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NOTE

From: Europol
To: Standing Committee on Operational Cooperation on Internal Security
Subject: Enhancing Europol's counter terrorism capabilities: European Counter
Terrorism Centre (ECTC) at Europol

Delegation will find attached a Europol report on the state of play of the European Counter
Terrorism Centre (ECTC) at Europol.

Enhancing Europol's counter terrorism capabilities: European Counter Terrorism Centre (ECTC) at Europol

1. Aim

This report provides an update to COSI on the recent developments at Europol in the fight against terrorism, in particular in light of the establishment of the European Counter Terrorism Centre (ECTC).

2. Background and main developments: EU counter terrorism policy context

- On 25 January 2016, the informal meeting of the Ministers Justice and Home Affairs (JHA) presented the launch of the ECTC to the general public. In addition, it was announced that the Counter Terrorism Group (CTG)¹ will set up a platform for information sharing by 1 July 2016. The CTG will consult closely with Europol, the EU Counter Terrorism Coordinator (CTC) and other relevant parties to explore ways of improving cooperation².

¹ The Counter Terrorism Group (CTG) is a cooperation platform of the (security) intelligence services of EU Member States, Norway and Switzerland.

² Press release: 'New platform for deepening cooperation between European intelligence and security services', The Netherlands EU Presidency 2016, 25 January 2016.

- On 2 February 2016, the Commission released a communication³ setting out an action plan to strengthen the fight against terrorist financing. Among the comprehensive list of initiatives, an impact assessment concerning the potential establishment of an EU terrorist financing tracing mechanism (EU Terrorist Financing Tracking System – EU TFTS), complementary to the current EU-US TFTP Agreement, has been announced to be completed by the end of 2016. The background for the impact assessment is that the tracing of respective terrorist financing transactions within and across Single European Payments Area (SEPA) countries is excluded by the scope of the current TFTP. Since February 2016, Member States carry out credit transfers and direct debits denominated in Euro as SEPA transactions. By the end of October 2016, also all non-EU SEPA countries are scheduled to comply with the respective SEPA framework.
- On 10 March 2016⁴, the JHA Council reinforced its conclusions of 20 November 2015⁵ concerning the strengthening of the EU’s external borders, requesting Europol, in cooperation with Member States, to develop and implement a guest officers concept to the hotspots in support of the screening process, in particular by reinforcing secondary security checks;
- On 24 March 2016⁶, following the attacks in Brussels on 22 March 2016, the JHA Council called for the Joint Liaison Team (JLT) of national counter-terrorism experts to be reinforced at the ECTC, in order to support Member States' law enforcement authorities in investigating the wider European and international dimensions of the current terrorist threat.
- On 13 April 2016, the European Parliament adopted the European Commission’s proposal for an amending EU budget No 1/2016, with a view to increasing Europol’s workforce in support of the ECTC. Recruitment procedures are planned to be finalised by Q2 2016.

³ Communication from the European Commission to the European Parliament and the Council: An action plan for strengthening the fight against terrorist financing, 4 February 2016, 5782/16)

⁴ 6995/16

⁵ Conclusions of the Council of the EU and of the Member States meeting within the Council on counter terrorism, 20 November 2015, 14122/15 + COR 1

⁶ Joint statement of EU Ministers for Justice and Home Affairs (JHA) and representatives of EU institutions on the terrorist attacks in Brussels on 22 March 2016, 7371/16

- On 15 April 2016, Europol, at the request of the CTG, gave a presentation on the ECTC and a summary on the current profile of terrorists, highlighting that all of the 6 Brussels attackers and 6 out of the 10 perpetrators of the Paris attacks in November 2015 had an organised crime/criminal background. The feedback from CTG indicates that against the background of the profile of terrorists, a structural cooperation mechanism towards the ECTC at Europol will be explored by the CTG at short notice.
- On 20 April 2016, the Commission released its communication “Delivering on the European Agenda on Security to fight against terrorism and pave the way towards an effective and genuine Security Union”⁷, calling for cooperation between the ECTC at Europol, the EU Intelligence and Situation Centre (IntCen) and the CTG to be driven forward (including joint counter terrorism and radicalisation threat assessment activities).
- On 21 April 2016, the Council (JHA) discussed the status of information sharing in the area of counter terrorism. The EU CTC highlighted in a report to the Council (JHA)⁸ that the systematic feeding and consistent use of relevant databases at European level (3-tier-information-sharing across the SIS II, the Europol Information System – EIS and Focal Point (FP) Travellers) has improved, but still needs to increase to keep up with the terrorist threat.
- In this context, the Council (JHA) of 21 April 2016 also considered the need for increased interoperability of European and international databases in the fields of security, travel and migration⁹, as well as the establishment of a common EU Entry-Exit System (EES), on the basis of the European Commission’s communication for stronger and smarter border and security information systems (released on 6 April 2016¹⁰).

