

## NOTE TO THE FILE

### VISIT OF THE OSCE PA AD HOC COMMITTEE ON COUNTERING TERRORISM TO BELGIUM

*Brussels, 7-9 February 2018*



**On 7 – 9 February 2018 the OSCE Parliamentary Assembly Ad Hoc Committee on Countering Terrorism (CCT) visited Brussels, Belgium,** and held a number of fruitful meetings with relevant stakeholders.

The visit served multiple objectives. First, to learn from the Belgian experience in facing threats and challenges stemming from terrorism, violent extremism and radicalization that lead to terrorism. Second, to identify key lessons learned and best practices to be shared with other OSCE participating States and mainstreamed in the PA work. Third, to advocate for the need to further international co-operation in this domain, including throughout inter-parliamentary dialogue, and to fully implement existing counter-terrorism legal frameworks as well as pledge full political and financial support to OSCE efforts in this field.

During the two-day visit, the CCT met with the Minister of Justice of Belgium, as well as the President of the Parliamentary Inquiry Committee of the 2016 Terrorist Attacks in Brussels. In addition, the Committee contributed to a roundtable discussion with key counter-terrorism federal bodies, such as the Prosecution Service and the Intelligence Agencies. CCT members also met with representatives of local governments which are facing radicalization-related challenges, such as the mayor of Vilvoorde and the President of the Wallonia-Brussels Federation. Finally, the CCT exchanged notes with the principal Advisor to the European Union's Counter-Terrorism Coordinator in order to better understand EU efforts in this domain.

## Meeting with the Minister of Justice of Belgium, Mr. Koen Geens and Director for Security and Justice, Mr. Dries Storme

The first meeting of the visit allowed the Committee to learn about the challenges and threats pertaining to terrorism faced by Belgium as well as the preventative and response mechanisms employed by its authorities. CCT members had a chance to explore the lessons learned from the **terrorist attacks that took place in Brussels on 22 March 2016** which caused the death of 32 individuals. This tragic event had a significant impact on the country's counter-terrorism policies and boosted its counter-terrorism efforts.

Minister Geens welcomed members of the CCT in the Belgian Chamber of Representatives, outlining policy and program developments in the country since March 2016. He noted that after these attacks the list of offences related to terrorism has been extended, and the Criminal Code has been updated. Among others, legislation regarding traveling abroad for terrorist purposes has been adopted, as **Foreign Terrorist Fighters (FTFs) have become a major concern in Belgium.**

An issue which repeatedly emerged during the discussions was the need for a delicate balance between privacy and security in counter-terrorism responses. Minister Geens emphasized that **freedom of expression must be fully safeguarded** unless a clear incitement to terrorism occurs. **308 individuals have been convicted of terrorism-related offences** (many of whom "in absentia") in Belgium within the last three years, with a **conviction rate of over 90%**. The Minister pointed out that several FTFs have already returned to Belgium – the European country with the largest ratio of FTFs.



It was noted that there are no figures on the profiles (i.e. average age, sex, etc.) of those leaving to Syria, but the **number of teenagers and women (45 in Syria) has been increasing**. He underlined that around 100 children were born by Belgian nationals while fighting in Syria. This poses a complex social challenge, especially in terms of reintegration into the society as they have been exposed to very radical ideologies.

Notably, and unlike other States that faced similar attacks, **Belgium decided not to declare a “state of emergency”** following the terrorist attacks of 22 March 2016. Rather, the Government opted to strengthen the information- and evidence-gathering capacities of relevant security agencies within the framework of the rule of law. The limited **exchange of information** among counter-terrorism actors posed another serious challenge in this context. New shared databases and more efficient coordination schemes among involved stakeholders (e.g. the Intelligence Agencies and the Federal Prosecution Service) were promptly developed. For instance, Belgium established a **specialized database containing approx. 600 names of potentially radicalized individuals and foreign terrorist fighters**, with individualized “risk assessment” on a scale from 1 to 6.

It has also been stressed that **gathering evidence from social media platforms remains a key challenge**. Clearly, there is a contradiction between the commercial interests of Internet service providers, national security interests and the interests of criminal networks.

Mr. Storme highlighted the connection between the Paris attacks in 2015 and the Brussels ones in 2016, which were conceived and perpetrated by the same cell of individuals. He underlined the relevance of **international exchange of information and underscored the key role entities as Interpol play in this regard.**



Concerning Belgium's activities in the field of deradicalization, one of the best practices shared by the authorities was the **creation of the so-called Local Integrated Security Cells**, whereby Mayors, local police, local social workers and education providers regularly meet and exchange information to facilitate the identification of potentially radicalized individuals at the grass root level.

Members of the CCT commended **Belgium's comprehensive counter-terrorism efforts**, which resulted in the implementation of effective security measures while respecting pluralism and human rights. **Secure and regular exchange of information** remains the key to successful counter-terrorism strategies.

