Council of Europe Conference on Transnational Terrorist Threats from Emerging and Re-Emerging Violent Extremist Movements

3 – 4 November 2022, Strasbourg

Executive Summary

Disclaimer: The positions presented in this event summary do not represent the official position of the Council of Europe nor that of the German Federal Foreign Office.

The Council of Europe Committee on Counter-Terrorism (CDCT), in collaboration with the German Federal Foreign Office, held an international Conference on "Transnational Terrorist Threats from Emerging and Re-emerging Violent Extremist Movements", at the Council of Europe premises on 3 - 4 November 2022.

This Conference focused on examining the terrorist threat posed by violent far-right and violent far-left groups and ways in which this threat could be addressed through possible future Council of Europe action. The discussions shed light on the factors driving this threat including the trends and typologies, the range of ideologies and the role of online networks in connecting these transnationally. It further examined the funding behind extremist activities, the applicability of various investigation and prosecution tools on a national, regional and international level and the importance of reinforcing flexible legislative toolkits that remain ideologically neutral.

Moving forward, key challenges and lessons learned for future initiatives in this area were explored, including the sharing of good practices at the national level, cross-border cooperation, capacity building and the harmonisation of relevant instruments that are gender mainstreamed and in line with human rights and the rule of law.

The discussions brought together high-level counter-terrorism practitioners, policy makers, independent experts in this field and representatives of regional and international organisations involved in addressing this threat.

Opening Session: Welcoming Statements and Introductory Remarks

During the opening remarks, the urgency of the issue and the need to prevent violent extremism conductive to terrorism was recognised.

In that context, the opening remarks recalled some of the key findings of the recent Report on Emerging Terrorist Threats in Europe, prepared under the auspices of the Committee on Counter-Terrorism (CDCT), which observed that violent extremist groups are adapting themselves to new social, economic realities, abusing new technologies to spread ideology and recruit new members, including by targeting children. Furthermore, such groups are seen to be supporting lone actors, whose attacks pose significant challenges for timely detection and interception. The Report on Emerging Terrorist Threats overall concluded that "Europe has seen a rise in violent attacks resulting in casualties fuelled by violent far-right ideologies", while also noting that "the threat of far-left terrorism remains relevant to a number of jurisdictions".

Speakers also noted the international approaches to the issue of violent extremism conducive to terrorism, such as the United Nations concept of terrorism based on xenophobia, racism, and other forms of intolerance, or in the name of religion or belief (XRIRB), and called on states to strengthen their capacity to understand the motivations, objectives and organisation of groups, networks and individuals representing such ideologies, as well as its manifestations within the global terrorist landscape.

The opening remarks also highlighted that violent extremism conducive to terrorism is also becoming increasingly transnational, with extremist groups and networks sharing motives, inspirations, and goals online and offline. It was raised that while it is the primary responsibility of states to address the conditions conducive to the spread of terrorism, including from violent far-right and far-left extremists, it is important to work towards a common, wider understanding of violent extremism. As such, speakers noted that in order to have a comprehensive understanding of this phenomenon, there is a need for more data and new developments to be taken into account, such as the misuse of the Internet, the focus on deradicalisation and disengagement, engaging civil society and enhancing the rights of victims of terrorism. In this regard, the importance of international cooperation was underlined as a key tool to exchange challenges, good practices and create synergies between states, international organisations and specialised entities.

Trends and typologies of violent far-right activities and attacks

The first session aimed to explore the expansion and transformation of violent far-right actors and to discuss the drivers behind the recent patterns of far-right terrorist activities.

The findings of the CDCT Report on Emerging Terrorist Threats, which considers far-right terrorism to be "the fastest growing terrorist threat in many European countries", were recalled. Speakers observed some of the key trends in violent far-right extremism and noted that it

often brings together a heterogenous and mixed set of ideologies and beliefs, such as antisemitism, holocaust denial, racism and xenophobia, conspiracy narratives, anti-LGBT ideologies, or accelerationism, many of which would not traditionally go hand in hand. The speakers also observed that violent far-right extremism is increasingly international, a phenomenon which can be seen in the worldwide spread of dangerous ideologies, with concepts such as the "great replacement" or "white genocide".

The session also noted the increasing number of young people affected by radicalisation and called for more prevention policies, including though engagement with entities that work directly with the youth, including social workers, or mental health workers. The central place of misogyny and masculinity in far-right extremist ideologies, including the "incel" movement (involuntary celibate movement), was also mentioned as being important to understanding the gender aspects of violent far-right extremism.

Speakers also brought attention to the issue affecting a number of countries whereby violent extremist activity cannot easily be associated with previously known ideologies. Notably, the proliferation of conspiracy narratives and anti-government action, especially during the COVID-19 pandemic, was also noted as allowing violent extremist movements to enlarge their sphere of influence, particularly by online means.

