advancements. One, three noteworthy legitimate ventures that were beforehand dismissed were adopted and implemented on the EU level with an excessive cooperation ration by the EU members. Second, different informal operational game plans came into put with a fluctuating regional expansion. By and large, inter govern mentalism stayed the dominant extension.

2.1.3. Counter-Terrorism after Madrid attacks in 2004

Since seventies the profound attacks in Europe, for instance in eighties Lockerbie bombings, did not convert the layout track in counter-terrorism endeavors in the Europe Union. Just after the assaults, the EC suggested approaches in the territories of financing of terrorist, foundation protectionism and reaction management (Bureš, 2011). Eminently, these zones as of now had a place with the first pillar which demonstrates Commissions actions after going to the pattern "to keep away from supranational formulas" (Argomaniz J. , 2012) in territories that were center countries powers. The matter of native terrorism, a subject that picked up pertinence after the attacks in United Kingdom, London, stayed fundamentally in the position of the nation states. The pattern of integration hesitant member states proceeded with the establishment of a Coordinator of Counterterrorism (Council E. , The European Union Strategy for Combating Radicalisation and Recruitment to Terrorism, 2008). His command of looking over the endeavors of the member countries and the outer portrayal of the Europe Union had qualities of supra nationalism. Nevertheless, since the forces of the facilitator remain amazingly constrained the establishment of such position was not demonstrated of a key move forward a supra national reconciliation in this area. The foundation of the post stayed questionable yet the primary organizer, from March 2004 to 2007, the Dutchman Gijs de Vries took up this post (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011).

Another legitimate action, which was presented, was the combat against financing of terrorists. In 2007 it was fundamentally initiated because of worldwide activities by the United Nations and the FATF (Financial Action Task Force) (Argomaniz J. , 2012). The foundation of these financial actions on the level of EU, despite the fact that the operational measurements stay on the countries national level, was not be viewed as a move of the overwhelming inter-governmental model. It was fairly because of a division of work since the member states of EU needed to endorse the international agreement of UN in any case, regardless of whether at the national or European Union level (Argomaniz, Bures, & Kaunert, 2015). Besides, on the EU level, the command of a few existing

establishments, for example, Eurojust, Europol and the SIS were covered out to counter-terrorism (Balzacq, The Policy Tools of Securitization: Information Exchange, EU Foreign and Interior Policies, 2007). In any case, yet there were no critical forces assigned to these organizations after Madrid. However, in the treaty of Prum, is visible the constant priority for intergovernmental and informal cooperation. The European Union countries in 2005, Spain, Luxemburg, Belgium, France, Netherlands, Austria and Germany seek at strengthening cooperation in data exchange and cross-border security, for example, and data database of vehicle owners and DNA (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011).

The assentation must be viewed as the avoidance due to circumstances of the Commission's recommendation of a boundless information trade among the law implementation offices, following the rule of accessibility (Kroll & Leuffen, 2015). Consequently, to keep up the national right on criminal information in perspective of EU growth, different member states understood their own inclinations with the Treaty of Pruum. Progress for integration was arranged at the Union level in such manner was "covered in the Treaty of Prum" (Balzacq & Hadfield, Differentiation and trust: Prüm and the institutional design of EU internal security, 2012). In 2007 its adoption to European Union law did not change this inclination for inter-governmental, non-official collaboration, particularly since a few, possibly dubious arrangements were not transmitted to the level of EU. Among them are orders towards cross-border pursues (Kroll & Leuffen, 2015).

The scene after the assaults in Spain, Madrid demonstrated that several new components on the level of EU were made, however their forces stay restricted. There is a proceeding with hesitance for supranational designation. Collaboration regarding trade of information stays on the informal, inter-governmental level. The primary nonstop example of inter govern mentalism crosswise over circumstances and even crosswise over basic crossroads demonstrates that the presumption of covering the terrorism field and its activities as single unit of examination is advocated.

2.1.4. Counter-Terrorism after London attacks in 2005

Meanwhile, following the terrorist attacks in London in July 2005, the Council of the EU hosted a meeting which called for urgent progress - the European Arrest Warrant order, the strengthening of Schengen and visa information systems, the fight against financing of terrorists, and the prevention of radicalization and rebellion. Subsequently, in December 2005, the Ministers of Justice approved a new EU Counter-Terrorism Strategy. This is the first document combining counter-terrorism policies. It is arguable that this strategy was detained in its purpose. As Hugo Brady and Daniel Keohane have pointed out, negotiations were held on details, avoiding consensus on the

direction of an essential counter-terrorism policy (Brady & Keohane, 2005). This strategy focuses on the four levels of counter-terrorism, as reflected in the four strategy slogans: prevention, protection, persecution, and response. In order to achieve these goals, four challenges have been identified: strengthening national capacities, facilitating European cooperation, strengthening collective capacity and developing international partnerships (Council E. , EU counter-terrorism strategy , 2017)

Evidently, each of the terrorist attacks has contributed to the EU's counter-terrorism legal framework. The above listed are only the essential documents, which set out the further development of the fight against terrorism. In addition to these substantive acts, many other documents have been adopted that specifically regulate the fight against terrorism and include specific specialized measures. Of these, it was distinguished only the prevention of radicalization, which was a novelty throughout the "ocean" of normative acts, and in principle this issue was taken into account at European level for the first time. Although each terrorist attack led to the introduction of specific counter-terrorism measures, their implementation was extremely slow, and their own reception was not based on political will, but rather on terrorist action.

Nevertheless, the practical application of all the strategies provided for in the strategies, needs to be examined in detail. This will be done in the next section of the paper. It is appropriate to assess the institutional structure of the European counter-terrorism policy and mechanism.

2.2. Recent initiatives after the attacks in 2015 and 2016

In 2015 November, the attacks in France, Paris conveyed a several reforms in the structure of security in European Union too and a move of concentration on returning contenders from Syria. Also, in 2016 July, the latest assails in Belgium, Brussels by radicalized groups additionally accentuate the focus on individuals. Nonetheless, the mode of participation rather than integration stays in spite of some effective coordination tasks, for example, the EU directive of passenger name record (PNR). For example, the foundation of Europol's European Counter Terrorism Center (ECTC) demonstrates that countries of EU recognize association however acts to encourage European collaboration rather than integration of terrorism (Europol Press Release , 2016). In any case, the informal plan of this most up to date expansion does not stand up to the inclination for non-formal agreements. This is found in another most up to date counter-terrorism venture. Directly after the terrorist incidents in 2015 Paris, the representatives from the Counter-terrorism Group (CTG), for 2016 July, envisaged the foundation of a "joint counter-terrorism center" available to all members of Counter-terrorism Group to additionally enhance data trade on terrorism among the special agencies. Its anticipated area at the agency of General Intelligence and Security of Dutch organization in The

Hague appears its separation to the European offices. The effect of the Paris attacks and the descent of the terrorist bombings in Brussels may have driven France to move their inclinations towards more collaboration for example with the Europol's set up of Taskforce Fraternite (Europol Press Release , 2016).

Following the assails in 2016 March of Belgium, Brussels, representatives of member states rushed for emergency for EU solutions combating terrorism. Ministers required a broader utilization of Joint Investigation Teams in EU (European Council, 2016). Regarding criminal information and intelligence, the German inside minister openly griped that due Europol's work almost ninety percent of the information is just given by six EU countries, another ministers convened for alternative components to trade information (Europol Press Release , 2016). Austria's minister said she is "persuaded that one could set up such an European normal organization within weeks" (London, 2016). In any case, it would be unmistakable reforms when this proposal was composed. The example of non-formal, non-restricting collaboration outside of the Europe Union framework endures.

2.3. The Mechanism of EU Counter-Terrorism policy

As already mentioned, the fight against terrorism is complex due to its multiplicity. Coordinated action requires the harmonization of a number of common EU policies. In this case, an example is the reorganization of the US government following the 9/11 attacks. Department of Homeland Security was created to effectively coordinate the US counter-terrorism mechanism (Security, 2017). It was arduous to implement it accurately to EU framework because of the fact that Member States retain sovereignty in law enforcement issues, the so-called third pillar. This problem - coordinated action against terrorism - was the most common issue in the rhetoric of EU officials. Its importance has been declared endlessly in various EU legislations.

The first feature is the complexity of examining the EU's institutional framework for the fight against terrorism. It is based on both EU institutions and Member States' cooperation formats outside the EU framework. This entire framework can be diversified into four levels: 1. The EU Council with its working groups; 2. The Commission; 3. EU agencies; 4. Cooperation among Member States in its own format (Lugna, 2006). Only such a wide network of participants shows the intricacy of the cooperation.