⁷ 8128/16 + ADD 1

⁸ 7726/16

⁹ 7711/16

¹⁰ 7644/16

3. Establishment of the ECTC at Europol

3.1. Information sharing in general

- Secure Information Exchange Network Application (SIENA)

- All Member States (MS) are now connected to the dedicated counter terrorism space;
- The upgrade of SIENA to 'EU Confidential' is progressing according to plan;
- Third parties are being connected to the counter terrorism space by Q2 2016.

- Use of Focal Point (FP) Travellers

The flow of information into FP Travellers is continuously increasing¹¹:

- 21.700 person entities overall (6 times more information in terms of the aspect of quantity of provided data, compared with the available information 1 year ago);
- 5.353 verified foreign travelling fighters (from the overall number of person entities), which includes 2.956 fighters reported individually by MS;
- The quality of contributed information also advances (contextual information concerning foreign fighters and their support networks especially).

- Europol Information System (EIS)

The EIS expands its support function as a first line investigative tool:

- 4.044 foreign travelling fighters (including associates) shared by 27 contributing parties in the EIS (of which 1.615 are contributed by MS);

¹¹ Data indicated in this section 3 of the report refer to mid-April 2016.

- An overall increase of terrorism-related content in the EIS: 20% increase in Q1 2016, compared to the status as recorded at the end of 2015;
- The range of contributing entities expands, e.g. the UK MI5 and the Federal Bureau of Investigation (FBI) have started to share data through the EIS.
- TFTP
 - More than 22.000 intelligence leads have been provided by the TFTP since 2010, 15.572 leads (from this overall number) were generated in 2015 up to April 2016;
 - A significant amount of exchanges within TFTP concerns the aspect of travelling fighters (Syria/Iraq/IS), 5.416 leads (25% of the overall number of leads) are specific to this phenomenon (of relevance to 27 Member States (MS)).

3.2. Operational support activities

- Taskforce Fraternité, including support to the investigation into the Brussels attacks
 - Since being formally established on 7 December 2015, seven operational meetings have been organised between Europol, France and Belgium;
 - Unprecedented levels of information are shared through Europol, requiring continued operational support (3.85 TB of overall information, 1850 SIENA message exchanges, 1.180 leads from TFTP, 1.785 other financial messaging leads, 44 PNR requests, 23 operational analysis and 42 cross-match reports, 29 social media report packages etc.);
 - The information analysed to date corroborates the suspected connection of the Brussels and Paris terror attackers, underlining a profile of terrorist attackers which is related to (organised) criminal networks across multiple EU MS and beyond (e.g. drug trafficking (cannabis, heroin), aggravated thefts, robberies etc.);

- Following the Brussels attacks, a counter terrorism staff member was deployed with a mobile office on the spot to support the investigations (until 11 April 2016, since support on mission basis as necessary). Europol also took part in the coordination meetings organised by the federal prosecutor.
- EU Internet Referral Unit (IRU) as part of the ECTC
 - The IRU has expanded its activities to counter online radicalization and recruitment by terrorists, provide a core internet investigation support capability (see also above re Taskforce Fraternité) and increase partnerships (with the support of the European Commission) towards online service companies (to promote ‘self-regulation’ activities);
 - Since the establishment of the IRU in July 2015, information processing has continuously increased. Internet investigative support was provided in 24 operational cases (including 52 operational reports).
 - 25 EU IRU national contact points have been established, 7.364 pieces of online content were assessed by the IRU, triggering 6.399 referral requests (with a success rate of 95% concerning subsequent removal). In 2016, 629 new terrorist media files were uploaded to the Check-the-Web (CTW) portal.
- Joint Liaison Team (JLT)
 - As per the statement of the JHA Council of 24 March 2016 following the Brussels attacks¹², the JLT has taken up activities to analyse the wider European and international dimensions of the current terrorist threat, by identifying new lines of investigations, including flows of terrorist financing and illegal firearms, as well as making use of the EU IRU regarding social media implications;

¹² 7371/16

- 7 MS present in Liaison Bureaux to support JLT, 4 additional MS and 3 third parties have signalled to support the JLT also¹³; In total, it is estimated, as an immediate measure, to have a team of 10 to 12 full time counter-terrorism expert staff drawn from the MS most affected by the current threat (for the other MS, it is envisaged that a dedicated counter terrorism expert in the respective Liaison Bureau supports the JLT as required).

