

**Opinion of the European Economic and Social Committee on**

**‘Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU Security Union Strategy’**

(COM(2020) 605 final)

**‘Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions — A counter-terrorism agenda for the EU: Anticipate, prevent, protect, respond’**

(COM(2020) 795 final)

(2021/C 341/11)

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Section responsible	Employment, Social Affairs and Citizenship
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Outcome of vote (for/against/abstentions)	234/1/3

**1. Conclusions and recommendations**

1.1. The European Economic and Social Committee (EESC) welcomes and supports the strategic agenda to protect EU citizens from terrorism, as proposed in the EU Security Union Strategy<sup>(1)</sup>, and agrees that a strong and ambitious counter-terrorism policy is needed.

1.2. At the same time, it stresses that efforts to achieve this objective must be based on recognition of, and full compliance with, the legal bases of international and European law, which safeguard and preserve our pluralistic society, our shared values and our European way of life.

1.3. The EESC considers the new agenda to be important and timely, and broadly endorses its arrangements and its focus on the concept of resilience.

1.4. It stresses the importance of using modern technology, but also highlights the need to ensure that its use is limited in view of the rule of law and fundamental rights.

1.5. The Committee feels that the agenda introduces a coherent framework for action designed primarily for the institutions and authorities engaged in specialised and essential tasks to prevent and combat the terrorist threat. However, the text does not provide for representatives of local communities, citizens' and victims' associations, civil society organisations and trades unions, religious communities, academia and private stakeholders to be as involved as they should be in addressing this problem.

1.6. The EESC thinks that the main objective should be to prevent and eliminate risks and tension rather than tackling their undesirable consequences after the event, with the particular high social cost that entails.

1.7. It highlights the importance of researching and assessing the threat so as to avoid putting in place arrangements that could unjustifiably encroach on fundamental rights.

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<sup>(1)</sup> COM(2020) 605 final.

1.8. It draws attention to the role of the Member States and the need for them to develop synergies in the sustainable implementation of the programme.

1.9. In terms of the efficacy of responses to terrorism, it is crucial to have a scientific understanding of the individual and social causes of terrorism rather than sticking to purely political responses.

1.10. With regard to prevention, the EESC draws attention to the relevance of actively involving civil society and its organisations, along with the social partners, something which has so far been underused. In this regard, it believes that one particularly beneficial security investment consists of mobilising joint action, risk reduction programmes, and reconciliation processes initiated in communities.

1.11. The EESC is convinced of the need to fight terrorism effectively and steadfastly, but without infringing on European values and citizens' democratic rights: if these were substantially restricted, then terrorists could be considered to have achieved their aims.

1.12. Protection of public spaces should be planned and implemented with the involvement of private stakeholders and representatives of local communities so as to reach a consensus. Ongoing dialogue should be set up with religious leaders, since religion can play a considerable role in reducing radicalisation and certain types of threat, as well as community tensions caused by terrorism.

1.13. The Committee notes that EU law prohibits general and indiscriminate retention of data and that this can only be permitted subject to strict guarantees based on detailed regulation and backed up by continuous monitoring of the system.

1.14. In the context of the use of the Terrorist Finance Tracking Programme (TFTP)<sup>(2)</sup>, there should be ongoing assessment of the guarantees to protect the privacy of EU citizens.

## 2. Preliminary remarks<sup>(3)</sup>

2.1. The EESC welcomes and supports the strategic agenda for effective and coordinated action based on comprehensive approaches designed to protect EU citizens from terrorism, as proposed in the EU Security Union Strategy<sup>(4)</sup>.

2.2. The EESC agrees that a strong and ambitious policy is needed to combat terrorism, but notes that this should be based on an evidence-based risk analysis and rigorous assessment of the impact of measures that have already been implemented in the EU.

2.3. The EESC is fully committed to the universal values of respect for human life and dignity, as enshrined in the Universal Declaration of Human Rights. The EESC also agrees with the Commission that democracy, the rule of law, fundamental rights — in particular the right to privacy — freedom of expression, freedom of religion and respect for diversity are the foundation of the European Union and therefore call for a strong collective approach that safeguards and upholds our pluralistic society, our common values and our European way of life. These fundamental values must be constantly and systematically taken into account when planning and implementing the measures provided for in the communication.

2.4. In the EESC's view, the new agenda is important and timely: its arrangements providing for anticipation, prevention, protection and response, and the cross-cutting dimension of international cooperation, provide an adequate framework and approach for implementing a comprehensive response plan. The EESC also thinks it appropriate that the communication draws particular attention to a number of issues, including the importance of resilience. Resilience requires greater engagement on the part of society, and thus of civil society and communities, in the process of establishing and guaranteeing security.

2.5. It is also worth mentioning the focus on the use of modern technology, which obviously allows terrorist activities and support for terrorism to be tackled more effectively. However, it is essential to specifically define, in line with EU law, the use of all these new tools — especially those that can be used to acquire and analyse 'big data' — and more traditional approaches, and also to regulate the use and storage of the data collected and to check that rules are always and everywhere adhered to.