The Council's counter-terrorist activities are analogous to those of other policies. The role of the Council plays a part in approving decisions, as they are generally accepted at ministerial level. In turn, the Committee of Permanent Representatives (COREPER) does all preparatory work. However, there are already coordination problems at this level, since the fight against terrorism falls within the framework of the two formats of the Committee of Permanent Representatives (COREPER).

COREPER II coordinates activities in the area of justice and home affairs, CFSP or finances and the issues of transport, telecommunications, the environment and other problems falls under COREPER I (Lugna, 2006), which are also relevant to the fight against terrorism.

For its part, COREPER has two specialized committees and Council working groups. It is the committees that are preparing COREPER meetings, and the working groups carry out an analysis of the Commission's proposals, which are, as is customary, provided to COREPER. Several committees can be distinguished in the analysis of the EU's counter-terrorism policy. This is the Article 36 Committee, the Strategic Committee on Immigration Frontiers and Asylum (SCIFA), and the Working Party on Terrorism (TWP). These mentioned parties are part of the Council on Justice and Home Affairs. The General Affairs and Foreign Affairs Council, which consists of the Foreign Ministers of the Member States in addition plays an important role. The Council has a Political and Security Committee (PSC), two working groups, one of which consists of foreign advisers whose function is to resolve issues related to terrorist financing. Another working group, composed of representatives of the Member States' foreign ministries, deals with terrorism in the context of external relations (Lugna, 2006).

It is followed by the General Secretariat, which owns the work of the Council of the EU. It is the secretariat that also serves as one of the most important coordinators of Counter-Terrorism Policy. This following one was set up after 2004 Madrid attacks and its main function is to ensure the coordination of Member States' counter-terrorist policies. Despite the fact that this post is linked to ensuring more effective co-operation, less power delegated to it hinders the achievement of the goals set for this post. The website of Council of the EU's states that the Counter-Terrorism Coordinator has to coordinate the work of the Council, monitor the implementation of the EU Counter-Terrorism Action Plan, and ensure the clarity of EU counter-terrorism policies (Council E. , The European Union Strategy for Combating Radicalisation and Recruitment to Terrorism, 2008). However, in actual fact his credentials have no real power over the Member States, but rather serve as an adviser. According to D. Keohane, the coordinator has no powers other than persuasion because he does not have funds, has no legislative power, nor can he chair the internal affairs or foreign affairs ministers when formulating the antiterrorism agenda (Keohane, 2005). Such loopholes have led, "only 10 out of 25 (while Bulgaria and Romania were not yet members of the EU), viewed their role seriously and listened to what he said" (Keohane, 2005). Such a situation is paradoxical when an important post is given, without giving real power.

Another institution that the EU has declared as of paramount importance in the fight against terrorism is the European Union Intelligence and Situation Centre (INTCEN) (former Situation Center SITCEN). The purpose of this institution is the collection and analysis of intelligence. It has representatives from all the Member States. However, this body also faces serious challenges, a more

detailed analysis of which will be given in the following section on the issue of sharing information between Member States.

Another component of the fight against terrorism is the EU Commission. The Commission has the right of initiative and the supervision of the implementation of the decisions taken. It is noteworthy that the Commission is working effectively in the counter-terrorism field.

Another group in the institutional antiterrorism mechanism is the agencies set up by the Member States. These institutions, mentioned in previous subtopics, which plays a significant role, are Europol, Eurojust, and the European Border Agency (FRONTEX). The role of these institutions is gradually strengthening. Often referred to as independent, these agencies still represent a common European dimension to the fight against terrorism. Following the example of Europol, it is clear that the Council, which designates the director of this agency and approves the budget (Europol, General terms: Management & Control, 2017), supervises its work. Eurojust, established in 2002, is coordinating the respective structures of the Member States in the areas of investigation and prosecution. As indicated by the Council Regulation, the responsibility of the FRONTEX Agency for the control and surveillance of external borders lies with the Member States (Frontex, 2017). Regardless the fact that at the beginning Europol was outer of the European Union framework; it turned into an authorized office in 2010 (Europol, General terms: Management & Control, 2017) . There was no horizontal separation as all states partake in the office. Europol exhibits an intriguing case in light of the fact that regardless of its current mode of an official office of EU, it has not have main above national characteristics and control stays on the EU MS level. This particularly contains for counter-terrorism. Of the view of a de jure, its MS did not give to Europol major above national capabilities and it is "non-official police force due to self-sufficient supranational expert to lead its own examinations" (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011)

In reality, the absence of confidence from national authorization offices towards Europol and the absence of information and knowledge at level of Europol, appointed Europol as a powerless tool in fighting terrorism Furthermore, despite the fact that all member states within European Union are at Europol, data sharing is typically not effectively done by Europol but rather in a two-sided or constrained many sided path and Europol does not have way to force states to impart their information to other member states (Bures, Informal counterterrorism arrangements in Europe: Beauty by variety or duplicity by abundance?, 2015) . The most up to date expansion of Europol, was the ECTC, propelled in 2016 January, stays in a similar custom (Europol, Europol Press Release, 2016) . Europol, along these lines, is a case of vertical separation on account of the absence of above national delegation. Despite the presentation of Europol as a EU office, basically and particularly in the area of combating terrorism it remains beyond governmental (Bures, EU Counterterrorism Policy: A Paper Tiger?, 2011)

Eurojust, set up in 2002 takes after the identical above governmental method of participation on the European Union level (Eurojust, 2016) . As an example, it does not possess vital competences. Without a doubt; it does have "the potential for an unequivocal move toward integration" yet this have not been acknowledged yet. Hence, Eurojust is set an example of vertical polarity in the strategy area of anti-terrorism. Regularly it is expressed that Eurojust does not have an adequate lawful jurisdiction and seeks Europol additionally in functional terms on account of an absence of information, abilities and operational limit (Bures, Perceptions of the Terrorist Threat among EU Member States, 2017). Albeit from the beginning counter-terrorism was a subject for Eurojust, but the quantity of investigations on this problem is beyond low. The path of Europol and Eurojust as formal and official EU offices based on the fact that they were not evenly separated but rather vertically set and does not have significant supra national forces in EU's counter-terrorism motion.

The last fourth institutional group includes a variety of formats (formal, informal) based on cooperation between EU Member States, which does not fall within the regulatory framework of the Community. These include the Counter-Terrorism Group (CTG), which was set up by the Heads of Security Services of the Member States after 9/11. The purpose is to promote co-operation by sharing operational information. There are also two police working groups: 1. Police and law enforcement Working Group (Lenos & Haanstra, 2017) (RAN POL) (acting as the forum); 2. European Union Agency for Law Enforcement Cooperation (Europol) (Europol, 2017) (which has been working since 1979 to strengthen communication between police forces). As the various agencies of the fight against terrorism reveal, the achievement of a common policy on this issue is complicated. In examining the activities of these institutions, it should be noticed that some of the functions are duplicated. Such an abundance of institutions is aimed at circumventing the current decision-making mechanism, which cannot ensure the harmonious operation. Nonetheless, as critics point out, such a policy area that has many institutions with diverse objectives leads to a lack of unanimity (Boer, 2003). In this context, it is necessary to remember the role of the Counter-Terrorism Coordinator, which position was established to control the activities of all the above-mentioned institutions, to avoid duplication of functions, to ensure the implementation of decisions. However, as mentioned, this post is not given appropriate power. A Counter-Terrorism Policy Coordinator can also be used as an intermediary between the Commission and the Council. However, the Commission's representatives avoid such practices, fearing that, when working with governments, the Counter-Terrorism Coordinator will try to limit the role of the Commission in shaping the EU's counter-terrorism policies (Keohane, 2005).

