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NOTE

From:	Presidency
To:	Delegations
Subject:	Combating the threat posed by actors contributing to radicalisation leading to terrorism

Courtesy translation

In the face of the increasingly diffuse and transnational terrorist threat we are experiencing today, the collective European response must constantly adapt.

The increasingly widespread phenomenon of 'rapid radicalisation' of individuals who take action soon after the first signs of behavioural change is fuelled by the spread of radical extremist ideologies, which creates a psychological framework that can legitimise or inspire violent action. This phenomenon, which is difficult to detect, can hardly be anticipated by the competent services.

Some organisations play a key role in the dissemination of such ideologies and in the subsequent radicalisation. This is the case as much for the supremacist or neo-Nazi violent right-wing extremist scene (e.g. Blood & Honor, Nordic Resistance Movement, Feuerkrieg Division, Combat 18, The Base *etc.*), violent left-wing extremist movement (Informal Anarchist Federation, Conspiracy of Fire Nuclei, Coordinated anarchist groups, Ruviconas/Rubicon *etc.*), ultra-nationalist movements (Grey Wolves), Sunni radical Islamists (Jama'atu Berlin, Killuminatteam, Collectif Palestine vaincra, Profetens Ummah, Collectif Cheikh Yassine...), or Shia radicals (Zahra centre, anti-Zionist party...).

The forthcoming implementation of the regulation on addressing the dissemination of terrorist content online¹ (TCO), together with the proposed Digital Services Act (DSA), aims to better fight against the dissemination of extremist contents on the internet. However, it is also important to limit the influence of these movements as well as the ability of these entities and individuals to act in the "real world", in order to stop the spread of extremist and violent ideologies and to prevent the radicalisation of new actors.

However, existing EU counter-terrorism sanctions regimes² do not permit to target organisations or individuals who are not directly involved in the commission of terrorist acts, even if they have been active in the spread of radical rhetoric.

Moreover, national measures (for example, deporting dangerous individuals or freezing financial assets) can nowadays be easily circumvented by the reconstitution of a legal entity or the relocation of its activities elsewhere in the European Union.

An EU level response is therefore necessary to hinder the activity of such entities or individuals in a coordinated manner. In particular, this could involve limiting their capacity to influence (fight against propaganda leading to terrorism), to act and finance (freezing of assets), as well as to possibly reconstitute in another Member State (for legal entities subject to national bans/dissolutions).

¹ Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021 on addressing the dissemination of terrorist content online.

² Council Common Position of 27 December 2001 on the application of specific measures to combat terrorism (2001/931/CFSP) (OJ L 344, 28/12/2001, p. 93); Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism (OJ L 344, 28/12/2001, p.70); Council Decision (CFSP) 2016/1693 of 20 September 2016 concerning restrictive measures against EIIL (Daech) and Al-Qaida and associated individuals, groups, undertakings and entities (OJ L 255, 21.9.2016, p. 25); Council Regulation (EU) 2016/1686 of 20 September 2016 imposing additional restrictive measures directed against EIIL (Daech) and Al-Qaida and associated natural and legal persons, entities or bodies (OJ L 255, 21.9.2016, p. 1).

In this respect, it seems essential to go beyond the simple improvement of information sharing between competent authorities of the Member States, which is already efficient, to focus on better coordinating concrete measures. A genuine European mechanism directly targeting these "vectors" of radicalisation - whose precise details and objectives will have to be discussed collectively - could be put in place.

Sharing a common understanding on this topic between the Member States, included in the Council Conclusions that the Presidency will soon propose, would allow to initiate discussions on the best way to respond to this threat. This work should be conducted in the relevant discussion forum in conjunction with the TWP, and will aim to consider the foundations of such a collective mechanism, both in terms of its possible scope and its practical and legal arrangements.

It should be noted that this issue is to be distinguished from the question of limiting public funding (national and European) of such entities.

Questions

1. Do you share the above findings? Have you identified this operational need?
2. Do you have a legal framework that allows you to limit the means of action of such entities? In this respect, is it possible in your country to freeze the assets or financial resources of an individual or entity, within or outside a judicial framework (administrative measure)?
3. Do you consider that exploring the implementation of a European mechanism as described above can contribute to the fight against radicalisation leading to terrorism?