<sup>(2)</sup> OJ L 195, 27.7.2010, p. 3.

<sup>(3)</sup> Given that the Committee endorses the content of the agenda and in view of its technical nature, this opinion addresses mainly aspects relating to civil society, the rule of law and fundamental rights, which are central to the Committee's remit.

<sup>(4)</sup> COM(2020) 605 final.

2.6. The Committee feels that the agenda introduces a coherent framework for action designed primarily for the institutions and authorities engaged in specialised and essential tasks to prevent and combat the terrorist threat. However, the text does not provide for representatives of local communities, citizens' and victims' associations, civil society organisations and trades unions, religious communities, academia and private stakeholders to be as involved as they should be in addressing this problem. It will not be possible to eradicate the terrorist threat without the efforts of people in society at local level to reach concerted agreements that could be supported with a view to reducing the risk.

2.7. The EESC thinks that the main objective should be to prevent and eliminate risks and tension rather than tackling their undesirable consequences after the event, with the particular high social cost that entails. The Committee believes it is important that implementation of the agenda not be based on social perceptions or political responses, but always on the actual terrorism situation and the real threat it presents, and that measures taken to address these be devised accordingly. Policy measures should also be designed to reflect this.

2.8. The EESC points out that the EU will not be able to combat radicalisation effectively unless it also successfully tackles the exclusion suffered both by its own ethnic minorities (such as the Roma) and by those who have recently arrived in the EU.

2.9. So as not to undermine social inclusion and to ensure that the responses mounted are proportionate, it is necessary to keep an eye on and minimise the gap that exists in some Member States between society's perception of the terrorist threat and the actual extent of that threat. It is therefore important to research and assess the threat so as to avoid putting in place arrangements that could unjustifiably encroach on fundamental rights. Security policies can only be adapted on the basis of a detailed analysis of the evidence base of real threats and risks identified.

2.10. The EESC also sees the agenda's robust commitment to fighting radicalisation as a major positive aspect of combating terrorism. However, as well as tackling radical content online, the Committee believes it is very important here to understand and explore the mechanisms of radicalisation and deradicalisation, and to study the nature and process of radicalisation, as a way of preventing the phenomenon. Civil society representatives and communities can play a key role in this area.

2.11. The EESC is convinced of the need to fight terrorism effectively and steadfastly, but without infringing on European values and citizens' democratic rights: if these were substantially restricted, then terrorists could be considered to have achieved their aims.

2.12. To succeed, even the best designed and most sophisticated programmes are largely dependent on the willingness of the Member States involved in implementing them to cooperate with each other, and on their resilience and the policy decisions taken to support the programmes. Political will is critically important here.

2.13. The EESC believes that a rigorous assessment of the situation should have been carried out when the agenda was launched in order to identify the processes to which the agenda should provide an appropriate response and the results achieved from efforts already deployed.

### 3. Substantive aspects

#### 3.1. Anticipate

3.1.1. It is essential that use of artificial intelligence (AI) in early detection and combating terrorism generally should be transparent and verifiable, that it should target only content and people relevant to the fight against terrorism, and that the seven key requirements of the AI strategy be met<sup>(5)</sup>.

3.1.2. On protection of public spaces, the agenda rightly focuses on using new technologies. The EESC nevertheless regrets that the text only tacitly addresses the issue of preparing for vehicle-ramming attacks, even though these have occurred very frequently in recent years. A certain number of so-called strategic terrorist attacks (with a large number of victims, wide media coverage and significant fear generated) have been carried out in this manner.

<sup>(5)</sup> COM(2020) 65 final.

3.1.3. In terms of the efficacy of responses to terrorism, it is crucial to have a scientific understanding of the individual and social causes of terrorism. The EESC therefore considers that there should be a particular focus on this matter, since knowledge acquired here can effectively reduce the human and material damage.

### 3.2. Prevent

3.2.1. With regard to prevention, the EESC draws particular attention to the fact that the civil sphere can play — and is already playing — an important role in fighting precisely this aspect of terrorism. This is relevant to the content, which ranges from strengthening the sense of security in society to supporting and monitoring the operational processes of bodies combating terrorism through detection and prevention of radicalisation, and through combating it. The agenda should therefore take a much more detailed look at the context and nature of cooperation that can be promoted at all levels of society. Cooperation between individuals or groups and communities could have a demonstrable, long-term impact in terms of reducing risks and promoting lasting inclusion. The agenda should place more emphasis on this proactive, rather than purely reactive, approach.

3.2.2. The agenda under discussion rightly places considerable importance on combating the promotion of extremist ideologies online, referring to the live streaming by terrorists of terrorist acts. But it does not mention the much more frequent practice — which the Committee therefore considers essential to prevent — of witnesses to terrorist acts disseminating them on social media.

