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POLICY AND METHODS OF COMBATING TERRORISM OF THE EUROPEAN UNION

При аналізі антитерористичних структур та практики боротьби з тероризмом у Європейському Союзі у 2001–2020 роках можна виділити як безперечні досягнення антитерористичного курсу, так і його об›єктивні недоліки.

Метою статті є виявлення сильних та слабких сторін контртерористичної практики ЄС, а також визначення перспектив розвитку та ризиків у подальшій діяльності. Здійснено спробу визначити позитиви на сучасному етапі розробки контртерористичної стратегії; виявити фактори, що протистоять цим перевагам; окреслити потенційні можливості поліпшення нинішньої ситуації; дослідити чинники, що перешкоджають розвитку антитерористичної діяльності Європейського Союзу.

Ключові слова: *тероризм, боротьба з тероризмом, безпека, Європейський Союз, контртерористична стратегія, методи боротьби з тероризмом.*

The analysis of anti-terrorist structures and counter-terrorism practices in the European Union in 2001-2020 reveals both the undoubted achievements of the anti-terrorist course and its objective shortcomings.

The aim of the article is to identify the strengths and weaknesses of the EU's counter-terrorism practice, as well as to identify prospects for development and risks in the future. An attempt has been made to identify positives at the current stage of developing a counter-terrorist strategy; identify factors that oppose these benefits; outline potential opportunities to improve the current situation; to investigate the factors hindering the development of anti-terrorist activities of the European Union.

Key words: *terrorism, fighting terrorism, security, European Union, counter-terrorism strategy, counter-terrorism methods.*

1. Policy and methods of combating terrorism of the EU

Terrorism is no longer primarily an external threat to the European Union. When it comes to this topic, experts come across various stages in the development of the EU's anti-terrorism strategy. It was based on a few triggering events that affected not only the Union's member states but also other countries at a global level of danger. As a result, the events of September 11, 2001, as well as the rise in terrorist activity in EU countries in 2015-2016, should be regarded as the primary catalyst for the implemen-

tation of EU anti-terrorism legislation [1, p. 305]. When looking at the evolution of anti-terrorist mechanisms and counter-terrorism practices in the European Union from 2001 to 2013, one can see both the anti-terrorist course's undoubted successes and its objective flaws. This fact has certainly drawn the attention of the international scientific community, as these activities resulted in significant human and material losses. This means that this organization's anti-terrorism approach is not rock-solid and impenetrable. Depending on the global agenda, any government plan necessitates timely changes and amendments. Many aspects of the fight against terrorism considered in this work integration have undoubtedly reached a high point of development; however, there are times when modernization is needed. This situation requires from the intelligence services fundamentally new methods of work, since preventing network terrorism or terrorism of lone individuals is a much more difficult task than identifying active centralized terrorist organizations [2]. It necessitates more concerted efforts from special forces, other government agencies, and civil society organizations.

1.1. Main strengths of the current EU counter-terrorism measures and policies

European Union member states' cooperation on counterterrorism, which began in the 1970s, gained momentum in the aftermath of the terrorist attacks of September 11, 2001, and was reinforced by the explodes in Madrid (2004) and London (2005). In this case, the EU acted reactively, responding to another tragic incident with a call for solidarity among member states. The necessary measures were taken urgently, which had been discussed for several years, but were constantly postponed due to the high cost, technical difficulties, as well as disagreements between the member states and EU institutions. At present, the problem of terrorism has ceased to be a predominantly external threat for the EU. At the beginning of the XXI century the frequency and geography of terrorist attacks have increased significantly. In this regard, the fight against terrorism began to occupy a special place in EU policy. The member states of the regional integration association have faced an onslaught of lethal pressure from radicals lately. Forced measures bring extremely contradictory results, which is required to be proved by this study. However, according to some observations, there is also a kind of hope in this path of the EU's development, in the form of potential cooperation, new ideas of authorized persons, planned impact measures, etc.