One of the units, the Police Working Group on Terrorism was likewise settled more than fifteen years before attacks in 9/11 US. It is portrayed by outer, horizontal polarity as well by lesser vertical integration. It undermines all European Union members in addition to the not members Switzerland, Norway and Iceland. Consequently, with thirty-one-member states it has the highest

horizontal unification. Be that as it may, the type of the activity is a non-formal forum of experts (Bures, Informal counterterrorism arrangements in Europe: Beauty by variety or duplicity by abundance?, 2015). Much the same it does not have a perpetual secretariat or structure and is arranged outer of the European Union framework, as the Club of Berne. Another than Europol has a spectator position at the gatherings of PWGT, neither joint effort nor cooperation visible with EU organizations.
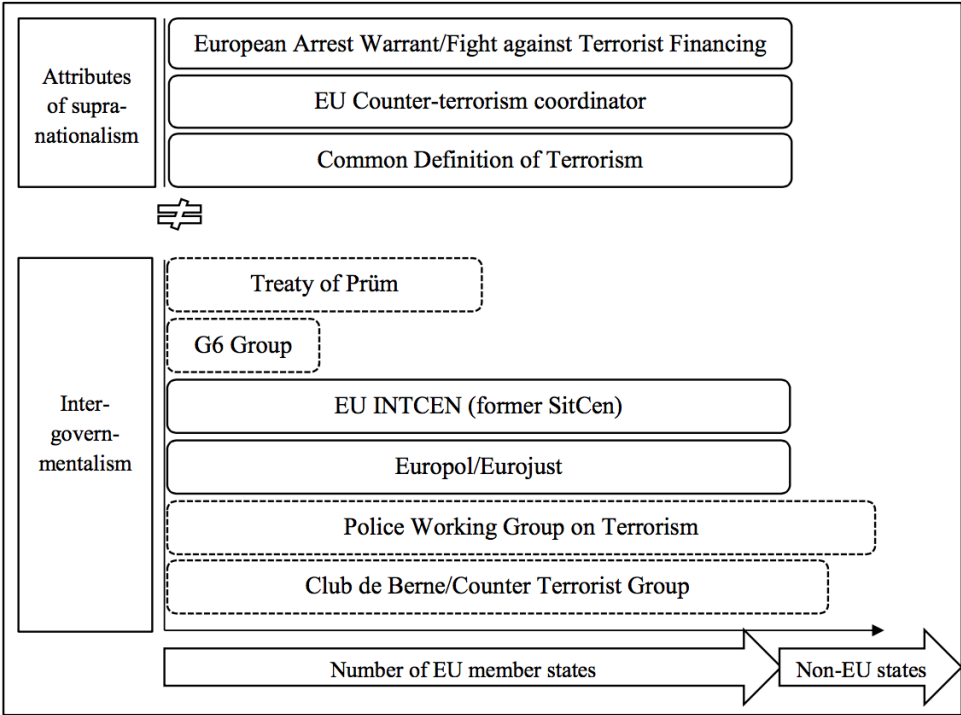
The Group of Six (G6), externally from EU framework created an initiative, is constructed deliberately with respect to the guideline of restricted enrollment and have been stretched out membership to another countries than the underlying six main member states. Thus, the organization is a case of inner horizontal polarity in Europe and considers this to be favorable position to skip extensive arrangements at the level of EU when all its countries are incorporated (Argomaniz, Bures, & Kaunert, 2015) . As a result of its not formal nature, it is not visible the assignment of forces to it by any of the member countries. Nonetheless it is amazing that among six states additionally the "REUCTPF" as a functional and potential power was built up (Argomaniz, Bures, & Kaunert, 2015). Curiously, the EC offered an explanation to an issue of a members of the EP: "it is not gone for setting up European counter-terrorist police drive ", envisioning worries about state supremacy.

Another case of this sort of legitimate motion towards combating terrorism drafted by the European Union is the European Arrest Warrant (EAW), which came to power in 2005. Indicated case of EU's anti-terrorism is a profoundly vertically and on a level horizontally integrated marvel. The purpose behind this is it the EAW is presently ratified and substantial in all European Union member States and holds the standard of common acknowledgment. Practically this implies that repulsion demands are naturally affirmed, and the common technique appeals to this range. Subsequently, the evaluation that the Arrest Warrant is, a above national and coordinated approach can be bolstered, notwithstanding the EU countries utilize it diversely yet this might be because of different atrocity rates (Balzacq, The Policy Tools of Securitization: Information Exchange, EU Foreign and Interior Policies, 2007) . Additionally, in 2007 a similar articulation contains for the directive of money laundering, in which EU states were made a request to incorporate a several incorrigible administrative measures against terrorist's funds in national laws. Notwithstanding, in spite of this supranational stimulus, the greater part of the progress and the genuine solidifying of the benefits stay on the national countries.

Overviewing this examination, a few advancements should be highlighted. To begin with, the clues of information for the contention of way reliance are noticeable. Among all the outlined measures is the extended past of inclination for informal activities, initiatives and systems as of prior 9/11 2001 and after 2001 9/11 and the constant powerless delegation of formal organizations (Balzacq & Hadfield, Differentiation and trust: Prüm and the institutional design of EU internal security, 2012).

Also, a qualification amongst operational and legitimate/political space in counter-terrorism can be appointed. While information and intelligence exchange and police participation happen in a casual nature with constrained enrollment, the political and legal measures such as CT, EAW the main, are the ones which have a few supranational traits. Subsequently, inter govern mentalism and non-formal inter govern mentalism is the prevailing functional mode in EU's counter-terrorism path.

Graph 3. The EU measurements on fight against terrorism[3]

Attributes of supra-nationalism	European Arrest Warrant/Fight against Terrorist Financing
	EU Counter-terrorism coordinator
	Common Definition of Terrorism

Inter-govern-mentalism	Treaty of Prüm
	G6 Group
	EU INTCEN (former SitCen)
	Europol/Eurojust
	Police Working Group on Terrorism
	Club de Berne/Counter Terrorist Group

Number of EU member states → Non-EU states

Such inconsistency in the functioning of the institutions, the high number of counter-terrorism committees in their various directions, by researchers considers that would not have a lasting impact (Keohane, 2005). However, this aspect - durability - is central to the fight against terrorism. Only the implementation of a long-term strategy in practice can have an impact. This aspect is particularly relevant given that the EU's fight against terrorism can only be described as reactive. Already after 9/11, trapped networks of terrorist cells in Europe have revealed how the EU is lagging behind terrorists. Thus, the long-term effects of various strategies, in particular those aimed at reducing radicalization, are necessary.

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[3] Source: based by Beatz S. report „European integration perspective ".

3. THE ANALYSIS OF THE IMPLEMENTATION OF COUNTER-TERRORISM MEASURES

3.1. Methodology

The European Union Counter-Terrorism Strategy is a historic point report as in it accommodated more arrangement rationality through building up the primary EU multidimensional, complete system for directing future actions in perspective of terrorism. Despite the fact that the Counterterrorism Strategy had no immediate effect on EU policymaking, it prevails with regards to having conceiving contribution to EU. Adopted in December 2005 and established in February 2006 in an action plan, structuring the more than 160 individual measures horizontal or sectorial along the four strands: prevention, protection, pursuance and response, the actions expected to understand the Union's vital duty. The "prevent" strand targets routes in which radicalization and enrollment can be managed. The "protect" strand takes a gander at approaches to ensure subjects and foundation, with an emphasis on securitization of fringes, transport and basic framework. The third segment is "pursue" and concerns the interest and examination of psychological oppressors both inside the EU and also all around and to make it as troublesome or them to escape from equity (additionally taking a gander at approaches to handle them monetarily). The last perspective is the "respond" strand and it concerns courses in which to manage the result of terrorism attacks and limiting the outcomes of such episodes.

Graph 4. The major axes of EU Counter-Terrorism[4]

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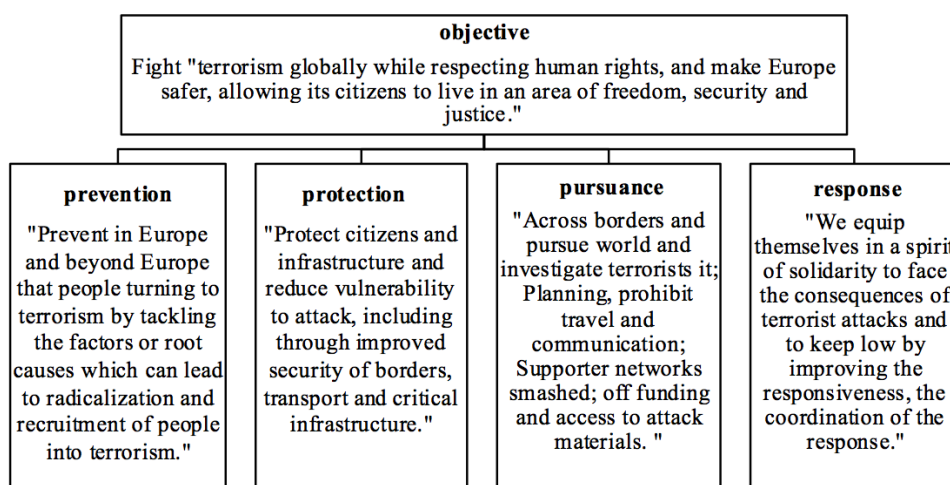
[4] Source: made by author, based on the information provided by European Council. Available online at:
http://www.consilium.europa.eu/en/policies/fight-against-terrorism/

According to Raphael Bossong (Bossong, 2013), there is an unmistakable rationale among these four goals and they can be organized in the accompanying two-by-two framework.

