

In a judgement regarding the dissolution of the political parties *Herri Batasuna* and *Batasuna* by virtue of a decision by the Spanish Supreme Court, the European Court of Human Rights considered that the national courts and the Supreme Court in Spain had arrived at reasonable conclusions that there was a link between the applicant parties and ETA. This link could objectively be considered as a threat to democracy. The judgement became final on 6 November 2009.

The majority of reported court decisions relate to separatist terrorism, in contrast to 2008 when the majority related to Islamist terrorism. As in 2008, the UK had the highest number of trials for offences related to Islamist terrorism and Spain had the majority of separatist cases. The highest number of individuals tried for left-wing terrorism offences was in Italy.

A court in the UK convicted three individuals who had plotted to blow up transatlantic planes with home-made liquid bombs in 2006. The men had

prepared a home-made mixture, intending to take it on board in sports drinks bottles stored in hand luggage. The defendants were found guilty of conspiracy to murder using explosives on an aircraft and were sentenced to life imprisonment with a minimum to be served of between 32 and 40 years. Four other defendants received hung verdicts in relation to the plot and another was cleared of all charges. In a related trial later in the year, the court convicted three more individuals. One of them was found guilty of conspiracy to murder and sentenced to life imprisonment, with a minimum of 18 years to be served. The other two were sentenced to 8 years and 15 months respectively.

The percentage of acquittals decreased from 23 % in 2008 to 17 % in 2009. Of the 43 known women defendants, five were acquitted. One of the women received three convictions.

Reported court decisions related to separatist and left-wing terrorism have the highest acquittal rate (15 %). Austria, Germany, Ireland and the Nether-

Member State	Convicted	Acquitted	Total	Acquitted %
Austria	2		2	0%
Denmark	8	2	10	20%
France	71	6	77	8%
Germany	7		7	0%
Ireland (republic of)	15		15	0%
Italy	20	4	24	17%
The Netherlands	2		2	0%
Spain	182	51	233	22%
Sweden		1	1	100%
UK	30	7	37	19%
Total	337	71	408	17%

Figure 6: Number of verdicts, convictions and acquittals per Member State in 2009.

Member State	Average
Austria	3
Denmark	3
France	6
Germany	4
Ireland (republic of)	5
Italy	8
The Netherlands	≤1
Spain	10
UK	8

Figure 7: Average penalty per convicted individual.²⁶

lands have a full conviction rate. France has had mostly successful prosecutions.

As in previous years, not all arrested individuals in one year will be brought to trial in the following year. It is clear that national authorities still try to prevent acts of terrorism from occurring, which explains the relatively high number of arrests. Investigations into terrorism suspects may have been prematurely unsuccessful or may have led to charges other than terrorism, such as falsification of documents, possession of weapons or illegal entry into a country; trials have either not yet started or not come to a conclusion.

In any event, judicial authorities have to find evidentiary support for the charges of planning, intent, membership of a terrorist organisation or promotion of terrorism, which is less tangible than evidence of a successfully executed terrorist attack. As was the case in previous years, no consistent information is available on the charges and offences for

which a sentence was given, so that a comparison of convictions or acquittals is perhaps rather abstract.

The average penalty imposed in Europe is now approximately five years.²⁷

In the UK, there were four so-called hung verdicts, where the jury was unable to reach a verdict. In the airline bomb plot case, life sentences were given for conspiracy to murder.

²⁶ Please note that, aside from imprisonment, France often imposes a penalty of banishment from the national territory. Also, in some cases a financial penalty was imposed. Spain has a similar type of punishment, taking away individuals' civil rights.

²⁷ Eurojust made a calculation of the reported sentences imposed in Figure 7. For the purpose of the overview, sentences exceeding 40 years have been counted as 40 years.

5. ISLAMIST TERRORISM

KEY FINDINGS

- In spite of the fact that only one attack was committed in the EU, Islamist terrorists still aim to cause mass casualties, as demonstrated by the attempt to create an explosion on a flight between Amsterdam and Detroit in December 2009.
- Islamist terrorism is often facilitated through transnational contacts between individuals residing in many EU Member States and other parts of the world.
- Self-radicalised individuals may, if undetected, become serious security risks.
- EU nationals travelling to conflict areas or attending terrorist training camps may pose a serious threat to the security situation in Member States on their return.
- The security situation in the EU with regards to Islamist terrorism is influenced by political developments in countries and areas outside the EU that include Iraq, Afghanistan, the Afghanistan/Pakistan border area, Somalia and Yemen.
- Islamist propaganda is attempting to influence Member States' policies, including the outcome of general elections in EU countries.

The number of attacks worldwide that have caused mass casualties have confirmed that there is still a willingness by Islamist terrorists to commit mass murder. An example of this intention is the attack on 25 December 2009, when a Nigerian national aboard a US airliner flying from Amsterdam to Detroit attempted to blow up the aircraft. The suspect

failed to detonate an IED that he had assembled in-flight from component parts he managed to carry, undetected, on his body. The suspect, who had studied mechanical engineering in the UK and later went to Yemen after becoming radicalised, was in possession of a valid visa for entering the USA. The airline company had been granted permission by the US authorities to carry the suspect. The man claimed to have been armed and dispatched on his mission by AQAP (*al-Qaeda in the Arabian Peninsula*).^{28 29}

This incident marked the end of a year in which only one Islamist terrorist attack occurred in the EU, in Italy. However, arrests of individuals on suspicion of terrorism-related crimes committed indicate that a range of activities took place in 2009.