The following methods are characteristic of modern diplomacy: direct diplomatic negotiations; involving the wider democratic community in the fight against the policy of aggression, terrorism, nationalism, racism, radicalism; Shuttle diplomacy, mediation; publicity of international action maneuvering, using contradictions among opponents; summit meetings, direct negotiations of leaders of states; ultimatums; compromises; propaganda in the interests of achieving foreign policy goals active involvement of non-governmental organizations in solving diplomacy problems. Thus, we can identify the first de-facto and de-jure aspect of the official strategy on combatting

terrorism: Use of diplomatic methods, which means less violent approach to problem solving. Diplomatic methods are known as non-violent, peaceful, streamlined, tactful, evasive, careful strategical actions directed on preventing or solving maturing conflicts. The EU's official Counter-Terrorism Agenda of 2020 includes:

- Anticipate: identifying vulnerabilities, building capacity where most needed;
- Prevent: tackling radicalization at all levels;
- Protect: increasing security, denying terrorist the means to act, reinforcing external borders;
- Respond: minimizing impact, allowing prosecution, increasing support to victims. [3]

Quick adjustment to world standards and reactionary changes in politics with each incident has been noticed apparently since the series of terroristic attacks of September 11, 2001, when immediately right after, on June 3, 2002, an anti-terrorist action plan was adopted. It states measures in a range of spheres to effectively conduct a contribution such as police and judicial cooperation; establishing of bilateral relations with the countries of Middle East, Euro-Mediterranean Partnership and Afghanistan along with third countries; Air Transport Defense; Immediate Preparedness; Using measures of economic and financial nature. Another one example can be provided looking back for terrorism assaults in Brussels and Paris in 2015. Soon after 2015 European Agenda on Security was promoted.

The EU has developed a common definition for terrorist activities, brought repressive measures to a common denominator in all its states and created a pan-European arrest warrant. This instrument aims to promote international cooperation, especially between EU member states, in the absence of a universally agreed definition. However, specialists can approach to this statement in 2 ways, one of which is assumed as positive. Indeed, there more repressive punishments and pan-European arrest warrant were shared with the member states, but we still know a general definition, not common. From the point of view of international trends in encouraging or punishing terrorist acts, the general repressive measures throughout the entire EU made the right decision, thereby relying on the commonality of the laws of the countries of a single regional integration association.

To ensure cooperation between the EU member states within the framework of this strategy, Brussels has established a coordinator post, its task is to coordinate the actions of national competent authorities in the prevention of terrorist attacks, as well as in the protection of citizens and the protection of important objects. The enhancement of the role of the coordinator's communication activity occurred gradually, simultaneously with the development of his main functions, often with objective difficulties for the latter. Currently, the functions of the EU counterterrorism coordinator have become clearer and presented in the following form:

- coordinating the work of the European Council in the fight against terrorism;

- providing policy recommendations and proposals on priority areas of work addressed to the Council of the EU;
- control over the implementation of the EU Anti-Terrorism Strategy;
- constant monitoring of all instruments of the fight against terrorism;
- development of cooperation between the member states of the European Union with other countries in the anti-terrorist sphere.

Availability of biometric passports appeared to combat document forgery and enhance the security of international transport. The difference between a biometric passport and a simple one is that the first is equipped with a microchip with passport and biometric data of the passport holder. It has 10 more pages than a regular one. The validity period of a biometric passport is 10 years, an old passport is 5 years [4]. Increased powers of Europol, the EU's international criminal police, to strengthen the fight against cyber terrorism, recruitment, and terrorist financing networks. This has led to the fact that today Europol successfully coordinates police cooperation in all EU member states, actively exchanging information between national police structures, and its publications have been recognized by other pan-European structures as a valuable source of analytical data [5, p. 70].

The EU constantly advocates the development of this term, as well as for the solidarity of all EU member states if one of them falls victim to terror. The constant desire to modernize the term at its core often means documentary literacy, which is an important aspect of the synthesis of all EU member states. The development of the definition in this case sometimes confirms the desire to work together in the fight against terrorism on a legal basis.

Measures are being taken to increase the level of preparedness of the authorities and ordinary citizens to prevent and repel a possible terrorist attack. After the panic in the US over anthrax, fears have increased that terrorists may gain access to weapons of mass destruction (WMD): chemical, biological, radiological, or nuclear. In June 2003, the European Commission adopted a communiqué on the need to be prepared to repel an attack using biological and chemical weapons. Recommendations were prepared, which proposed an algorithm for the authorities' actions in the event of a bioterrorist attack, as well as recommendations for ordinary citizens. The European Council has adopted a new WMD program that provides a series of sequential steps to be taken to prevent a terrorist attack or, failing this, to minimize its destructive consequences. In addition to this, a European Life Support Infrastructure Protection Program and a Crisis Alert System are being established [6, p. 52].