Table 1. Two-by-two matrix of EU Counter-Terrorism Strategy[5]

	Before Attack	**After Attack**
Countering International threats	*Prevention*	*Pursuance*
Controlling structural effects	*Protection*	*Response*

This is illustrated by the late report that the EU covers all possible viable anti-terrorist policies, i.e. before and after the attack, as well as structure and additional organization level. In this sense, it is not shocking that the EU quickly pointed to the four goals of the strategy, demonstrating its achievements in the fight against terrorism. However, given the unequal and unpredictable EU anti-terrorism strategy outlined above, it can be assumed that this is justified afterwards. The goals of the strategy are so great that any approach may turn out to be significant. Accordingly, the following part of master thesis attempts to assess the performance of the EU in the context of the objectives and policies of the Counter-Terrorism Strategy.

Accordingly, the accompanying part of this thesis tries to make a more meaningful assessment of EU performance in line with the objectives and policies of the Counter-Terrorism Strategy. On the surface, many EU methods could help Member States to keep "prevention" and "pursuance" on the spot due to the fight against terrorism. However, having dealt with a deeper way, they may be inappropriate or inoperative. There was also a formal shift towards the definition of terrorist response limits.

3.2. Prevent

One of the essential conditions for the survival of terrorism is the human resources available to terrorist organizations to implement their strategy. It is this aspect that is one of the key issues in the fight against terrorism. At the same time, this is one of the most recent anti-terrorist policies of the EU. In this context, note should be made of the year 2004, when the EU's fight against the recruitment and radicalization for the first time is to combat terrorism followed by an EU Communication adopted in 2005 (COM/2004/0698 final) (Commission, 2004), to assess the trends

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[5] Source: made by author, based on Bossong R. two-mtatrix theory.

of terrorist recruitment and radicalization. This communication clearly outlines measures to combat rebellions, which to split the mildew into "soft" (the development of intercultural exchanges, promotion of integration) and "hard" (prohibition of satellite broadcasting terrorism, Internet sites censorship) exposure of measures (European Commission, 2005). In 2008, the EU adopted a strategy against radicalization and trafficking in terrorism, which has three objectives:

1. eradicate the activities of networks and individuals that engage people in terrorist activities;

2. to ensure that the voice of the dominant opinion overrides extremism;

3. to further promote security, justice and democratic opportunities (Council E. , The European Union Strategy for Combating Radicalisation and Recruitment to Terrorism, 2008).

However, it must be acknowledged that the main task must be to reduce radicalization carried out by national governments. The main responsibility in this case lies with individual states in promoting full integration of citizens and ensuring their rights.

Following the discourse and strategy presented, the following are examples of terrorist radicalization and extremism prevention projects in individual hotspot member states countries (Comission, 2017).

Table 2. Prevention Strategies of hotspot EU Member States[6]

France	Germany	The Netherlands	Spain	UK
Action Plan against Radicalization and Terrorism **(2016)**	Federal Government's Strategy on Preventing Extremism and Promoting Democracy **(2015)**	The comprehensive Action Plan to combat Jihadism **(2014)**	Integral Strategy to fight internal terrorism and radicalization **(2010)**	Prevent Strategy **(2011)**
	National Strategy for Preventing Islamist Extremism **(2016)**	National action plan for a global approach to tackle Jihadism **(2014)**	National Security Strategy **(2013)**	Prevent Duty Guidance **(2015)**
		Annual Plan 2016 - National Coordinator for Security and Counterterrorism, Ministry of Security and Justice **(2016)**	National Plan to fight violent radicalization (PEN-LCRV) **(2015)**	Channel Guidance **(2015)**

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[6] Source: made by author, based on the data provided by European Commission. Available online at: https://ec.europa.eu/home-affairs/what-we-do/networks/radicalisation_awareness_network/ran-and-member-states/repository_en

As can be seen from the table above, bearing in mind that the common EU strategy for preventing Radicalisation to Terrorism and Violent Extremism was adopted in 2008, member states simply refused to integrate specific measurements into national level, but began active prevention only later on. The major strategies into national level by Spain, UK, Germany and France were brought after terrorist bombings in 2016 Brussels. Contributing facts presented do not reveal nor preventive pattern but rather the responsiveness of the member states, towards the terrorism incidents during specific years.

Moreover, as mentioned in the second part of the Master's thesis, the radicalization of EU societies is determined by the gaps in European integration policies. Despite the fact that immigrant integration strategies vary according to the state, the results are quite similar. It is likely that the ineffectiveness of such an integration policy is determined solely by its formal nature.

The growing polarization of societies, xenophobia outweighs the content of integration policy. Empirical analysis of members of radical movements confirms that the investigated radical groups are characterized by closure; it is formed separately from the European societies and from the traditions of the countries of origin. In such a medium, there are favorable conditions for the development of a new ideology that is radicalized by extremist Islamic preachers who interpret religious texts in their own way and radical Islamic movements, part of which maintain ties with terrorist organizations. The EU handout is also high on these issues. In order to promote fundamental rights in the current financial perspective (2007-2013), the EU has committed nearly € 94 million. This program aims to promote tolerance, better intercultural understanding, and combat racism and xenophobia. In April 2016, European Commission allocated € 7.325 million to fight against racism, xenophobia, hatred-Muslims and any kind of intolerance beneath Rights, Equality and Citizenship Programme (Fundamental Rights Report , 2017). Programs of this nature are welcome and take due account of the problem. However, this and similar initiatives are developing slowly, in controversy of national governments setting area and public opinion of citizens which relates to fear towards terrorism. According to Pew Research Center provided data of 10 European Union countries (France, Netherlands, United Kingdom, Germany, Greece, Poland, Spain, Sweden, Hungry and Italy), Muslim intolerance increasingly perceived as a threat of terrorism (Wike, Stokes, & Simmons, 2016). Almost 59% respondents believe that terrorist attacks like hood happen due to presence of Muslim and immigrant people in their country. Moreover, in May 2016, Prime Minister of Slovakia stated that "Islam has no place in Slovakia", and the President of the Czech Republic said in January "it is basically impossible to integrate Muslim communities" (Fundamental Rights Report , 2017)

As revealed by the investigation of special services following the terrorist attacks, the activities of terrorist groups in Europe have been in place for several years already. Therefore, initiatives of a similar nature, promoting integration that reduces the exclusion of communities, must

be developed. In examining the priorities of the EU counter-terrorism policy, it is obvious that priority is given to strengthening legal instruments. Meanwhile socio-cultural causes are left behind by national governments.

The aforementioned Communication emphasizes that the trend of redevelopment is not only related to European internal problems, but also with third countries. In this context, the focus is on the EU's southern Mediterranean countries, which fall within the framework of the European Neighborhood Policy. After the 2001 terrorist attacks in New York and Washington, the EU issued functional declarations on the need to take substantial steps to promote democratization in the Middle East. This initiative was not new, but continued until 1995 the launch of the Barcelona Process, aimed at creating a community of Euro-Mediterranean coastal states. As announced in the EU Communication, EU action plans with the Mediterranean countries include a range of measures to reduce radicalization. Also referred to be the European Initiative for Democracy and Human Rights (EIDHR), which aims at combating human rights violations in third countries (Council E. , The European Union Strategy for Combating Radicalisation and Recruitment to Terrorism, 2008) . However, looking at the practical expression of all these declarations, there are reasonable doubts or indeed not declarative statements. While analysing EU support projects, these countries clearly show that priority is given to non-public reforms, to strengthening non-governmental organizations, and to addressing the consequences. As an example, the EU ministers' decision to allocate € 800 million to fight illegal immigration from the southern Mediterranean countries in December 2005 could be presented, while the aforementioned EIDHR received only € 10 million in democracy development projects in the region (Youngs, 2006). The issue of illegal immigration is particularly sensitive in the EU; it is a relevant issue in the context of anti-terrorist policies. However, in order to reduce the phenomenon of radicalization, the primary task should be to strengthen societies. The EU's efforts to make use of existing funds are also criticized because of the lack of coherent strategies. In the case of the EIDHR case, its projects in 2006-2012 were split into 66 countries (Youngs, 2006). Such activities only contribute to the implementation of several projects, but the primary objective is to strengthen civil society, reduce inequality, promote democratization processes, and, at the same time, reduce radicalization of society, remains unfulfilled. Thus, EU activities in such projects, as a matter of priority, choose quality rather than quantity.

However, the EU is accused not only of lack of a coherent strategy. According to critics, the EU's efforts in this area restrict such essential aspects as "the Middle East's belief that the EU is not sincerely committed to the idea of regional democratization". The EU is pushing for significant incentives for democratization and is not able to support advocates of independent reform (Youngs, 2006). Moreover, the inclusion of the anti-terrorist dimension in the neighborhood policy framework

is welcomed. This reflects the efforts to develop a common and effective European counter-terrorism policy.