Similar to previous years, Member States reported that the threat remains real and serious, despite the fact that none of them, with the exception of Italy, had been directly affected by an Islamist terrorist attack. The arrests in October 2009 in the US of two men charged with preparing terrorist attacks against the newspaper that published cartoons of the Prophet Muhammad, and other targets in Denmark,³⁰ are an illustration of terrorists from abroad focusing on Member States of the EU.^{31 32} The attack on the US airliner showed how the EU can be used as a platform for launching attacks on the US, and demonstrated the ability of terrorist groups to employ explosives that are not detected by conventional scanning equipment.

²⁸ Stratfor Global Intelligence, December 28, 2009.

²⁹ AQAP claimed responsibility for this attack in the media in January 2010.

³⁰ NRC Handelsblad, 28 October 2009.

³¹ Contribution to the TE-SAT 2010: Denmark.

³² The reprinting of the cartoons of Prophet Muhammad in February 2008 has rendered Denmark and Danish interests prime potential terrorist targets for leading militant extremists abroad. The attack of 1 January 2010, on the artist who created the cartoons in 2005, is proof of the acuteness of this threat.

Member States' contributions show a common understanding that global trends contribute to the specific risks to which Member States are exposed. These include the situation in Iraq and Afghanistan but are also determined by developments in Somalia, the Maghreb and Yemen.

EU Member States with a military presence in Afghanistan and Iraq, or which participate in the United Nations Interim Force in Lebanon (UNIFIL), once more report being at risk of being targeted by Islamist terrorism,³³ but with less emphasis on that specific issue in comparison to previous years. While considered a 'legitimate' target by Islamist terrorists for being part of the 'Western crusade' - as evidenced by the country's participation in the international forces in Afghanistan - France is also specifically threatened because of its support to Algeria's 'apostate' leaders. It is also held accountable for its alleged 'hostility' toward Muslims, symbolised by a law against veils in schools and, more recently, the debate about the use of the full-body veil (*niqab* or *burqa*) by Muslim women.³⁴

Other circumstances that give cause for vigilance are video messages published on the internet targeting specific Member States. The presence of individuals suspected of, and convicted for, terrorism-related offences in jails could also act as a trigger for extremists to take action against the Member States concerned.³⁵

Another point of interest is the fact that the threat against Western states, in general, and Member

States and EU interests in particular, is increasingly likely to originate from self-radicalised individuals and a diversity of militant extremist groups, including those who are, or claim to be, affiliated with al-Qaeda as a movement, rather than linked to AQSL (*al-Qaeda's senior leadership*) on a personal level.

Of particular concern are radicalised EU nationals who travel to conflict areas with the intent to take part in acts of illegal violence or join training camps. On their return, they may use their newly-acquired skills and experience to act on their terrorist intentions, in actions that may be ordered by terrorist organisations from abroad. Furthermore, they can encourage others to follow their example. Several Member States specifically mention their concerns regarding this phenomenon.³⁶

Several Member States also mention the fact that, despite the lack of terrorist incidents in their country, there are indications that individuals or groups are active in facilitating terrorist activities abroad, for instance through financial and/or logistical support.³⁷ This is yet another illustration of the transnational character of Islamist terrorism.

5.1. TERRORIST ATTACKS AND ARRESTED SUSPECTS

On 12 October 2009, a Libyan national tried to gain access to the Santa Barbara military barracks in Milan while vehicles were entering the compound. When the soldiers on guard duty intervened, the suspect started shouting in Arabic and then explod-

³³ Contribution to the TE-SAT 2010: Czech Republic, Finland, the Netherlands, Spain.

³⁴ Contribution to the TE-SAT 2010: France.

³⁵ Contribution to the TE-SAT 2010: Spain.

³⁶ Contribution to the TE-SAT 2010: Belgium, Finland, France, Germany, Italy, the Netherlands, Sweden, UK.

³⁷ Contribution to the TE-SAT 2010: Czech Republic, Finland, Germany, the Netherlands, Slovakia, Slovenia, Spain, Switzerland, UK.

ed the device he was carrying with him. One of the guards trying to stop him was slightly wounded. The suspect himself suffered severe burns in the explosion. Shortly after the incident, the authorities arrested an Egyptian and another Libyan national who were believed to be involved in procuring the explosives and manufacturing the device. The attacker had been in possession of an Italian residence permit since October 2003 and had never before drawn police attention in a political-religious context.³⁹

According to information from the Member States, of the 587 persons that were arrested in the EU in 2009, 110 individuals were reported as having been arrested in relation to Islamist terrorism. This is a decrease of 41 % compared to 2008, when 187 persons were arrested, and continues the trend of a steady decrease since 2007 when the number of arrested persons was 201. Once more, and similar to previous years, the largest number of arrests took place in Spain (40) and France (37).

The number of Member States which reported arrests related to Islamist terrorism decreased from ten in 2008 to eight in 2009. The Member States reporting arrests in 2009 were Austria, Belgium, France, Germany, Italy, Lithuania, Spain and the Netherlands.

Individuals born in North African countries⁴⁰ represent 42 % of all arrested persons. Nearly one-third of all suspects (30 %) were EU citizens. The proportion of 'home-grown' terrorists⁴¹ remained unchanged compared to 2008 at around one-fifth of all arrested suspects.