The Plan of Action called "European policy to combat terrorism" of 2001 states that it means binding the EU into a single long-term anti-terrorist strategy, meaning that the changing heads of structures will no longer be able to predetermine the respective agenda based on their own national priorities. Another factor that can be viewed from two angles: from the point of view of collective security and based on national

interests. Unlike terrorism at the national level, which is characterized by greater fragmentation and irregularity of manifestation, international terrorism, being a product of globalization, is becoming world-wide organized and planned.

Certain successes in institutionalizing the fight against terrorism have been achieved at the national level as well. For example, after September 11, 2001, French security agencies such as customs or gendarmerie stepped up technical monitoring of information on the problem of terrorism. In the UK in 2003, the national anti-terrorist strategy CONTEST was adopted, within the framework of which the role of preventing terrorist attacks becomes more significant than in previous periods, primarily through contacts with "risk groups" that include potential supporters of terrorist organizations. Since 2001, the Spanish authorities have begun to take a more active part in pan-European security initiatives. In Germany, national analytical structures are being created, such as the Joint Anti-Terrorist Center, which began work on December 14, 2004 [7, p. 242].

1.2. Analysis of weaknesses of EU counter-terrorism measures and policies

Since each event or phenomenon has its both objective strong and weak points, various works and facts were presented on the Media from the latter side as well. This is a set of qualities and tendencies that are determined by physical, psychological, political, legal, reactive, etc. characteristics, depending on the object of research. Lack of more assertive methods of counter terrorism strategy is quite disputable deed that controverses to diplomatic and humanitarian methods. Some list of states, which combatting of terrorism reached to a so-called success show more tough and rough response to such type of crime and criminal offense. This list comprises the countries of CIS. The advantage of such approach is in its ground personnel strategy, and less in communicative aspect [8].

The EU member states, although they voted in favor of creating new structures to fight terrorism, are in no hurry to allocate sufficient financial resources for them. The consequence of financial constraints is the impossibility of effectively forming and ensuring the functioning of counter-terrorism structures and mechanisms at the interstate level. Some EU member states believe that the established European agencies duplicate the work of other regional and international organizations. To some extent, this is a fair view since many of Europol's functions overlap with those of Interpol.

As for the national intelligence services, they are conceived to evade European-wide demands for the exchange of classified information. The creation of the European FBI and CIA is still far away, the EU countries prefer to focus on bilateral cooperation. To achieve the goal stated in the EU Counter-Terrorism Strategy, it is important to carry out targeted work to address the problem noted above. However, it should be recognized that the ability of EU member states to successfully share intelligence and coordinate joint investigations and operations is seriously damaged by deep-seated differences in national identities, historical experiences and national interests and priorities of individual countries [9].

Many different organizations within the European Union often leads to administrative confusion, duplication of functions and, as a result, to rivalry between homogeneous structures. Pan-European cooperation in this area is also faced with such well-known problems as insufficient funding, a shortage of highly qualified personnel, difficulties in the exchange of intelligence information between the EU member states, since each of them fears that, together with secret data, they will have to share a part of their national sovereignty.

Despite the rapid and generally successful institutionalization of the fight against terrorism, the EU countries have not eradicated the social factors of the persistence of the terrorist threat, such as unemployment, whose rapid growth is denied even in the EU's Anti-Terrorism Strategy, the ghettoization of migrants attracted to European countries for many years as cheap. Insufficient efforts to integrate foreign workers at the first stages of their recruitment, along with the persisting property and social stratification, have caused an increase in discontent among migrants and their children, who are already full citizens of European countries, but often do not receive the same guarantees, the realization of the right to skilled labor, and the same respect in society that native Europeans receive.

At the same time, the reaction to the growth of unemployment, corruption, the fall in the level of education and, at the same time, to the growth of the quasi-religious terrorist threat, provoked some of the indigenous Europeans to form new or join existing ultra-right organizations. An indirect confirmation of the dependence of ultra-right activism on the economic and social situation can be seen in the intensification of terrorist attacks by neo-Nazis since 2008, that is, since the beginning of the global economic crisis. The same can be said for the ultra-left, who actively use public protest to justify terrorist acts.

The policy of multiculturalism turned out to be ineffective even in the communication aspect, since the study of the cultures of the peoples of the EU by all groups of its population, so much needed today, is underdeveloped. Education is necessary aimed at preserving and developing one's own culture as part of the culture of the European and global ones, and such training implies acquaintance of citizens with the best examples of literature, art, scientific achievements of different cultures of the world. Inability of think tanks to anticipate the possible actions of terrorists. This weakness can be considered as common level of development of each existing think tank in the globe. As it was mentioned, terrorism became networked, so it assumes that there is still a huge possibility to identify potential criminals.