Effective EU action is indispensable and most needed in the fight against radicalization. Given the changing threat of terrorism, it is clear that radicalization of a part of society must become an essential element of the EU's fight against terrorism.

3.3.   Pursue

Another area of particular emphasis in the fight against terrorism is the freezing of financial resources. As stated in the first part of the Master's thesis, the ability of terrorists to secure financial independence is the one of the key to success.

The solution to the issue of terrorist financing includes several important aspects. Today, terrorists themselves accumulate capital that they use to sustain organizations and carry out terrorist attacks. In turn, the state of destroying terrorist financial networks has several goals. The first objective is to freeze the finances of terrorist organizations or individuals associated with them. The second objective is to track the flow of money between these organizations and individuals by collecting valuable information about sponsors of these groups.

By blocking the finances of terrorist organizations and individuals associated with them, the EU set up a list of them (Council Common Position 2006/380/CFSP., 2006), which indicates which organizations and individuals are blocked by their finances. On the other hand, the great attention paid to terrorist funds forced them to withdraw money from the traditional banking system (Planning, 2003). The pace of decision-making in this particular instrument is most likely to be implemented. In response to the movement of money outside the banking system, the EU Council adopted the Third Money Laundering Directive, according to which the introduction of more than EUR 10 000 into the EU would have to be declared. Careful monitoring and online transfer of funds, it is also indicated that suspicious financial settlements in excess of EUR 1500 will have to be reported to the special national financial supervisory authorities (Directive 2005/60/EC of The European Parliament and of The Council., 2005).

The fight against terrorist financing needs to be seen in the long run, as it focuses on the financing of terrorist networks. It is extremely difficult to track the financing of terrorist attacks. This is determined by the low amount of finance needed to implement the terrorist acts. An example of Madrid's terrorist attacks was € 10,000 (Goulet, 2015). However, the financial flows of terrorist organizations are significantly higher, and their suspension would be a significant step towards the successful implementation of anti-terrorist policies. According to the former European Counter-Terrorism Coordinator Gijs De Vries, by the end of 2004, Al-Qaeda alone cost Iraq about € 200,000 a week in December (Vries, 2005).

It is noteworthy that although the EU does not have a single official body that will consistently coordinate different aspects of the fight against terrorism, the solution to the problem of terrorist financing is aligned. At EU level, the working group of Clearing House, under the authority of COREPER, unofficially performs this function. In this institution, representatives of different EU bodies make decisions on lists of terrorist organizations and sanctions against them (Bendiek, 2006).

On the other hand, the solution to this issue is impossible without the full contribution of the international community. Thus, although the EU has adopted a large number of normative acts in this area defining the fight against terrorist financing, positive developments need to be expected not only within the framework of the EU. In this context, the United Nations plays an important role. In the financing of counter-terrorism, this organization plays a key role in consolidating the efforts and legal framework of its member states. Shortly after the terrorist attacks in New York, the UN Security Council adopted 1373 resolutions imposing stringent legal obligations on all UN members. The resolution stipulates, "Every state must freeze the financial resources of terrorists or persons related to them" (Council U. S., 2002). Towards these programs, according to U.S. Department of Treasury, in the period from 2001 September till 2002 EU had frozen nearly 35 million US Dollars assets of terrorists. By the end of 2006, the EU successfully had frozen more than 147 million US Dollars (Bures, Ten Years of EU's Fight Against Terrorist Financing: A Critical Assessment, 2016).

Nevertheless, it is fundamental to mention that funding and financing practices of European jihadi changed over time. The major types of funding are split into four: legal activities, criminal activities, popular support and terrorist support. It is seen in the graph below.

Graph 5. The main types of funding of terrorist cells in 1994-2013[7]

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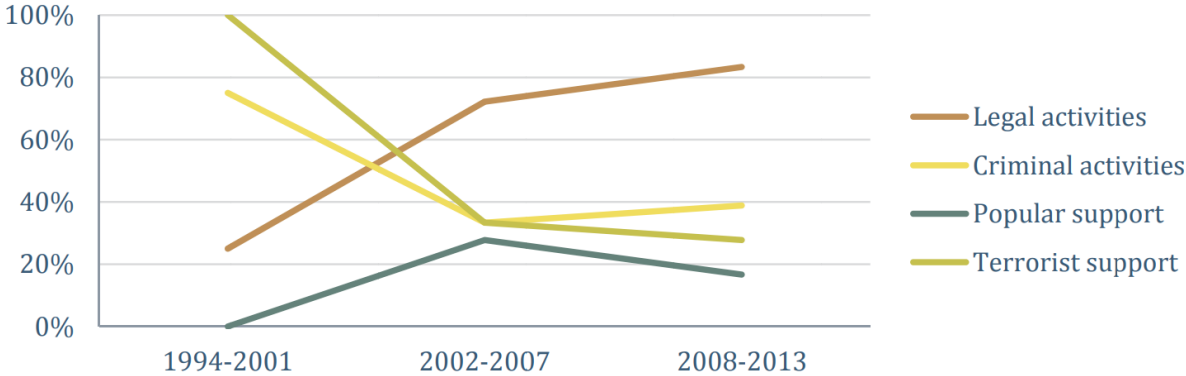
[7] Source: Norwegian Defence Research Establishment (FFI) rapport 2014/02234 The financing of jihadi terrorist c ells in Europe. Available online at: https://www.ffi.no/no/Rapporter/14-02234.pdf

The transformation is seen from 2001 till 2007 (rapport, 2014), as direct terrorist support decreased and funding from legal activities increase. It can be considered as a consequence after 9/11 attacks, and establishment of stricter regulative mechanism, regulations and financial controls of Member States. The measures of counter-terrorism reduced possibilities of Al-Qaeda and other international terrorist organizations fund local terrorist groups. Thus, at the same time it visible, that European jihadi concentrated more on self-financing methods, which are harder to detect and prevent, operating and relaying on the same counter-terrorism measurements. It is foreseen and demonstrates that terrorist groups can adapt their practices and transformation of financing itself.

In order to monitor the implementation of these directives, the Counter-Terrorism Committee was set up to examine the information provided by the Member States. The reports of Member states suggest that many countries have taken measures to change the legal framework that would allow the UN Global Counter-Terrorism Program to be implemented (State, 2016). A collaborative UN counter-terrorism program contributes to the development and strengthening of international norms. Nevertheless, information collected on the basis of reports on anti-terrorist capabilities is questionable. First of all, there is a problem of reliability. It is noteworthy that the effectiveness of the committee is limited to individual states avoiding liability though specific sanctions are foreseen.

3.4.   Protect

Another instrument of the fight against terrorism, which is constantly emphasized, is the sharing of intelligence. This area falls within the framework of cooperation between judicial authorities, but due to its importance in the master's thesis this problem is considered separately. Successful sharing of information greatly increases the likelihood of preventing a terrorist attack. But even with that understanding, Member States' intelligence agencies are reluctant to share information. This problem is already relevant in the national context, where different special services compete and avoid disclosing their information to competitors. Meanwhile, in the case of the EU, the problem is further exacerbated when it comes to working with specialist services in other countries. In order to avoid such misleading practices, the EU created INTCEN institution, whose activities are based on the coordination of anti-terrorist intelligence. Within the INTCEN, there is an analytical group consisting of external and internal Member States' intelligence agencies. Nevertheless, it should be emphasized that their activities are of an analytical rather than operational level (Euractiv, 2010).

Contrary to what the EU claims, national intelligence agencies, which work with Europol and other similar bodies in the EU, provide only limited intelligence. Thus, the national governments and not the EU institutions are the main recipients of anti-terrorist intelligence. As a rule, engagement in a serious international operation is carried out at a bilateral or multilateral level (Wilkinson, 2005).

Another problem encountered in practice is the differing sharing of competences in the Member States. When, in some countries, the fight against terrorism is delegated to the police, and in others to intelligence structures. In this case, cooperation may face natural difficulties, as the objectives of the two organizations vary. If the police are interested in specific information for the purpose of detaining the suspects, while the intelligence agency gives priority to obtaining information without seeking prosecution. Cooperation is also aggravated by the fact that Member States have different intelligence. If there is one organ in one that carries out intelligence functions, it is shared by others in other areas: domestic, foreign, military intelligence. Because of these different functions, intelligence and police co-operation takes place at different levels.

What is the practice behind the collapse of cooperation is confirmed by the Madrid attack study, when French authorities, on request of their Spanish counterparts, provided information on the type of explosives, refused to do so (EIPA, 2013).