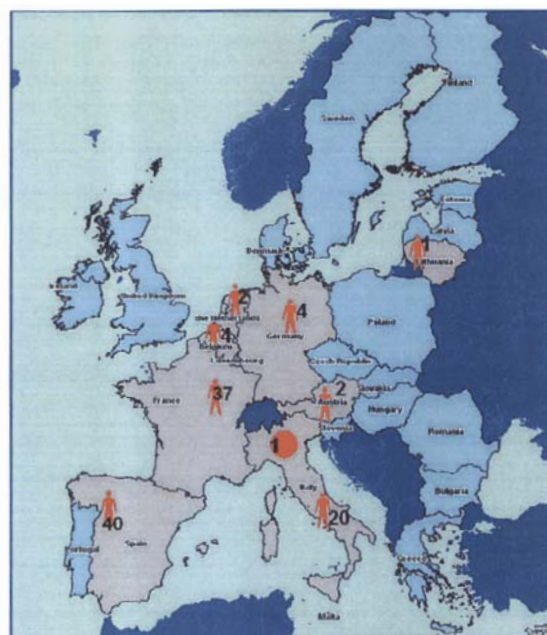


Figure 8: Number of failed, foiled or successful attacks and number of arrested suspects for Islamist terrorism in Member States in 2009.³⁸

Suspected membership of a terrorist organisation and the financing of terrorism were the two most common reasons for arrests related to Islamist terrorism. Further reasons for arrests included the forging of documents and other acts of facilitation, as well as the planning, preparation of, and attempt to carry out attacks. As in 2008, two-thirds of the individuals arrested on suspicion of involvement in Islamist terrorism could not be linked to specific terrorist organisations known to the authorities. This is consistent with the existence of individuals or groups unaffiliated to a terrorist organisation but

³⁸ See footnote 5.

³⁹ Contribution to the TE-SAT 2010: Italy.

⁴⁰ Algeria, Libya, Morocco and Tunisia.

⁴¹ 'Home-grown' terrorists are terrorists that have been born in the EU and are citizens of one of the EU Member States.

adhering to an ideology similar to those promoted by Islamist terrorist groups such as *al-Qaeda* and its affiliates.

5.2. TERRORIST ACTIVITIES

Radicalisation and recruitment

Radicalisation, especially among the young, and the adoption of extreme views are significant problems in several Member States.⁴² The internet is a facilitating factor for (self-) radicalisation,^{43 44} a functionality that is aided by the development of social networking sites. In 2009, prominent websites advocating Islamist terrorism also developed new sections in Western languages, to widen their reach.

Propaganda

The Netherlands were targeted in a video released on 12 April 2009 by *al-Sahab*, the media outlet of AQSL. In this video, an individual is making a threat in German against the Netherlands and Denmark, because these countries allegedly insulted the Prophet Muhammad.⁴⁵ The extent to which Islamist terrorist groups rely on the internet for disseminating their message became apparent in the summer of 2009, when several *al-Qaeda*-affiliated internet forums experienced technical problems, culminating in their ultimate closure on 10 September. This resulted in a delay of several days in the dissemination of propaganda addresses commemorating the eighth

anniversary of the attacks of 11 September 2001.

Germany has become the focus of a determined propaganda campaign, in which threatening videos featuring German nationals are being broadcast on the internet.⁴⁶ This campaign was an attempt to influence the outcome of the general elections in Germany and the country's foreign policy.

5.3. THE SITUATION OUTSIDE THE EU

In 2009, several EU nationals became victims of Islamist terrorist acts outside the EU. In January 2009, a group of four tourists, including a German and a British national, were abducted in the Niger/Mali border region. The British national was killed. AQIM claimed responsibility for the abduction and the killing.⁴⁷ The kidnappings of a French national in Mali in November 2009, of three Spanish volunteer workers in Mauritania on 29 November 2009, and of two Italians in December 2009, are other examples of terrorist activity directly victimising citizens of Member States.

Unlike many other forms of terrorism, Islamist terrorists invoke transnational links for justifying their actions: terrorist attacks in Europe or against European interests abroad are legitimised as retaliation for crimes allegedly committed, condoned or tolerated by the targets in other parts of the world. Devel-

⁴² Contribution to the TE-SAT 2010: UK.

⁴³ Contribution to the TE-SAT 2010: Belgium, the Netherlands, Sweden.

⁴⁴ The EU Action Plan on Terrorism reflects the concern of Member States on this issue - it states that, to prevent radicalisation and recruitment, further measures against illegal extremist literature and other media have to be considered. In this context, the role of the internet remains central. In summer 2009, the European Commission contracted two studies on non-legislative measures to prevent the distribution of violent radical content on the internet, and on methodologies or adapted technological tools to efficiently detect content promoting violence on the internet (15358/03 ENFOPOL 277, 26/11/2009).

⁴⁵ Contribution to the TE-SAT 2010: the Netherlands.

⁴⁶ Contribution to the TE-SAT 2010: Germany.

⁴⁷ Contribution to the TE-SAT 2010: Germany.

opments and events in relation to Islamist terrorism in certain regions or countries which have impacted Member States, or could become of relevance to the EU, are briefly described in the following paragraphs.

Iraq

The potential threat to the EU from trained fighters returning from Iraq has been significantly reduced as Iraq is being replaced by other theatres of conflict as the focus of attention. In 2009, terrorist discourse, while continuing to portray Iraq as a legitimate *jihād*, focused mostly on Afghanistan or Somalia. The shift, already observed in 2008, was confirmed by statements of AQSL and by coalition forces on the ground.