3.2.3. The agenda recognises the societal role of very large online platforms, and also includes obligations in relation to them. It would be useful here, in addition to the measures mentioned in the Commission document, to carry out regular assessments of the systemic risks associated with fundamental rights, social division and the manipulative techniques underlying radicalisation.

There is also a need for continuous assessment of the risks relating to industrial, economic and commercial operators, small and medium-sized enterprises and civil society representatives, and for them to have a greater role as partners in preventing terrorism through their umbrella organisations.

3.2.4. With respect to prevention, it should be pointed out that not just hate speech, but also the spreading of fake news and conspiracy theories plays a major role in radicalisation. Combating this is therefore essential to combating terrorism.

3.2.5. The EESC underlines the importance of strategic communication not only after an attack, but also as a means of prevention, which also means incorporating the message formulated by civil society in order to dull the appeal of terrorism and offer alternative solutions.

3.2.6. Collective action and resilience of towns and municipalities can contribute effectively to protecting the community. In the sphere of prevention, the EESC believes that one particularly beneficial security investment is mobilising joint action, risk reduction programmes, and reconciliation processes initiated in communities. Addressing, resolving and eventually dissipating tensions could obviate the need to act in risk situations and so free up considerable resources, as well as increasing levels of social inclusion. This means understanding the root causes and nature of terrorism, and it requires ongoing monitoring of action taken.

3.2.7. Our cities must have better access to funding, advice and training if they are to address the current challenges and improve their resilience. The EESC robustly endorses the support provided by the Commission for the activities of local prevent coordinators through the Radicalisation Awareness Network. It regards the 'EU Cities against Radicalisation' initiative and strategic dialogue between cities as essential. The Committee believes that such dialogue should also be made a permanent feature in urban areas by setting up appropriate forums.

3.2.8. Given that actual and perceived social exclusion, discrimination and marginalisation can increase people's receptiveness to radical propaganda and create additional threats to social cohesion, the European Commission should step up its anti-racism activities. It is therefore necessary to deploy appropriate social policies to reduce risk and strengthen confidence, given that terrorist acts can also be interpreted as extreme manifestations of social tension and mistrust.

3.2.9. The Committee believes that more attention should be paid than has been so far to studying, identifying and effectively preventing radicalisation processes in prisons. It hopes that the support programmes implemented on the basis of evaluations undertaken in recent times will continue to be consolidated in this context, and is in favour of them. It should be ensured, by means of well-designed strategies, that prisons are not hotbeds of radicalisation, but rather, as far as possible, places where it is tackled.

### 3.3. Protect

3.3.1. The section on 'Denying terrorists the means to attack' does not discuss measures to prevent vehicle-ramming attacks. Given the frequency of such attacks in the past few years, the agenda absolutely ought to consider this problem.

3.3.2. The EESC also encourages further efforts to prevent the use of hired and shared vehicles as tools for terrorist attacks and to develop effective urban planning practices to prevent damage caused by vehicles used for this purpose.

3.3.3. Protection of public spaces should be planned and implemented with the involvement of private stakeholders and representatives of local communities so as to reach a consensus, while endeavouring to keep restrictions on the free use of such spaces to a minimum. The EESC agrees about the need to establish minimum standards of protection for public spaces that are particularly crowded and highly symbolic.

3.3.4. Ongoing dialogue should be set up with religious leaders, since religion can play a considerable role in reducing radicalisation and certain types of threat, as well as community tensions caused by terrorism. This approach should be complemented by interfaith dialogue and, if necessary, reconciliation processes.

### 3.4. Respond

3.4.1. Given the highly specialised nature of the antiterrorist response, the EESC is particularly insistent about the need for and importance of regular communication of outcomes.

3.4.2. The Committee notes that EU law prohibits general and indiscriminate retention of data and that this can only be permitted subject to strict guarantees based on detailed regulation and backed up by continuous monitoring of the system.

3.4.3. The activities of the EU Centre of Expertise for victims of terrorism, currently at the stage of a pilot project, should be continued and expanded to assess the impact of counter-terrorism on civil society and fundamental rights. Mechanisms for helping victims in the Member States should also be reviewed and stepped up as part of the first Union strategy on victims' rights (2020-2025) (6). The smooth functioning of national contact points for victims of terrorism (7) is also critical.

3.4.4. A lot of information has been gathered through the Terrorist Finance Tracking Programme (TFTP) (8). Where this information is used by a third party (e.g. in the context of cooperation between the EU and the United States), there must be ongoing assessment of the guarantees to protect the privacy of EU citizens. The same goes for cybersecurity, processing of encrypted information during investigations, management of e-evidence (eEDES), and digital investigations conducted with international partners. In all cases, the interests of citizens in terms of their legal protection must be considered paramount.

Brussels, 9 June 2021.

The President  
of the European Economic and Social Committee  
Christa SCHWENG

(6) COM(2020) 258 final.

(7) In accordance with the Council conclusions of 4 June 2018 on Victims of Terrorism (9719/18).

(8) OJ L 195, 27.7.2010, p. 3.