### **Meeting with the Parliamentary Inquiry Committee for the Investigation into the Terrorist Attacks in Brussels of March 22, 2016**

The mandate of the Parliamentary Inquiry Committee was to investigate the circumstances of the terrorist attacks of March 22, 2016 as well as to develop the preventive measures to ensure that similar events would not occur in the future. The Inquiry Committee shared its **key findings and recommendations**, which were unanimously endorsed by the Belgian Parliament, and briefed about its subsequent implementation efforts. CCT Members were particularly interested in learning about the challenges the Inquiry Committee faced while carrying out its work and inquired whether the CCT could help fill the identified gaps.

Chair Patrick Dewael explained that the Inquiry Committee produced a 600-page report divided in 4 sections: **emergency response; victims; state security architecture; and radicalization**. During its investigation, the Committee identified several **security gaps** that undermined the ability of the State to swiftly and comprehensively respond to the needs stemming from the terrorist attacks, such as the absence of specialized emergency plans, inadequate information on the capacities of hospitals, and lack of clear procedures for the immediate closure of public transportation routes.

Another important area of the Committee's engagement was **victim support**, which, for instance, included assistance with health insurance claims. It was pointed out that recent terrorist attacks have revealed a wide range of previously unexplored issues, such as the absence of psychiatrists trained to specifically treat post-traumatic stress disorder, repatriation of foreign victims, etc.

The March 2016 terrorist attacks also demonstrated the **lack of effective coordination and information-sharing channels between different governmental bodies**, which individually taken all provided a sufficient response, but did not cooperate to the same level. The importance of fostering **international and national information-sharing mechanisms** was repeatedly stressed. The potential benefits of an international intelligence system were underscored by different interlocutors.

Finally, in terms of radicalization, the Committee highlighted the necessity to do more at the prevention level by engaging local communities and various stakeholders such as prisons, detention centers, schools, families and religious communities. The risks stemming from the radicalization on the web were also debated.

In conclusion, the Committee identified three priorities to prevent similar attacks in the future: 1) improve timely and efficient information exchanges between relevant stakeholders (e.g. shared databases); 2) establish effective coordination platforms between relevant stakeholders at different levels; 3) develop clear legislative framework that can be implemented by all relevant stakeholders, thus boosting their operational capacity and accountability.

### Meeting with the Principal Adviser of the EU Counter-Terrorism Coordinator, Ms. Christiane Hoehn

Ms. Hoehn provided an overview of the EU counter-terrorism activities focusing on synergies between the Union and its Member States and reiterated the challenge of striking the right balance between security and privacy. She also highlighted the need to further develop the concept of "privacy by design". CCT members inquired about the role that parliaments can play in this regard, as well as about ways the Committee could contribute to advancing the global counter-terrorism agenda.

Ms. Hoehn, after mentioning DAESH and AL QAEDA as the main terrorist threats in the EU, outlined the EU's response mechanisms to returning FTFs as well as homegrown radicalization. She stressed the need to further develop "soft mechanisms", such as **education and inclusion**, emphasizing the important role parliamentarians can play in communicating these values to the population. She stressed the need to further engage with Internet service providers and social media platforms.

**Operational cooperation and information exchange** have been identified as strategic areas of cooperation in the EU, while the key role of Europol and Eurojust in this field was noted. Future threats related to technologies such as cyber, miniaturisation, biotechnology and the use of drones by terrorist groups were also highlighted in the presentation. A common EU Prosecution Office for certain types of severe crimes (such as terrorism) would be an important step forward.

Concerning existing gaps, Ms. Hoehn noted the following issues: (1) **Generalized data retention** has been regarded as not compatible with EU law by the European Court of Justice in the Tele2 ruling; (2) Ongoing work related to "**interoperability**" of databases, whereby adoption of the interoperability package would be a major step forward. Finally, she informed about the recent establishment of the Special Committee on Terrorism within the European Parliament, which the CCT could potentially engage with.

### Roundtable with Counter-Terrorism Agencies

The CCT had a chance to contribute to an interesting roundtable debate with representatives of Belgian counter-terrorism bodies, including the Deputy Head of General Intelligence and Security Service, the Federal Prosecutor, the Director of the Coordination Unit for Threat Analysis and the Director of Analysis at the State Security Service.



Notably, some of the major challenges in this field mentioned throughout the discussion include so-called “**lone wolves**”, terrorist networks such as **DAESH and AL QAEDA** and **FTFs**. Currently, around 5000 European citizens are fighting in Syria, while only 30% of the approximately 500 Belgian FTFs have returned and are mostly imprisoned. The majority (70%) have not returned yet. While several have died fighting, many others are simply unaccounted for, possibly arrested by Iraqi and Kurd authorities. In addition, there are approximately 115 children born from Belgian

parents in conflict zones. Since 2015, there have been approximately 300 convictions for terrorism-related charges in Belgium.