Following a decrease in the number of civilian casualties as a result of inter-faction violence near the end of 2009, the parliamentary elections to be held in March 2010 may reignite terrorist violence. The deadly attacks of 8 December 2009, claimed by the Islamic State of Iraq (ISI), could be an early example of such resurgence of terrorist acts.⁴⁸

Over the years, a number of EU nationals have been held hostage in Iraq. On 30 December 2009, the only survivor of a group of five British nationals captured in 2007 by *Shia* militants was released in Baghdad, having spent 31 months in captivity.⁴⁹

Pakistan

Government bodies and security forces remain the primary targets of attacks by the Pakistani *Taliban*, as indicated by attacks on the police training centre in Manawan and the military headquarters in Rawalpindi. The attacks committed on the Pearl Continental Hotel in Peshawar in June 2009 and the

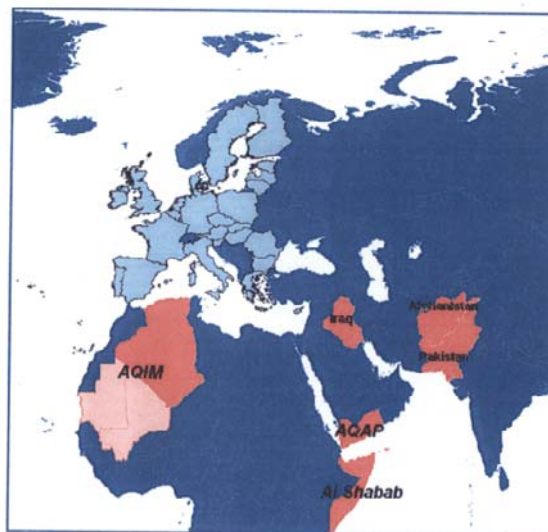


Figure 9: Terrorist organisations and conflict regions outside Europe influencing terrorist activities in the EU.

Shalimar Hotel in Rawalpindi in November 2009 are examples of terrorist acts partly aimed at foreigners, as both hotels provided accommodation to foreign businessmen and women. The attack on the Sri Lankan cricket team in Lahore in March 2009 is an example of terrorist groups targeting sports events. A number of EU citizens were arrested in Pakistan for involvement in activities related to Islamist terrorism. Pakistan remains one of the important areas for *al-Qaeda* and its affiliated groups. AQSL is believed to be in hiding in the Pakistan/Afghanistan border area.

Afghanistan

The number of terrorist incidents in Afghanistan more than doubled in 2009 compared to 2008; these incidents included the attack on the German Embassy in Kabul in January 2009. The majority of

⁴⁸ 'Iraq Status Report', US Department of State, 16 December 2009 and 27 January 2010.

⁴⁹ <http://www.guardian.co.uk/world/2009/dec/30/peter-moore-iraq-hostage-freed>, accessed on 7 February 2010.

suicide attacks were committed using IEDs in suicide belts or rucksacks, as well as Vehicle-Borne Improvised Explosive Devices (VBIEDs). Such attacks mainly focused on military targets, closely followed by Afghan security and governmental targets.

Since 2001, 23 EU Member States have deployed troops to the NATO International Security Assistance Force in Afghanistan (ISAF). Separately, several Member States are also contributing to the US-led Operation Enduring Freedom coalition, conducting counter-insurgency and counter-terrorism operations in Afghanistan. The EU military presence in Afghanistan, as well as in other conflict zones, is believed to be putting Member States at risk of being targeted by Islamist terrorist attacks. Several Member States⁵⁰ have indicated that such presence is a factor that could bring about terrorist acts against their country and its interests abroad.

Yemen

There are growing concerns that Yemen is developing into a new area of operation for terrorist activities as evidenced by recent events, including the establishment of AQAP in January 2009. AQAP's stated goal is to bring down the Yemeni Government and to turn the country into a caliphate. Their reported strategy is to attack the tourism and oil industries. AQAP has been accepted by AQSL as one of its affiliates and has declared its solidarity with AQIM in Algeria and *al-Shabab* in Somalia, thereby confirming its transnational orientation.

AQAP targets non-Muslims, including foreign tourists and diplomats, in line with its maxim of 'expelling the unbelievers from the Arabian Peninsula',

which it uses as justification for attacks on individuals and groups from countries considered to be engaged in a war against Islam. Civilians from these countries, the group claims, are not to be differentiated from soldiers. Hostages taken by AQAP in Yemen in 2009 include a British citizen,⁵¹ seven Germans and a South Korean.⁵²

AQAP also claimed attempted terrorist attacks outside Yemeni territory. On 27 August, a suicide attack in Saudi Arabia, subsequently claimed by AQAP, targeted the Saudi Arabian deputy interior minister in charge of counter terrorism matters, who was only slightly injured. The attack was perpetrated by a Saudi member of the group with a concealed IED. AQAP also claimed responsibility for the failed suicide attack on 25 December 2009 aboard a trans-Atlantic airliner flying from Amsterdam to Detroit, discussed earlier.

Somalia

Violence by several militant Islamist groups against the forces of the Transitional Federal Government (TFG) and African Union Mission (AMISOM) in Somalia escalated further in 2009. The main Islamist terrorist group associated with this violence is *Harakat al-Shabab al-Mujahidin*, or *Mujahideen Youth Movement* in Somalia, generally referred to as *al-Shabab*. This is the militant wing of the Somalia Islamic Courts Council, which took over most of southern Somalia in the second half of 2006. *Al-Shabab's* senior leadership is affiliated with al-Qaeda and some of its members are believed to have trained and fought with the latter in Afghanistan. The self-proclaimed goal of *al-Shabab* is the establishment of an Islamic state in Somalia. Nev-

⁵⁰ Contribution to the TE-SAT 2010: Czech Republic, Finland, France, the Netherlands.

⁵¹ Contribution to the TE-SAT 2010: UK.

