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## Introduction to the "Conference on European Co-operation against Terrorism"

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## INTRODUCTION TO THE CONFERENCE EUROPEAN CO-OPERATION AGAINST TERRORISM

*By Cyrille Fijnaut  
Conference Chair*

Terrorism, as an important threat for Europe or for the European Union and its Member States, has been ignored for too long. The well known, extraordinary Tampere Summit in 1999 clearly demonstrated this. Although the Summit was particularly meant to further the realization of the high level of safety in the area of Freedom Security and Justice, no attention is paid to the problem of international and in particular Islamist terrorism in the highly influential conclusions of Tampere. Even the arrest of a quite large group of Islamist terrorists in December 2000 didn't generate a feeling of concern in Europe or in the European Union, that this particular form of terrorism would become an important security threat.

Only the 9/11 attacks on the Unites States, and still more unhappily, I would say, the attack in March of this year on the Central Station of Madrid made very clear for everyone that this form of terrorism was, is and will remain in the near future an immense threat for Europe too.

Terrorism has always an enormous impact on societies. In the past this has been proven in Europe on the rather local and regional scale by the terrorism problems in Spain, to some extent also France, and of course in the United Kingdom.

Given the background and purpose, the nature and methods, the organization and territorial scale of Islamist international terrorism, its impact on European society is nowadays already rather important. On my opinion, this impact would become hugely important when more catastrophic attacks would take place on the European territory in the near future.

Due to the enormous societal impact of terrorism, Islamist terrorism included, it is not easy to develop a coherent, lawful, legitimate and effective policy to contain terrorism problems.

## EUROPEAN COOPERATION AGAINST TERRORISM

The development and implementation of any policy will always raise difficult dilemmas and stir complicated controversies, not only when it comes to all sorts of policing measures, but also in relation to long-term internal and foreign policies, aiming at the so-called “root” causes of terrorism.

With regard to the policing policies, as they made up to some extent a large part of the programme of this conference, I should mention now the developments and discussions going on in the EU Member States. For example, the assignment of a more pro-active information gathering powers to police forces, the relationship between police forces and intelligence services where it comes to the exchange of information or to the establishment of common data basis, and the division of tasks and responsibilities, as well as mutual co-operation between special intervention units of the police or the gendarmerie and military special forces. Not to forget of course, the complicated and sensitive European Union – United States co-operation at the level of police forces, intelligence services and also, heavily important, immigration services.

Against the background of such discussions and developments at the level of the Member States it is self-evident that it is not at all easy to develop and execute a legitimate and effective counter-terrorism policy at the level of the European Union. This particularly because exactly in this field, the European Union has been, to a large extent, dependent upon the willingness and the capacity of the Member States to co-operate and/or to strengthen their co-operation. I may refer in this context to, for example, the hard tasks of Europol and to the separate coordination mechanisms of the Chiefs of Police Task Force, and the Chiefs of the Intelligence Services. There is perhaps no room for too much scepticism. The latest news reports that the Chiefs of Police Task Force has brought up proposals for the establishment of 5 more or less permanent police teams and has made a proposal for cross-border operations by special intervention police units.

For all these reasons, I do believe, it was a good idea to organize in the Peace Palace a conference on the important but also complicated and sensitive issue of European co-operation against terrorism. The programme of this conference was not really overburdened but was certainly quite demanding for the participants – speakers, listeners, and also discussants. There is quite an important number of challenging issues on the agenda, and I would like to thank all participants to this conference for each contribution they brought.

**Cyrille Fijnaut** is professor of international and comparative criminal law at the Law School of Tilburg University. In the past he was professor of criminology and criminal law at the Erasmus University Rotterdam and the K.U. Leuven. His main research interests are related to organized crime and terrorism, international police and judicial co-operation, comparative criminal procedure and police law, the history of European criminology and of policing in Europe, police and police co-operation in the Benelux. In these fields he wrote and edited some 75 books and published hundreds of articles in learned and professional journals and collected works. Together with his Leuven colleagues Jan Wouters and Fredrik Naert he recently published a book on *The Legal Instruments in the Fight against International Terrorism. A Transatlantic Dialogue* (2004). In the last 15 years he has worked as an expert for a number of governmental and parliamentary committees of inquiry in Belgium and the Netherlands with regard to organized and professional crime problems and in relation to security issues. He is co-editor of the *European Journal of Crime, Criminal Law and Criminal Justice* and of the *International Encyclopaedia of Criminal Law*.