Radicalization in prisons was also widely debated, with the link between **criminal and radical networks** repeatedly highlighted. Allegedly, most terrorists have become radicalized while serving their sentences in prisons for other crimes. Participants also discussed the phenomenon of “Islamization of Radicalism”, whereby people already affected by radical ideas join extreme religious ideologies.

The challenges stemming from the lack of efficient information-sharing mechanisms were also extensively debated, and it was noted that **not only operational data must be exchanged, but also more general information on potential terrorists**, as it would allow to follow trends from a broader perspective. The modalities of such exchanges, especially when involving confidential data, have to be thoroughly considered.

The **Coordination Unit for Threat Analysis (CUTA)** conducts threat analysis as well as strategic analysis in order to alert authorities about possible terrorism risks. To do so, strong coordination networks within the security and social frameworks are paramount. CUTA operates based on the principles of (1) Full cooperation and unrestricted access to critical information whenever needed; (2) Subsidiarity: actions should be undertaken at the lowest sufficient level; (3) Multi-agency approach: need to involve both traditional and untraditional actors, such as schools, social workers, sports clubs, etc.

It has been underscored that the information-sharing culture has been gradually improving in Belgium. The establishment of **Local Integrated Security Cells** was hailed as the best practice by the participants. State inter-agency coordination in Belgium is secured at different levels (i.e. the Coordination Committee, the Strategic Committee and the National Security Council).

### **Meeting with the Mayor of Vilvoorde, Mr. Hans Bonte**

The Mayor of Vilvoorde underlined that the phenomenon of FTFs is related to issues arising from national foreign policies, social policies, regulations on the media as well as the mechanisms of integration for individuals. According to him, for the most part terrorist attacks have been perpetrated by people with no radical stance on Islam, while Islamic fundamentalists are capable of mobilizing criminal networks for their needs. In fact, he repeatedly stressed the very evident link between criminal and terrorist networks on the ground.

He expressed deep concern over the phenomenon of **young men and women voluntarily traveling to Syria inspired by extremist ideologies**. This is particularly relevant for Vilvoorde – a rather small, multicultural city with a high percentage of youth among its population. Belgium has generally been experiencing a major problem with young people traveling to Syria, but **Vilvoorde is the city with one of the highest rates of FTFs** (28 people between 2012 and 2014). These young people have often been implicated in violent confrontations with the police prior to turning to terrorism. Among the



28 individuals who travelled to Syria, **around ten died at war and eight have returned** (one is now living in the city after completing his sentence, one died in a tragic incident, six people are still in jail). Around 100 suspected terrorists are considered dangerous and are, therefore, closely monitored.

The city has been implementing a preventive approach with a focus on vulnerable individuals. While stressing that there is no typical FTF profile, Mr. Bonte noted that most of those who left for Syria were second and third generation young Belgian boys and girls (16-28 years old) with a Muslim background, usually with family and community problems. Often **parents of these individuals are not able to speak enough Dutch to provide adequate support for their children** in schools and everyday life. This can result in parents being excessively severe with their own children to ensure their acceptance by society.

The recruitment process often consists of the same subsequent steps: **indoctrination** (giving marginalized persons a purpose), **isolation** (from the community, their families and friends) and **deployment** (to conflict or terror zones). It was noted that there is a link between individuals experiencing violence of some sort and their vulnerability to radicalization. Therefore, both sides stressed the **need to work with various groups of society**, including parents and social workers.

Participants also learned more about the **Local Integrated Security Cells**, which enable local stakeholders to adopt a case-by-case approach. Finally, it is essential to systematically **involve Muslim communities** in all deradicalization efforts.

### **Meeting with the Minister-President of the Wallonia-Brussels Federation, Mr. Rudi Demotte, and the Minister of Youth and Sport, Mr. Rachid Madrane**

The Minister-President outlined Federation’s activities in the field of deradicalization. The participants discussed working definitions of violent extremism and terrorism and agreed that **radicalization is often caused by the excessive “polarization” of our societies**.

In 2015, the Federation designed a **RESEAU network**, which, among other activities, focuses on the advancement of the educational system and engagement of youth. In 2016 two operational centers were established in support of the network: **CREA and CAPREV**, where CREA focuses on **prevention of extremism and radicalization** and CAPREV provides **individual support to potentially radicalized individuals**.



As an additional tool, the Federation has established **Mobile Education Teams** that provide assistance to students and teachers in managing crisis situations. Their methodology involves support from psychologists, criminologists, teachers and social workers who design response action plans for individual children, or schools as a whole. It has been emphasized that working with parents is often the key to prevention. The network is supported by CAPREV and its hotline. The work of the Federation is based on the principles of: (1) **Confidentiality**; (2) **Voluntary approach**; (3) **Individualized approach**.