⁵² Aljazeera.net, 25 June 2009: <http://english.aljazeera.net/news/middleeast/2009/06/20090625256572259.html>, accessed 15 February 2010.

ertheless, *al-Shabab* has also professed to be part of a transnational movement. In several messages released in 2009, *al-Qaeda's* leadership praised the activities of *al-Shabab* in Somalia and encouraged the group to continue its struggle. AQAP also commended *al-Shabab* and urged Muslims to support them. The Yemeni *al-Qaeda* affiliate called on Islamist terrorists in Somalia to step up their attacks in the Gulf of Adén and Djibouti.

The country continues to attract volunteers who, in most known cases, travel there to join *al-Shabab*. It is estimated that around 300 foreign nationals are presently in training camps or fighting with *al-Shabab* or other radical groups in Somalia. As a consequence of the increasing pressure on AQSL and its affiliates in western and north-western Pakistan, some terrorists view Somalia as a safer place to receive military training and combat experience.

The situation in Somalia is relevant to the Member States for several reasons, which include the targeting of non-governmental organisations (NGOs) and co-operation missions providing humanitarian and development aid. A number of foreigners were kidnapped in Somalia in 2009. As a result of a number of suicide bombings in 2009, four government ministers and 17 soldiers of the AMISOM were killed. In December 2009, a Danish-Somali man dressed in women's clothing committed a suicide attack in Mogadishu, killing at least 22 people.⁵³ *Al-Shabab* denied involvement in the attack. The worsening humanitarian and security situation in Somalia leads to increasingly large numbers of refugees travelling to the EU. The threat posed to the EU by individuals returning from Somalia who either have combat experience or specific tasking to carry out terrorist attacks in Europe is of concern.

The transnational orientation of *al-Shabab* is manifested in its statements and demands. On 17 September 2009, *al-Shabab* demanded that France stop its financial and military support for the TFG and end anti-piracy patrols in Somali waters in exchange for the release of a French security adviser held hostage since July. The group also called for the withdrawal of AMISOM forces. On 30 October, the commander of *al-Shabab* protested against Israel's recent raid on the *al-Aqsa* Mosque in Jerusalem and threatened to attack Israel. The group also threatened Ethiopia, Djibouti, Kenya, Eritrea, Ghana, Sudan and Uganda.

North and West Africa

In 2009, AQIM tried to further promote its image as the regional representative of *al-Qaeda* in North Africa and the Sahel and received ideological support from AQSL. In June, a member of the younger generation of AQSL urged Muslims in North Africa to offer support to their brethren in Algeria, particularly those belonging to AQIM.

Contrary to 2008, the number of suicide attacks committed and claimed by AQIM in Algeria in 2009 was limited. AQIM claimed a suicide attack on a military barracks in Algeria on 7 March 2009. Nevertheless, in 2009, AQIM continued its claims of a high number of ambushes, assassinations and bomb attacks targeting members of the Algerian security forces. This strategic change can be understood as a reaction to the negative publicity linked to the use of suicide attacks, which may have impacted on the organisation's capacity to recruit volunteers.

In 2009, as in 2008, AQIM placed particular importance on Mauritania. On 23 June, an American aid worker was assassinated in the Mauritanian capital of Nouakchott. AQIM claimed responsibility for the

⁵³ Contribution to the TE-SAT 2010: US Naval Criminal Investigative Service.

attack, saying the victim was known for his missionary activities. On 8 August, a suicide attack targeted the French embassy in Mauritania. Three people, two of them French gendarmes, were slightly injured. In its claim of responsibility, AQIM stated that the attacker was a Mauritanian and that the attack was a response to the aggression of the 'crusaders', particularly France, and Mauritanian leaders against Islam and Muslims. In addition to Mauritania, AQIM seems to have also expanded into Mali.

In addition to attacks, AQIM also remains involved in the abductions of nationals of Western countries in the Sahel region. In December 2008, two Canadian UN diplomats were kidnapped in Niger, an incident followed by the abduction, in January 2009, of four European tourists - one British, one German and two Swiss nationals - also in Niger; responsibility for the kidnappings was claimed by AQIM in February 2009. In March, the media reported that AQIM demanded that 20 Algerian, Mauritanian and Moroccan AQIM members detained in Mali and other countries be freed as a condition for releasing the six western hostages. In April, the two Canadians, a Swiss and a German were released. In a communiqué released on 2 June on the internet, AQIM announced the execution of its British hostage on 31 May. The remaining Swiss hostage was freed on 12 July in northern Mali.

A second wave of abductions took place in late 2009. On 25 November 2009, a French citizen was abducted in Mali. On 29 November, three Spanish aid workers were kidnapped in Mauritania. AQIM claimed responsibility for the abductions in early December, arguing that the kidnappings were a reaction to the West's war on Islam and Muslims. On 18 December 2009, two Italian nationals were kidnapped in Mauritania. In late December 2009, AQIM claimed responsibility for the kidnapping of the Ital-

ian couple, linking it to Italy's military engagement in Afghanistan and Iraq.

6. ETHNO-NATIONALIST AND SEPARATIST TERRORISM

KEY FINDINGS

- Separatist terrorism continues to target government officials. In 2009, a total of four police officers and two soldiers died in attacks in Spain and the UK.
- The number of attacks and arrests continued decreasing in 2009. A total of 237 terrorist attacks were carried out in continental Europe and 124 in Northern Ireland, while a total of 413 individuals were arrested.
- The majority of the arrests and attacks were carried out in France and Spain, where several ETA cells were dismantled. France remains the most important logistical base for ETA; Portugal also appears to be used for logistical support.
- Europe is important for financial and logistical support to the PKK, the LTTE and the FARC.
- Youth organisations related to separatist terrorism or extremism have a significant potential for violence.