The cases cited confirm the pessimistic scenario under which the European anti-terrorist agenda is implemented too slowly. This is determined both by the lack of political will and the resolution of the terrorist threats of the Member States exclusively at the national level. For these reasons, cooperation in the fight against terrorism is accompanied by mistrust.

However, the threat of terrorism encouraged the members to act not only within the framework of the EU, but also in mutual agreements. One is The Prum Treaty was signed in May 2005, which aims to strengthen the sharing of information between judicial institutions. The parties to this contract are Spain, France, Germany, Belgium, the Netherlands, Austria and Luxembourg. All contracting countries have access to common databases containing DNA or fingerprint information. A similar initiative is being carried out in the format of the G5 (France, Germany, Italy, Spain, United Kingdom), which aimed to create a network of information on persons involved in terrorist activities (Balzacq & Hadfield, Differentiation and trust: Prüm and the institutional design of EU internal security, 2012). However, such initiatives only reaffirm that the EU's counter-terrorism policy is not effective, and agreements of a similar nature create certain groups of individual EU Member States. In the case of the Prum Treaty, access to specific information from the northern and eastern EU countries becomes limited. Such a dispersed EU anti-terrorism force will not provide an effective response. As critics say, analysing the proliferation of such antiterrorist groups, "the EU is in danger of becoming a shadow body, legitimizing instruments that will be approved by some of its members on different occasions and in different circumstances" (Balzacq, The Policy Tools of Securitization: Information Exchange, EU Foreign and Interior Policies, 2007).

Austria and Belgium proposed to set up a European version of the CIA, but the G5, with the largest amount of intelligence information, opposed such initiatives, avoiding information leakage. Thus, intelligence agencies seek to maintain the sharing of relevant information between several

countries, and not at EU level (Keohane, 2005). In 2015 intelligence sharing failures follows (Simcox, 2016).

The aspects of the application of specific measures to combat terrorism have been examined, which makes it possible to state that their implementation actually causes a number of difficulties. Despite the high EU contribution to the fight against terrorism in the field of legislation, the slow introduction of normative acts into the national system, lack of trust in partners, and the lack of political will limit its effectiveness. On the other hand, the fight against terrorism is one of the most dynamic areas and its implementation can accelerate. It remains to be hoped that the desire to create a more transparent mechanism will be influenced by political agreements between states, and not by terrorist attacks.

3.5.   Respond

In order to achieve the overall effectiveness of the EU's counter-terrorism policies, the focus is on cooperation between the judicial authorities of the EU Member States before and after attack occurs. On the other hand, this area is one of the most controversial, given that EU Member States have hitherto been inclined to regard national security and law-regulation as being exclusively national sovereignty. Therefore, in examining the effectiveness of European counter-terrorist policies and in assessing the transnational nature of contemporary terrorism, it is appropriate to analyse what measures have been taken at European level in the development of judicial cooperation.

The main achievement of the EU in this area is the adoption of the EU Arrest Warrant in 2002 (launched in 2004 January). It is precisely this instrument that the EU provides as an example for further strengthening counter-terrorism policies. The essence of this instrument is the mutual recognition of judgments by the courts of the Member States. It replaced the exequatur procedure that existed before. As indicated on the EU information website that existed prior to the practice of extradition, the procedure for issuing a person lasted up to 9 months, while the EU Arrest Warrant lasted for an average of 43 days. Until 2004 In September 2603, orders were issued to detain 653 and surrendered 104 persons. During the years, mechanism for EAW issue was over the gear and utilization was used frequently towards transformation of threats in Europe. In the table below (Commision, 2017), one can see the increase of issued EAWs in 2005-2015, at the same time the percentage of executed EAW simultaneously was symmetric.

Graph 6. Issued & Executed European Arrest Warrant in 2005-2015[8]
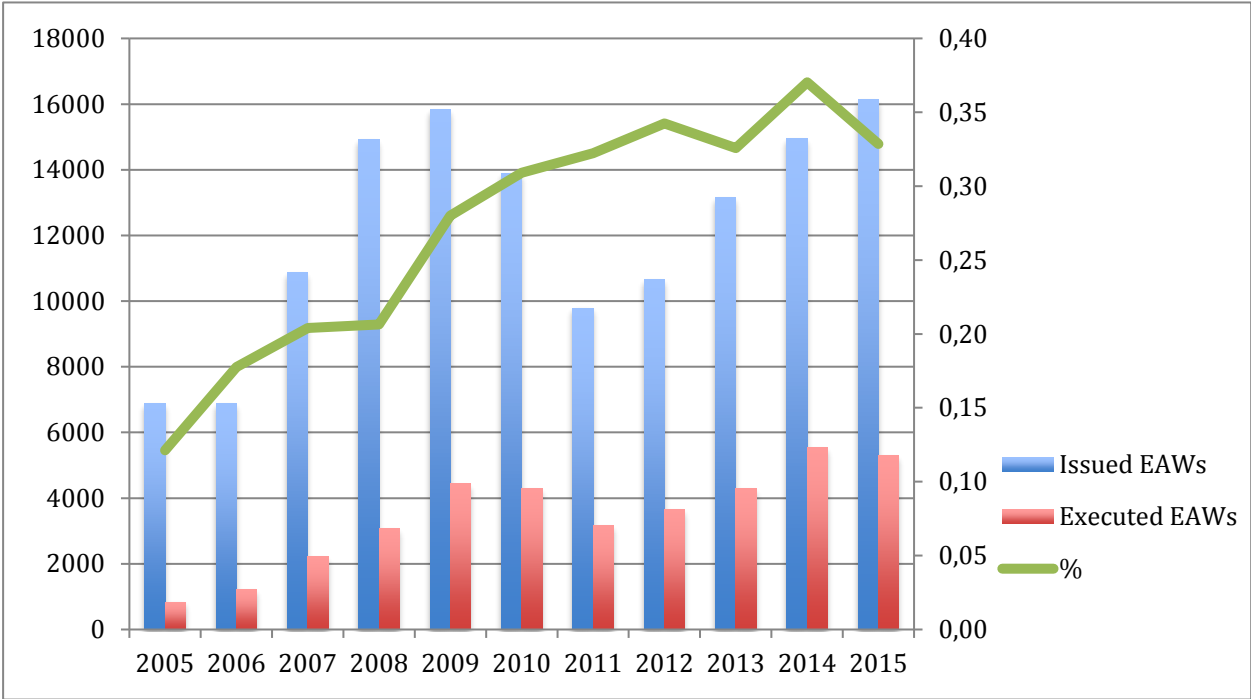
However, the implementation of this instrument was not placid. Its question of compatibility with the Constitution of the States arose. One of the most famous of these is the judgment of the German Supreme Court in 2005, according to which the extradition of a person suspected of involvement in a terrorist act would violate the German constitution (Bakker E. , 2005). Similar problems have arisen in other countries as well. The problematic implementation of the arrest warrant was conditioned by the fact that 11 of the 25 former EU members at that time did not go into error by incorporating it into national law (Keohane, 2005). Of course, this can be termed as a temporary malfunction. Yet this is another fact that shows how much effort is being made to apply common measures.

The abovementioned authorities have been established to strengthen judicial cooperation between EU Member States: Europol, Eurojust, the European Border Agency (FRONTEX), SITGEN. Analysing the work of these organizations it can be revealed a number of details of the EU's common counter-terrorism policy gaps. These organizations reflect the overall performance of the EU. In examining Europol, one of the key institutions of this kind, there is evidence that, in spite of the EU declarations emphasizing smooth cooperation, there are a number of problems in practice. One of the problems is the raising of national interests. One can recall the year 2004, when, due to the disagreement on which nationality a post should take, the head of Europol for disputes between

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[8] Source: made by author, based on the statistics provided by European Justice report.

Member States has not been appointed for eight months (Deflem, 2007). The Europol institution still does not use its capabilities. As the Lords EU Committee stated in its report after the Madrid 3/11 attacks: "Attacks could have been avoided if Europol had taken on a leading role in the EU counter-terrorism agenda". But the above examples show that Europol does not claim to play such an important role. He is still not rated as a high-ranking authority. This situation is only reinforced by the fact that some of the national police forces or intelligence do not share this information with that authority (Deflem, 2007).

There have also been instances when individuals linked to Al Qaeda's terrorist organization are wanted by one state, appear to have been detained in another state at that time and released (Politico, 2016). Such gaps only confirm that sometimes the structures of the EU Member States countering terrorism are primarily concerned with the implementation of national goals, regardless of the international importance of such cases. It is in this context that terrorist organizations are capable of acting globally. Such examples show that cooperation is still a goal to be pursued.