Secondary security checks in the migration hotspots in Greece

- Since 9 March 2016, Europol has deployed staff from across the Operations Department to Greece (EU Regional Task Force – RTF in Piraeus, Lesbos, Chios, Samos and Leros), including staff from the Business Area (BA) counter terrorism. The common risk indicators developed in the context of the Working Group (WG) Dumas are used to support secondary security check activities;
- From the overall activities performed to date, there are 68 hits against Europol databases. 2 cases indicate specific counter terrorism related investigative leads, of which 1 case also points at organised crime links (Focal Point (FP) Checkpoint: Personal details of illegal immigration facilitators in Mersin/Turkey and Idlib/Syria; FP Terminal: e-commerce fraud). Further information is being collected.

4. Key strategic issues

From Europol's perspective, the JHA Council Conclusions of 10 March 2016, the statement of the JHA Council of 24 March 2016, and the discussions at the JHA Council of 21 April 2016, as well the recent communications of the Commission, highlight the following key strategic issues:

¹³ In JLT: (1) Austria, (2) France, (3) Germany, (4) Hungary, (5) Spain, (6) Netherlands, (7) UK; additional support to JLT announced by (1) Bulgaria, (2) Denmark, (3) Italy, (4) Sweden; apart from Spain (2 staff), all other countries have dedicated 1 officer; 3 third party announcement to the JLT by: (1) Switzerland, (2) Australia, (3) US (Federal Bureau of Investigation - FBI, Customs and Border Protection - CBP, Immigration and Customs Enforcement - ICE)

- Information sharing in the area of counter terrorism advances in quantity and quality, requiring continuous commitment by all stakeholders to keep pace with the terrorist threat. Given that all MS are now connected to the counter terrorism space in SIENA, the function of the ECTC as a hub to exchange information, conduct analysis and coordinate operational support can be exploited by MS and relevant third parties. High quality analysis contributions to the relevant Focal Points (FPs), especially contextual information on terrorist suspects and their associates, have to increase further, in order to mitigate information and intelligence gaps across the EU;
- Interoperability of European and international databases in the field of JHA is essential. The current legislative architecture design principle of ‘access and use per individual system and purpose’ impairs an efficient and effective use of relevant information available across multiple systems. Against this background, the current Presidency has prepared a roadmap to enhance information exchange and management in the area of JHA (including counter terrorism as an integral part), for submission to the Council (JHA) in June 2016.¹⁴ As part of these considerations, an enhanced use of databases, e.g. through ‘single search’ interfaces, is being analysed from a conceptual and regulatory perspective at EU level.
- As an input to these discussions, Europol will continue to promote a consistent 3-tier-information-sharing approach (i.e. the SIS II, EIS and relevant Focal Points (FPs) at Europol), highlighting the value of access to the EIS (as a central repository of first line investigative support to access key information beyond the EU) for all law enforcement authorities (in particular border guards and customs services).
- In line with the Commission’s communication regarding the establishment of a Security Union, and bearing in mind the profile of terrorists with a(n) (organised) criminal network background, such as those involved in the Brussels and Paris attacks, an effective counter terrorism response requires, with the remit of national regulatory frameworks and in coordination with Europol National Units (ENUs), the development of structured cooperation with the intelligence services of MS and, at EU level, with the CTG (operational exchange and cross-checking of information), as well as EU IntCen (strategic analysis);

¹⁴ 8437/16

- Support to the Joint Liaison Team (JLT) is key to effectively address the wider European and international dimensions of the current terrorist threat affecting MS;
 - Concerning secondary security checks, it can be expected that an increased on-the-spot presence in the hotspots will, over time, increase opportunities to identify new lines of investigation in the area of counter terrorism;
 - The implementation of the Security Union concept proposed by the European Commission, as well as an advanced level of interoperability and refined EU information architecture, with a potential EU TFTS as a new feature, will require further resource scoping in relation to the impact on Europol in due course.
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