6.1. TERRORIST ATTACKS

In 2009, 237 attacks were claimed or attributed to separatist terrorist organisations in France and Spain, while a further 124 attacks were carried out in Northern Ireland (UK).⁵⁴

The number of separatist attacks decreased by 40 % compared to 2008, with 90 % of the attacks successfully executed.

In Spain, 14 attacks were carried out by ETA, where this organisation had claimed 35 attacks in 2008. The number of *Taldes Y* attacks also decreased in 2009. *Resistência Galega* and *Independetismo Radical Galego*, who operate in the Spanish autonomous region of Galicia, carried out nine attacks.

In France, 89 attacks were carried out by separatist terrorist groups. The vast majority of the attacks were linked to Corsican separatist terrorism; eight

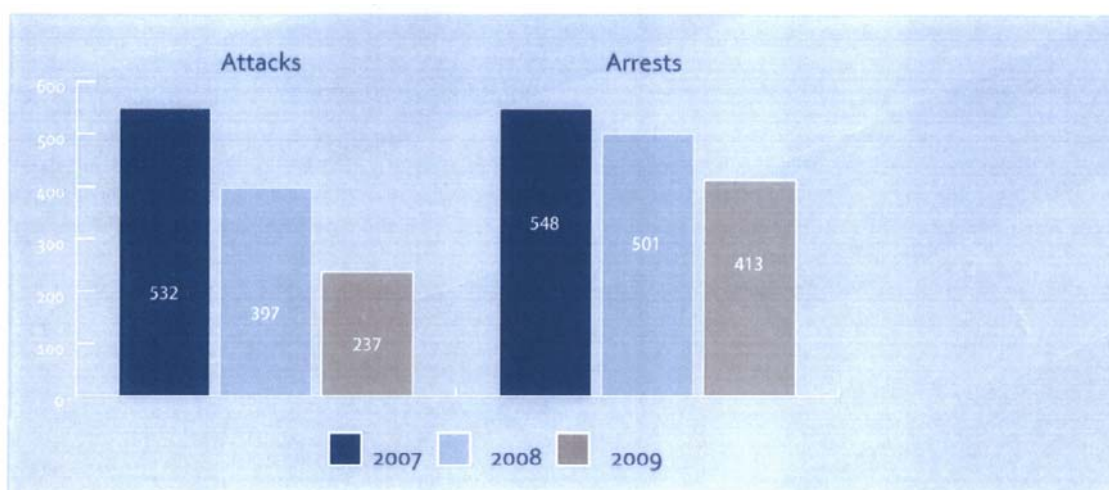


Figure 11: Number of failed, foiled or successful attacks and number of arrested suspects for separatist terrorism in Member States, 2007-2009.⁵⁵

⁵⁴ See footnote 5.

⁵⁵ See footnote 5.

attacks were committed by Basque separatist terrorist groups.

Despite the decrease in number of attacks, the number of fatalities increased from four in 2008, to six in 2009. As was the case in previous years, government officials are still a target for separatist terrorist organisations.

In June and July 2009, three police officers died in two separate ETA bombings in Spain.

On 19 June, an IED located under the private vehicle of a member of the National Police exploded in Arrigorriaga. The explosion caused the immediate death of the police officer.

On 29 July, a van loaded with about 200 kg of explosive materials went off in Burgos, targeting the provincial headquarters of the Guardia Civil. The targeted building, used as residence for officers and their families, was totally destroyed and more than 60 people were injured. In this case, no warning call was made, which indicates ETA's intention to carry out indiscriminate attacks. The van used in the attack was stolen in France and carried Spanish licence plates instead of the original French ones.⁵⁷

On 30 July, two Guardia Civil agents were assassinated in Palmanova (Balearic Islands) when an IED placed under a patrol vehicle parked outside a police station exploded. Another IED was found under a patrol vehicle parked close to the police station in Calvia (Balearic Islands).

The decreasing trend in the use of commercial

⁵⁶ See footnote 5.

⁵⁷ Contribution to the TE-SAT 2010: Spain.

⁵⁸ Contribution to the TE-SAT 2010: Spain.



Figure 10: Number of failed, foiled or successful attacks and number of arrested suspects for separatist terrorism in Member States in 2009.⁵⁶

explosives by ETA that began in 2007 continued in 2009. In most cases, the explosives used were home-made.⁵⁸

In France, there has been a continuing decrease in the number of terrorist attacks since 2007. The level in 2009 is the lowest in the last 30 years.

As in previous years, separatist groups in France and Spain carried out attacks against different types of targets. Although secondary residences and businesses owned by inhabitants of the French mainland and foreign nationals (the tourist sector) remain privileged

targets of the separatist groups in France, French law enforcement authorities have also been targeted on several occasions. The police buildings of Bonifacio and Porto-Vecchio were targeted by firearms on 6 and 11 April 2009, respectively. On 22 July 2009, there was an attack, claimed by the Unified FLNC (*Front de Libération Nationale de la Corse*), against the building of the gendarmerie in Vescovato.⁵⁹

A total of 124 attacks were carried out by Irish Republican and Loyalist groups in Northern Ireland. In 2009, there was an increase in the number of attacks by terrorist groups, principally the 'Real' IRA (RIRA) and the 'Continuity' IRA (CIRA). In March 2009, two soldiers and a police officer were murdered. During the year, there were also other attempted attacks on members of the security forces and the public.