Another disadvantage is the differences in the structures of counter-terrorism instruments in Member States that they have different legal traditions and experience. A common case of different organs of justice in different EU countries. It is well known that France and Italy have two types of police forces. In addition to the usual in France, there is a gendarmerie, and in Italy it is a carabinier. These forces are subordinated to the Ministries of Defense, while the rest are subordinate to the Ministries of the Interior. Meanwhile, if Danish, Irish, and Finnish police forces are centralized, then Mr. In Britain and Spain, they are decentralized. In Great Britain there are even up to 50 different police forces (Beyer, 2008). Another obstacle to the effective functioning of the judiciary is the unequal punishment imposed on terrorist offenses. Despite the fact that the harmonization of penalties for terrorist activities was declared even after 2001, September 11th, and was included in the anti-terrorism action plan, so far, these punishments are different in nature. In some countries, the laws of terrorism are particularly strict (United Kingdom) while others are more lenient in others. As a result of all these barriers to cooperation, it is difficult to ensure overall anti-terrorist activities.

## 4. EVALUATION AND FUTURE TRENDS OF EU COUNTER TERRORISM POLICIES

An overview of all four major axes of the EU counter-terrorism policies can be used to assess the effectiveness of existing instruments.

Effectiveness can be defined as the extent to which an organization, using certain resources, implements goals without distorting resources and without putting excessive burdens on its members and / or society (Smaizys, 2012)

The fight against terrorism can be divided into two levels: operational and strategic. The task of the operational counterterrorism mission is to track down terrorists and prevent their attacks, i.e. y combat using military and intelligence (hard power) measures. On the other hand, the fight against terrorism can be a strategic one, with the aim of destroying the ideological base of terrorists. Operational struggle is effective in the short term, and strategic access is long lasting. Hierarchically, strategic access is a higher level of counter-terrorism, and operational - lower.

As expressed in the past subsection of methodology, realizing what one's objectives and presumptions are is basic in estimating viability and effectiveness. It ought to likewise be recognized from impacts and approaches. Even if the EU has effect or impacts it does not mean it is additionally compelling. Unquestionably various researches have been done on extremely significant issues, for example, the arrangement and proposals cycle, the financing of terrorism and extremism and radicalisation, completely fledged appraisals on viability and effectiveness stays uncommon modus.

Graph 7. Implementation, evaluation and monitoring of strategies, policies and measures in 2001-2016[9]
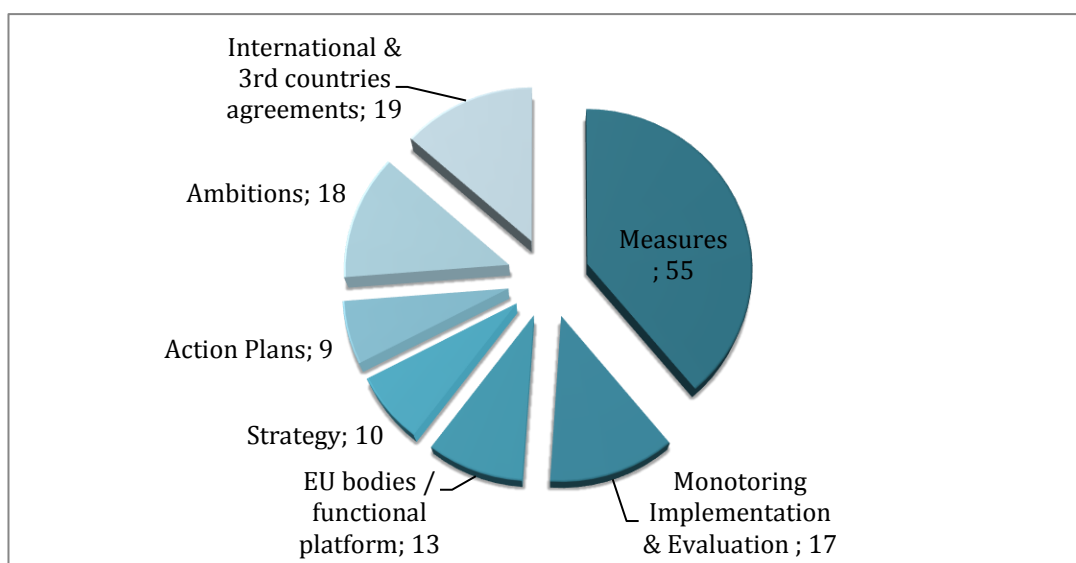
The graph demonstrates that the quantity of reports implementation, monitoring and evaluations usage and assessments of arrangements are undoubtedly exceptionally constrained contrasted with the number of measures and strategies that have been received (Parliament, 2016). Unfortunately, accordingly assessments may likewise produce vital data while evaluating whether extra measures are expected to address a specific risk, and its outcomes prevention and effective utilization.

Moreover, it is important to answer to the question of this thesis, if the counter-terrorism policies are more in preventive nature or not. To understand that efficiency is not a consequence of any action, but it is the process by which (desirable) results are achievable. Before the resumption of the future, the attached table provides the above assessment of the EU's practical commitments and contributions to the fight against terrorism.

	Before Attack	After Attack
Countering International threats	*Prevention*	*Pursuance*
Evaluation	**LOW**	**MEDIUM**
Controlling structural effects	*Protection*	*Response*
Evaluation	**MEDIUM**	**HIGH**

Table 3 Evaluation of two-by-two matrix of EU Counter-Terrorism Strategy[10]

Prevention. Barely non-functional information and intelligence part taken. Profound cutoff points to basic counter radicalisation approaches because of fragile integration and foreign capacity of policies. Pursuance. Added an incentive because of various measures in criminal equity participation and battle against terrorist financing, yet shortages in usage, data sharing and trust. Protection. Dynamic improvements in movement and border security, basic foundation assurance and security modus. Last still new and with the need of legitimate power, towards to all measures may need significance for terrorism. Response. Included projects for common security and executed number of EAW, crisis coordination and casualty bolster. EU and MS performance remains in high position, due to common and interdependent focus on responsiveness.

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[10] Source: made by author.

Having reviewed most of the EU's regulatory acts, strategies and declarations of anti-terrorist policies, it is possible to distinguish the essential aspects of the fight against terrorism:

1. removal of the factors affecting radicalization and recruitment;

2. financial interference of terrorist organizations;

3. developing cooperation between judicial authorities;

4. promotion of sharing of intelligence among Member States.

The analysis of the EU's fight against terrorism makes it clear that the focus is exclusively on legal instruments. Despite the increased focus on such major causes as the radicalization of European Muslim communities, priority is given to strengthening intelligence and judicial cooperation. These aspects of the fight against terrorism, raised to the forefront, give rise to reasonable doubts as to whether the EU's fight against terrorism actually evolves in the right direction. As has been mentioned many times in the Master's thesis, the main problem is the increase in the ranks of non-aligned European Muslims. The crucial issue of the fight against terrorism in the EU must become, not to stop terrorists, but to eliminate the fundamental causes of the involvement of more and more alienated European Muslims in extremist movements. Why is an increasing proportion of Muslims residing in Europe dissatisfied with hostility? Moving this issue to a side-by-side plan allows us to assert that the EU, while emphasizing the need for prevention of terrorism, is essentially struggling with the consequences.

Despite the fact that the use of current legal instruments is indispensable, it is forgotten that this should be accompanied by parallel policies in parallel with the prevention of socio-cultural causes that encourage dissatisfied individuals to see terrorism as a means of changing the current situation. The current EU anti-terrorism policy shows that terrorism is treated as a criminal activity. Such a criminalization of terrorism prevents changes in the essential means of promoting the survival of terrorism. The current jihadist terrorism is a perfect example of the social basis of this phenomenon. The path to destruction, chosen from the country in view of the successful integration of European immigrants or people born and raised there, clearly shows that the effectiveness of the fight against terrorism lies not in the tightening of legal measures. In general, declaring the need for a long-term anti-terrorism policy, the current EU anti-terrorism policy is not projected in the future. In the current course of action, the fight against terrorism will be confined to the neutralization of effects. It is clear that the fight against terrorism is a long-term process that has lasted for decades and years. However, it seems that the current measures are only further delaying the search for a solution for a later period. Choosing the right tools is especially relevant in knowing the fact that today jihadist terrorism is not shaping anywhere else, but especially in Europe. According to Gilles Kepel, "the most important battle for the Muslim mind over the next decade will not be held in Palestine or in Iraq, but in Muslim

communities in suburbs of London, Paris, and other European cities." This tendency is only reinforced by the already mentioned tendency in the Master's thesis that radical movements are occurring not only in disturbing regions, but also in Europe.