Confusion of those who were on the front line. We are talking about ordinary police officers patrolling the streets of two European capitals, and special services developing strategies and tactics to combat a common evil. In this case, theory and practice have confirmed their eternal antagonism. Due to very commonplace reasons – a lack of personnel, insufficient funding, a decline in the prestige of the police profession and,

of course, a difficult international situation – the new technical capabilities could not bring the fight against international terrorism to a new level.

2. Prospects and new opportunities for the development of the problem
2.1. Opportunities of the problem solution

Regional cross-border cooperation, which allows you to quickly, with the least bureaucratic delays, to implement the tasks. The effectiveness of this type of interaction is determined by various factors: from a common border to an equally difficult situation with immigration, in particular the Middle East. So, on March 19, 2013, a new Franco-Belgian agreement, Tournai II, was signed on police and customs cooperation. However, this agreement came into force only on October 1, 2015, almost two and a half years later, just on the eve of the November tragedy in Paris. Ironically, the agreement, designed to work together quickly and effectively to counter terrorists on the spot, again ran into an extremely complex and cumbersome bureaucratic procedure for ratification in the spirit of common European practice.

In December 2005, the European Commission set the following two targets for countering the financing of terrorism: Development of common principles for the EU members to receive and exchange information that can lead to a reduction in sources of terrorist financing; Strengthen financial transparency and accountability of non-profit organizations by introducing an appropriate code of conduct. Regulation of the information required for the transfer of funds. Banks become obligated to provide personal information about anyone sending money outside the EU or receiving it from there. Moreover, according to that directive, there are such offers:
- Confiscation of proceeds from crime;
- Receiving orders to freeze assets;
- Control over the transfer of cash outside the external borders of the EU;
- Introduce a code of conduct to discourage terrorist use of charities; [10]

EU proposals for 2020 include the creation of a financial intelligence network to combat terrorism and exchange information with countries in the Middle East, North Africa, the Western Balkans and the Caucasus, measures to improve data sharing and law enforcement cooperation, and prevent content from being posted on social media propagandizing terrorism. The national structures of the European Union countries actively cooperate in the framework of bilateral projects or projects that unite more countries. These and many other measures for the development of anti-terrorist agencies in the EU indicate the transition of the European security policy to a new, truly pan-European path of development.

Counterterrorism in the EU faces a dilemma. The goal of the EU is to form the closest possible union with the elimination of borders for the free movement of people, goods, and services, which creates extremely favorable conditions for international terrorism. On the other hand, to prevent and defeat international terrorism, it is necessary

to strengthen cross-border cooperation within the EU and control over border crossings and financial transactions, thereby undermining the core values of the EU itself. Despite the creation of institutions and the development of mechanisms for countering terrorism and crime at the EU level, national governments and their bilateral cooperation will remain the most important and effective actors in anti-terrorism activities. As a striking example, one can cite the cooperation between the French and Spanish secret services, as well as their courts and law enforcement agencies in the fight against the terrorist Basque organization. At the same time, common EU-wide counter-terrorism efforts are also seen as necessary European Union Counter-Terrorism Policy and could lead to terrible processes, analysis of regional trends, threat assessment and assistance EU Member States in drafting legislation and training law enforcement and judicial professionals. Moreover, representatives of EU countries can hold interstate conferences and seminars that can become a platform for exchanging experience. It would avoid duplication of counter-terrorism efforts and contribute to strengthening international cooperation in the fight against modern terrorism [11].

2.2. Current situation and future opportunities of the risks

If earlier terrorist acts took place in individual EU countries, now the entire territory of the Union is under threat. Moreover, the frequency of terrorist attacks has increased, as well as the methods and means of committing crimes have expanded. Changing circulation of personnel attraction. There is a possibility of not calling in. This fact directly relates to the migration policy of each of the member countries. The 2004 expansion was the impetus for a complete modernization of the procedure for receiving migrants and refugees from the Middle East, North Africa, etc. Lack of time to implement the plans and goals can be viewed as an organizational slack. Terrorism, by its very nature, is a rather spontaneous, spontaneous, and unpredictable phenomenon, the reaction to which is difficult to accelerate over a decade of working with legal and field methods. Even the most well-coordinated plan of action is threatened by the limited amount of time allocated early. This issue can be viewed from two sides: a delayed instant reaction to a sharply overdue incident and an accelerated development of actions and ideas of a terrorist nature, the changes of which are almost impossible to predict even for the best think tanks in Europe

There are still considerable problems that lead to a decrease in the effectiveness of joint counter-terrorism activities. This is mainly due to the weak cooperation between the EU member states and specialized European agencies such as Europol and Eurojust. It should be noted that there is a lack of system in the exchange of information between special services and law enforcement agencies, in coordination and participation in joint investigations and operations. The consequence of financial constraints is the impossibility of effectively forming and ensuring the functioning of counter-terrorism structures and mechanisms at the interstate level.