6.2. ARRESTED SUSPECTS

In 2009, a total of 413 people were arrested in France, Spain and Ireland for offences related to separatist

terrorism. The vast majority of the individuals were arrested for membership of a terrorist organisation, 25 % for involvement in attacks, while almost 20 % were arrested for the financing of terrorism.

In Spain, 127 individuals were arrested for offences linked to separatist terrorism, a number comparable to 2008. The majority of the individuals arrested were members of SEGI, 20 % were members of ETA and 14 % were linked to *Batasuna*. This party, as well as other political parties, such as ANV (*Acción Nacionalista Vasca*) and PCTV (*Partido Comunista de las Tierras Vascas*), have been classified as terrorist organisations since 15 June 2009, according to Common Position 2009/468/PESC of the Council.

In November and December 2009, 40 top SEGI leaders and prominent members were arrested in the three Basque provinces and Navarre in the framework of two different operations. Another person linked with street-fighting activity was arrested in November.⁶⁰

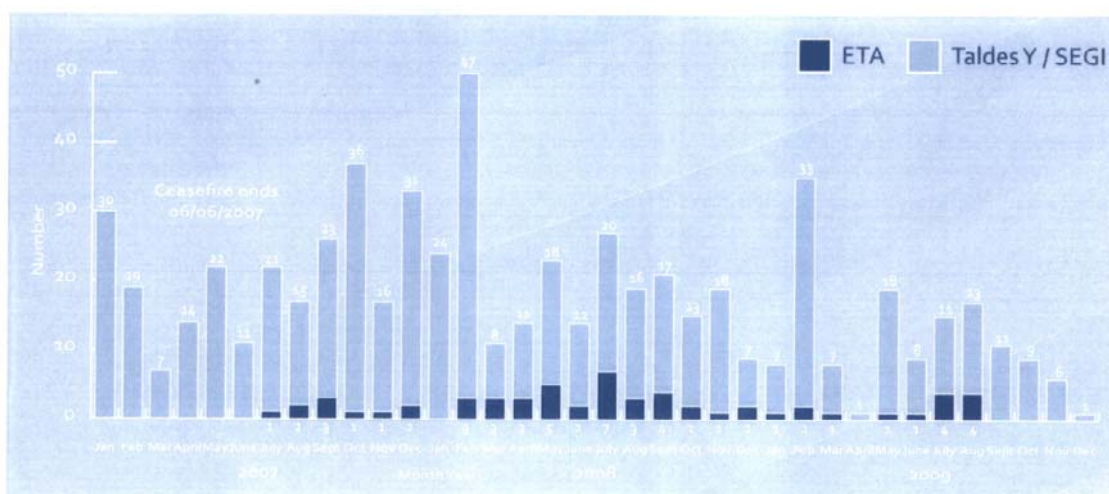


Figure 12: Number of Taldes Y / SEGI and ETA attacks in Spain, 2007-2009.

⁵⁹ Contribution to the TE-SAT 2010: France.

⁶⁰ Contribution to the TE-SAT 2010: Spain.

In France, the majority of suspects were arrested for Corsican separatist terrorist offences. Of the individuals arrested, the majority were suspected of involvement in attacks and financing terrorism.

Fifty percent of the individuals arrested in France for Basque separatist terrorism were linked to ETA and suspected of financing of terrorism. The cooperation between Spanish and French authorities enabled the detention of ETA leaders in France. Thirty women related to ETA or SEGI were arrested for terrorism-related offences.

On 4 July 2009, some of the most wanted ETA terrorists were arrested in Pau. On 19 August, three ETA members responsible for providing weapons, ammunition and explosives were arrested in Villaremberth.⁶¹ The chief of ETA's military wing was ar-

rested in France and a commando was dismantled in Vitoria (Basque Region).⁶²

Basque separatist terrorism in France, targeting the tourist sector in the Basque region in France, can be considered as residual and of low intensity. The terrorist organisations are more than ever characterised by their operational weakness. The number of militants continues to decrease. The founder of *Irrintzi*, the organisation responsible for two-thirds of the attacks in the Basque region since 2005, was arrested in December.

In Ireland, 31 individuals were arrested for offences related to separatist terrorism. The vast majority of the individuals were arrested for membership of terrorist organisations such as the CIRA, RIRA and the INLA (Irish National Liberation Army), or for possession of arms and explosives.

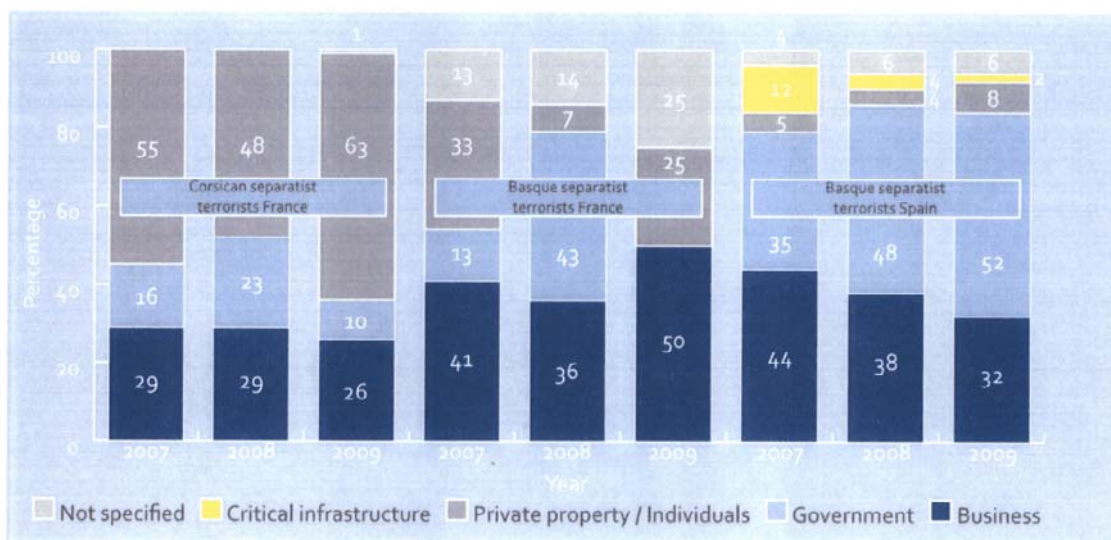


Figure 13: Type of targets in attacks by Corsican and Basque separatist terrorists in France, and Basque separatist terrorists in Spain, 2007-2009.