After examining how the threat of terrorism in the EU develops and how anti-terrorist policies evolve, it should be noted that the greatest concern should be given to non-stringent cooperation between the EU Member States in the area of counter-terrorism. The essential impact on terrorism in the EU needs to be linked to socio-cultural causes, the analysis of which will answer the question of why the growing part of the EU community is opposed to the hostile states. The current anti-terrorist strand of the EU is focused on strengthening legal instruments. However, although this aspect is crucial in combating today's terrorist threats, it does not have a strategy for the future. It is predicted that terrorism will continue to pose a major threat to European security if such anti-terrorist policies continue. Such a situation could create a mechanism for a closed-ended mechanism, in which the EU's anti-terrorist policies will continue to emphasize the need to promote judicial cooperation between Member States, leaving the essential elements of terrorism encouraging a second strand.

As mentioned, in followed chapters of thesism anti-terrorist policies are a dynamic area, and it is to be expected that the current fight against terrorism will evolve in the right direction, taking into account the root causes of the phenomenon of terrorism. At the same time, the fight against terrorism must remain the subject of further investigations. One of the most important aspects that needs to be analyzed is the correlation between counter-terrorism and human rights. Europe emphasizes the values of freedom and equality that underpin the idea of the EU. However, the enforcement of legal instruments, the importance of intelligence threaten the survival of these values. Therefore, only an open and critical view of the academic community will contribute to the evolution of anti-terrorist policies in the right direction. Therefore, only a qualitatively new stage in the evolution of the EU antiterrorist policy, covering the above-mentioned aspects, will create conditions for effective deterrence of terrorism.

CONCLUSIONS

1. Today's threats of jihadist terrorism in the EU are tied to the growing Muslim community. However, it must be emphasized that only a small part of the EU's Muslims is involved in terrorist activities. Nonetheless, the factors analysed in the work reveal radical trends in the Muslim community in the EU. Radical Islam is beginning to be professed in Europe. Radical preachers, the inactivity of integration policies, the activities of radical Islamist organizations, international conflicts - all of these factors trigger a radical Islamist spread among Muslim communities in Europe. Thus, the elimination of these factors must be a key objective in the design of an EU counter-terrorism policy.

2. The effectiveness of EU counter-terrorism policies is limited by the lack of an institutional framework for combating terrorism. Despite the EU's efforts to create a mechanism to ensure the proper functioning of anti-terrorist activities, this goal has not been achieved to date. The opposite effect is noticeable. Many working groups, committees have been set up, but in the absence of concentrated activities, the counter-terrorism functions are duplicated, and cooperation is developing at different levels. It stimulates the antithrombotic mechanism. Another important reason restricting the effectiveness of the combating terrorism is the multi-directional nature of the fight against terrorism. A counter-terrorism coordinator has been set up to tackle this problem, which is still not able to coordinate anti-terrorist activities due to the lack of precise work vision, weak powers and distrust of the Member States.

3. The EU's fight against terrorism is developing in many ways. However, the most important are the promotion of judicial cooperation, the fight against recruitment, the freezing of terrorist financing, and the sharing of intelligence. An analysis of the implementation of these measures has shown that their implementation is faced with a lack of political will, from a superficial point of view, between mistrust problems encountered by Member States. It should be mentioned that the lack of standardization of the activities of the authorities carrying out the fight against terrorism (where the same functions in different states are subordinate to different units). Due to these problems, Member States are looking for other forms of cooperation outside the EU institutions. Such a practice further degrades the counter-terrorism mechanism and contributes to the fragmentation of anti-terrorist policies.

4. An analysis of anti-terrorist measures has revealed that the fight against terrorism is being pursued through legal instruments. They are most often accentuated. Although combating recruitment is one of the counter-terrorism policies, in the context of the overall fight against terrorism, it is being overlooked by legal instruments. Such a devaluation of the socio-cultural dimension is a fundamental shortcoming of the EU counter-terrorism policy. The criminalization of terrorism leads to short-

sightedness of the fight against terrorism. Despite the necessity of these measures in stopping terrorist attacks, they do not take into account the fundamental reasons for the involvement of a part of European Muslims in terrorist activities.

5. The evolution of the counter-terrorism policy is not able to follow along with the transformation of terrorist threats. The above-mentioned reasons suggest that the current EU fight against terrorism is intended to fight past terrorist organizations. This was due to the selection of inappropriate measures due to the antiterrorist experience of the EU countries in the fight against "traditional" terrorist organizations. Thus, the fight against jihadist terrorism, which can be considered a specific type of terrorism, leads to inertia and is not preventative.

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ANNEX 1.

	2001	2002	2003	2004	2005	2006	2007	2008	AVE
EU average	**12.11**	**6.11**	**6.16**	**2.48**	**3.96**	**19.92**	**21.59**	**19.07**	**9.04**
Austria	0	0	0	0	0	1	1	6	0.25
Belgium	0	3	8	0	0	1	0	0	1.50
Bulgaria							0	0	0.00
Croatia									0.00
Cyprus	1	0	0	1	0	0	0	0	0.25
Czech Republic	1	0	1	0	0	0	0	0	0.25
Denmark	0	0	0	0	0	0	1	0	0.13
Estonia	0	0	0	0	0	0	0	0	0.00
Finland	0	0	0	0	0	0	0	0	0.00
France	21	32	34	11	33	294	267	147	86.50
Germany	8	3	1	3	3	13	20	0	6.38
Greece	14	11	12	4	6	25	2	14	9.25
Hungary				0	0	0	0	0	0.00
Ireland	2	0	1	0	0	1	0	2	0.50
Italy	10	7	16	3	6	11	9	9	7.75
Latvia				0	0	0	0	0	0.00
Lithuania				0	0	0	0	0	0.00
Luxembourg	0	0	0	0	0	0	0	0	0.00
Malta				0	0	0	0	0	0.00
Netherlands	1	2	3	1	0	0	0	0	0.88
Poland	1	0	0	0	0	1	0	0	0.25
Portugal	0	0	0	0	0	1	2	0	0.38
Romania							0	0	0.00
Slovakia				0	0	0	0	0	0.00
Slovenia				0	0	0	0	0	0.00
Spain	79	38	20	31	24	145	279	263	77.00
Sweden	0	0	0	3	1	0	0	0	0.50
United Kingdom	92	20	21	5	26	5	2	74	21.38
TOTAL	**242.11**	**122.11**	**123.16**	**64.48**	**102.96**	**517.92**	**604.59**	**534.07**	
DEATH									

ANNEX 2.

	2009	2010	2011	2012	2013	2014	2015	2016	AVE
EU average	**12.96**	**9.22**	**6.44**	**8.04**	**5.43**	**7.11**	**7.54**	**5.07**	**7.73**
Austria	6	2	0	0	0	0	0	0	**1.00**
Belgium	0	0	0	2	0	1	0	4	**0.88**
Bulgaria	0	0	0	0	0	0	0	0	**0.00**
Croatia					0	0	0	0	**0.00**
Cyprus	0	0	0	0	0	0	0	0	**0.00**
Czech Republic	0	1	0	0	0	0	0	0	**0.13**
Denmark	0	2	4	0	0	0	2	0	**1.00**
Estonia	0	0	0	0	0	0	0	0	**0.00**
Finland	0	0	0	0	0	0	0	0	**0.00**
France	95	84	85	125	63	52	73	23	**75.00**
Germany	0	0	1	0	0	0	0	5	**0.75**
Greece	15	21	6	1	14	7	4	6	**9.25**
Hungary	4	0	0	0	0	0	0	0	**0.50**
Ireland	0	0	0	0	0	0	0	0	**0.00**
Italy	3	8	5	11	7	12	4	17	**8.38**
Latvia	0	0	0	0	0	0	0	0	**0.00**
Lithuania	0	0	0	0	0	0	0	0	**0.00**
Luxembourg	0	0	0	0	0	0	0	0	**0.00**
Malta	0	0	0	0	0	0	0	0	**0.00**
Netherlands	0	0	0	0	0	0	0	1	**0.13**
Poland	0	0	0	0	0	0	0	0	**0.00**
Portugal	0	0	0	0	0	0	0	0	**0.00**
Romania	0	0	0	0	0		0	0	**0.00**
Slovakia	0	0	0	0	0		0	0	**0.00**
Slovenia	0	0	0	0	0		0	0	**0.00**
Spain	171	90	47	54	33	18	25	10	**56.00**
Sweden	0	1	0	0	0	0	0	0	**0.13**
United Kingdom	56	40	26	24	35	109	103	76	**58.63**
TOTAL	**362.963**	**258.222**	**180.444**	**225.037**	**157.429**	**206.107**	**218.536**	**147.071**	
DEATH									