Participants agreed on the need to **focus on psycho-social support, especially in prisons**. Currently 450 people in Belgium have been convicted of terrorism-related offences (with an average sentence of 3-5 years). The CCT discussed **challenges of reintegration and creation of social inclusion prospects for released individuals**.

### Key Lessons Learned

- There is a **widespread need to strengthen information-sharing channels** at local, national, regional and international levels. This is to ensure regular and reliable exchange of operational and more general data aimed at strengthening counter-terrorism preventive and response mechanisms. The Belgian experience of the **Local Integrated Security Cells** and **shared databases** of potential terrorists has proved useful and could be replicated elsewhere. While the Local Cells foster preventive actions at grass-root level and promote individualized approaches, the shared databases facilitate timely information exchange among key stakeholders. That being said, such instruments should be utilized with proper safeguards and under clear regulatory framework.
- The **challenge of striking the right balance between security and privacy**, as well as between counter-terrorism measures and human rights obligations, becomes even more vivid in the aftermath of deadly attacks. The Belgian experience demonstrates that **it is possible to deal with the terrorism threat through enhanced coordination** (for instance, between Intelligence Agencies and Prosecution Service), **better information-sharing and stronger investigative powers** (for instance in gathering e-evidence) without compromising individual liberties.
- A wide range of **security gaps and operational challenges** arise in the immediate aftermath of a terrorist attack. The Belgian experience clearly shows that OSCE participating States should **develop effective coordination schemes, comprehensive legal frameworks and emergency plans** which promote a clear division of responsibilities among relevant stakeholders, as well as better mechanisms to timely share data between all involved actors.
- The **use of social media platforms** to disseminate radical and violent ideologies, as well as terrorist recruitment, is very concerning. This poses complex questions, such as where to draw the

line between **the freedom of expression** and **the need to fight terrorism incitement online**; or what is the role of social media platforms and **Internet service providers** in preventing radicalization.

- **Preventing radicalization remains a key priority.** A broader reflection on the root causes of radicalization is needed, while identification of individuals who are more prone to become radicalized remains challenging. **Marginalization and social exclusion** usually play in favor of terrorist recruiters and violent extremists, especially in places such as detention centers and schools. **Mobile Education Teams** could indeed support students and teachers to recognize and handle situations of radicalization in school settings.
- **Returning FTFs, their conviction process along with the need for subsequent rehabilitation and reintegration pose a great challenge to our societies.** Imprisoned FTFs should be closely monitored to prevent radicalization of other inmates. Rehabilitating and reintegrating into society radicalized individuals requires a comprehensive approach. **Radicalized individuals should be treated on a case-by-case basis**, to the extent possible, avoiding stigmatization and **engaging all levels of society** in targeted deradicalization activities, including families, schools, social workers, religious communities and prison administrations.
- The Belgian experience confirms a **strong and multifaceted link between terrorism and other criminal networks**. These interlinkages span from the recruitment of potential terrorists from the criminal underworld (especially in prisons), to the financing of terrorism through the illegal proceeds generated by other criminal activities. The need for more research and comprehensive response strategies is, therefore, essential.
- **Victims of terrorist attacks require more attention** from the governments and international community, as they and their families are facing a variety of legal, social, psychological and health consequences which are impossible to resolve without professional and tailor-made support as well as financial assistance.

### List of Participants

**Mr. VORIDIS, Makis (Greece)** – Chair of the CCT

**Mr. CRUSNIÈRE, Stéphane (Belgium)** – Vice-Chair of the CCT

**Ms. KATSARAVA, Sofio (Georgia)** – Vice-Chair of the CCT

**Mr. KOVALEV, Nikolay (Russian Federation)** – Vice-Chair of the CCT

**Ms. CHAMBERS, Lisa (Ireland)** – Member of the CCT

**Mr. COSIDO, Ignacio (Spain)** – Member of the CCT

**Mr. JANSOONE, Roeland (Belgium)** – Staff of the Belgian delegation to the OSCE PA

**Mr. KARSEKA, Sergej (Russian Federation)** – Staff of the Russian delegation to the OSCE PA

**Mr. TIERSKY, Alex (USA)** – Staff of the US delegation to the OSCE PA

**Ms. MYSHENKOVA, Elizaveta** – Russian/English Interpreter

**Mr. DE SMEDT, Koen** – Associate Programme Officer of the OSCE Action against Terrorism Unit

**Mr. BONABELLO, Marco** – Liaison Officer and Advisor of the OSCE PA

**Ms. PAVLOVA, Mariia** – Research Assistant of the OSCE PA