61 Contribution to the TE-SAT 2010: France.

62 Contribution to the TE-SAT 2010: Spain.

6.3. TERRORIST ACTIVITIES

ETA

Extortion continues to be the main source of income for ETA. In 2009, the organisation launched several extortion campaigns, sending letters to businessmen from the Basque region and Navarre demanding that they pay the so-called 'revolutionary tax'. In some cases, in order to increase the threat, the letters were sent to their relatives.

In July, three SEGI supporters were arrested in the Basque region for their activities as webmasters in charge of organising raffles to fund SEGI. The result of the raffles and propaganda related to SEGI were published online, on the website under investigation.⁶³

Almost a tonne of bomb-making materials including precursors, home-made explosives, detonators and IEDs manufactured, or in the process of being assembled, were seized in a counter-terrorism operation carried out in France, where a total of 14 caches were discovered, mainly in wooded areas. The findings of this operation are evidence of change in ETA's methods of hiding its weapons and explosive materials: they prefer using several small caches disseminated in a wooded area instead of a big one, in order to minimise the impact of successful police operations. The above-mentioned police operation can be considered as a severe blow to ETA's military logistic wing.⁶⁴

The discovery of a vehicle abandoned in Salamanca in February 2009, which was rented by an ETA member in Portugal, indicates that ETA uses that country, besides France, as a logistical base.⁶⁵

PKK/KONGRA-GEL

In 2009, the PKK/KONGRA-GEL did not carry out any terrorist attacks in the Member States; there were only protests and violent incidents or riots in Germany and Austria. These were mainly related to the PKK/KONGRA-GEL's youth organisation '*Komalen Ciwan*'. Although there were no major incidents, there is evidence that the PKK/KONGRA-GEL continues to have a significant potential for violence, which may be deployed if needed.⁶⁶

The PKK/KONGRA-GEL is collecting money and requesting logistical support from Turkish individuals living in Europe.⁶⁷ In order to reinforce its operational wing and capability in Iraq, the PKK/KONGRA-GEL relies mainly on activities such as extortion, human trafficking, drugs and arms smuggling, and money laundering, raising large amounts of revenue.⁶⁸ House searches in Austria in February 2009 resulted in the seizure of lists of donation collections, notes on income and donation receipt books.⁶⁹

LTTE

Contrary to previous years, no arrests of members of the LTTE were reported by Member States in 2009.

⁶³ Contribution to the TE-SAT 2010: Spain.

⁶⁴ Contribution to the TE-SAT 2010: Spain.

⁶⁵ Contribution to the TE-SAT 2010: Portugal, Spain.

⁶⁶ Contribution to the TE-SAT 2010: France, Germany.

⁶⁷ Contribution to the TE-SAT 2010: Austria, Belgium, Finland, Switzerland, Turkey.

⁶⁸ Contribution to the TE-SAT 2010: Turkey.

⁶⁹ Contribution to the TE-SAT 2010: Austria.

The LTTE's conventional forces were defeated in the military conflict in Sri Lanka in early 2009, leaving the organisation leaderless and facing a power struggle. Several large protests were staged in the UK and Belgium in the spring and summer, attracting thousands of people.⁷⁰

Although the LTTE has faced considerable setbacks in Sri Lanka, its vast global network and strong control over the *Tamil Diaspora* and various Tamil associations with structures of fundraising, procurement and propaganda is still active and firmly in place. The *Tamil Diaspora* abroad is still the most important supporting element of the LTTE; the organisation has built efficient mechanisms to control Tamils living in the EU and worldwide. One of the core activities of the LTTE in the EU is the collection of funds from the *Tamil Diaspora* on a monthly basis to finance its organisation, activities and military-related procurement.

Several EU countries initiated investigations into the LTTE's financing methods in the past years. In France, a large trial took place during 2009 (see chapter 4.3, Convictions and penalties).⁷¹

FARC

In 2009, there were no arrests of individuals related to the FARC (*Fuerzas Armadas Revolucionarias Colombianas*) for terrorism-related offences in Member States. A Swedish national was kidnapped by the FARC in Colombia in May 2007 and released on 17 March 2009.⁷²

The FARC has identified Europe as a main area of strategic interest in its ambitions to expand its activities. Making use of its contacts in Europe, the FARC has sent representatives to some Member States. Their tasks include the dissemination of information and the creation of clandestine cells to facilitate drugs trafficking and the procurement of arms.⁷³ Uncorroborated open sources report that FARC is planning to open an office in Amsterdam, Brussels or Paris.

70 Contribution to the TE-SAT 2010: Belgium, UK.

71 Contribution to the TE-SAT 2010: UK, Switzerland.

72 Contribution to the TE-SAT 2010: Sweden.

73 Contribution to the TE-SAT 2010: Colombia.