Attempts to create a pan-European intelligence community and culture are heavily influenced by external actors. Here it is necessary to note the historically close ties between the United States and a few EU members, which raises numerous questions from other EU countries. The result is an increase in tensions between the EU members themselves. This was evidenced by the failure of attempts to formulate a Common Policy in International Relations and Security during the conflict in the Balkans in the 1990s, as well as on the invasion of Iraq in 2003. A gap in budget funding, insufficient training of personnel, technological backwardness, and legislation inadequate to today's requirements can reduce the effectiveness of special services and law enforcement agencies in various EU countries. As a result, some states may prefer to cooperate only with countries known for the high level of their security and intelligence agencies.

There is a fear that as soon as classified materials are transferred to the secret services of another state, control over their use will practically be lost. This is especially evident in cases when it comes to the issuance of a source of information, which may lead to the risk of its compromise. If information is leaked, the consequences can be catastrophic. It should also be borne in mind that the transfer of intelligence information enables the government of a foreign state to draw important conclusions about the quality and competence of a rival intelligence service, which can also pose a potential threat to national security. The lack of system in the exchange of information between special services and law enforcement agencies, in coordination and participation in joint investigations and operations may not be resolved, which makes it a great threat to further cooperation.

A significant problem is that terrorist organizations are constantly improving their technical skills, adapting to the security measures taken, an example of which is the use of hawala mechanisms by terrorists – a system of money transfer based on trust, which has long existed in the countries of the East. Hawala terrorists began to use after the European authorities were seriously concerned about suppressing the financing of terrorist attacks through the banking systems. In addition, during the period under study, unlike many of their predecessors in the second half of the 20th century, terrorists did not openly declare their adherence to extremist ideology before and even during the terrorist attacks. Anders Breivik managed to hide his preparations for the 2011 terrorist attacks for nine years [12, p. 14]. Improvement of technical means the creation of radio-controlled equipment, new explosives, and poisons, facilitating the possibility of acquiring a variety of goods, including those necessary for the commission of a terrorist attack, also became some help in terrorist activities.

CONCLUSION

Answering to the earlier mentioned four questions, this analytical research reached to such kind of results: the strength aspects can be discussed more in terms of security and improvement of further Action Plans of prevention and counterattack. It supposed to be mentioned that measures taken are more diplomatic, which is considered to cor-

respond to maintaining of Human Rights. The question of outweighing of weak sides in relation to strong ones is still open. Many aspects should be developed or changed fundamentally. The range of issues to deal with is assertive as well, which of that reflects in the lack of special personnel in various spheres that are involved in fighting terrorism. Internal or domestic factor is another one important subject to search and solve. Some of the local authorities do not have stable or respectful policy regarding the employment of migrants. The existing problems can be solved with the help of potential assistance or further new evolution in anti-terroristic strategy. Thus, the terrorist attacks in Europe in recent years, being directly related to the global spread of radical Islam, pose serious challenges, to which it does not yet provide symmetrical answers. The bloody dramas in European capitals showed, on the one hand, the general moral readiness of the population, the leaderships of countries at the national and European levels to resist terrorism, on the other hand, a certain confusion of those who were on the front line. Due to commonplace reasons, the new technical capabilities could not bring the fight against international terrorism to a new level. The role of technological progress and the emergence of perfect computer programs for collecting information about criminals and tracking them is undeniable. All the latest systems and databases proved useless to prevent the latest terrorist attacks in Europe. At a time when armed terrorists freely moved from one country to another, from one city to another, calmly walked the streets, tightening themselves with suicide belts, the law enforcement agencies of France and Belgium experienced a significant reduction in the numerical strength of the large-scale implementation of video surveillance systems and the replacement of real patrolling locally mediated. All this put new but well-forgotten old problems on the agenda. As time has shown, nothing can replace human presence. The question of training, employment, and remuneration of those who really risk their lives in the police and intelligence services, got lost in the exorbitantly inflated and unjustified spending on innovative programs.

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