The role of shared online spaces for recruitment, spreading extremist ideologies and forming online subcultures with specific types of aesthetics and languages was also discussed extensively. It was noted that perpetrators of these attacks have often written and released their "manifestos" in English to allow for cross-border resonance and to act as an inspiration for further action. Some of these online groups then take this material glorify the perpetrators, particularly by sharing their "manifestos" and videos of attacks in an attempt to inspire new attacks while also dehumanising the victims. Furthermore, these online platforms can also be a place to spread instructional material, which was observed as becoming increasingly detailed.

This attempt at creating international violent far-right movements can be seen in a repeating pattern of violent attacks that have taken place in different locations across the globe. Despite the fracturing and franchising of violent extremist movements and the proliferation of decentralised online extremist spaces, responses to terrorist content online seem to be still hampered by rigid organisational conceptions of the challenge. While organisations and groups still play a role, the violent far-right often avoids concrete organisational structures and instead follows a "post-organisational" model, evidenced by a number of attacks carried out by small cells or individuals with no known affiliations. Motivated by violent extremism propaganda, these self-activating terrorists pose significant challenges for early detection and response efforts.

Trends and typologies of violent far-left activities and attacks

The Conference included a session focused on the theme of violent far-left extremism, which is, according to the CDCT Report on Emerging Terrorist Threats, considered low compared to other types of terrorism in Europe, though it contains to be an issue for some member States. Violent far-left extremism is seen as a complex and fluid phenomenon, which has received far less attention from public authorities or international experts.

The discussions in the session began by framing the concept, observing that though there is no widely shared definition of "violent far-left terrorism", it has been seen to be situated in a wide range of political movements, such as anarchism, Marxism-Leninism, anti-capitalism, or anti-imperialism, among others.

Speakers explored the rationale behind the use of violence by far-left groups. It was noted violence is hotly debated in these circles, and that while some groups tend to consider violence as a key to gain capacity, most far-left groups operating in Europe avoid serious violence and tend to prefer alternatives to violent action. The analysis of extremist groups' discourses showed that the most common justification for using violence is the idea of necessity, seeing violence as the only answer to fascism or state repression, which thus legitimates violence in self-defence. These ideas are typically fostered in an environment characterised by the lack of confidence in governments, public institutions and other grievances.

Compared to the historical wave of attacks perpetrated by far-left actors and groups, an analysis of violent far-left attacks in recent years observes much lower casualty rates compared to other types of ideologically motivated violence. Only a minority of attacks result in human casualties, while most of the completed attacks result in vandalism or damages to public or private property, with banks, police, politic, judicial, or religious institutions being the main targets.

Lastly, absence of sufficient understanding of the threat is also reflected in the lack of prevention initiatives specifically targeting the violent far-left. More research would be needed to address this gap, both on the level of understanding and on the level of concrete actions.

Investigation and prosecution of violent extremist attacks

This session aimed to share best practices and examples of national approaches to investigate and prosecute the activities of violent far-right and far-left terrorist suspects. A variety of legal systems were considered in the discussions and available legislative tools were analysed.

As a matter of principle, all speakers underlined that national anti-terrorism legislations are ideologically neutral, meaning that the charges applied to specific acts are not dependent on any specific kind of ideology in order to be qualified as terrorist. They all however require the existence of special intent which is, for example, to generate terror within the population or to

advance a political, religious, racial, or ideological cause. This specific intent can, however, be challenging to prove at trial. To address this issue, investigation services need to have a good understanding of the new violent extremist movements. A number of tools used for this purpose were presented, highlighting the importance of the work of intelligence services in identifying the threats from violent extremist groups, especially with regards to online communications.

The manner in which counter-terrorism legislation was being used, bearing in mind the requirement for proving special intent mentioned above, was subsequently discussed. For instance, some jurisdictions rely on qualifications that could be considered more as preparatory, thereby relieving, to some extent, the burden of proof for prosecutors (e.g., participation in a terrorist association or a group). Terrorism or terrorism-related qualification also allow for more investigative powers to be used, including certain special investigative techniques that are only permitted in the case of suspicion of terrorist offence(s).

An effective use of alternative, non-terrorism-related charges can also be seen as a way to approach the matter when evidence is not sufficient to prove the terrorism nexus. For example, practitioners highlighted how common criminal law offences, such as assault or damages to property, can be used to legally qualify violent extremist attacks. They also explained that, in some legal systems, violent extremist attacks can be qualified as hate crimes if they are motivated by hostility or prejudice based on a person's specific characteristics.

As the nature of violent extremism is constantly evolving, a need for more general and case-specific international cooperation was underscored, including the success with use of joint investigation teams.

Designating and proscribing transnational violent extremist groups

During this session, participants examined the use of non-criminal law tools, namely designation and proscription, to address the threat from violent far-right and far-left actors. The speakers highlighted that, although there is no internationally recognised list of violent extremist groups, there are multiple ways in which States can preventively address the threat from violent extremist groups or network by also using non-criminal law tools.

Proscription or designation procedures vary from one country to another and can be integrated into different areas of law. For instance, in some countries, proscription is an administrative procedure that is independent from counter-terrorism legislation: a group or association can be proscribed if they are believed to, for example, incite to hatred or discrimination, are calling for armed manifestation, or are otherwise violating the constitutional order. In other countries, terrorist designation is a key tool of the counter-terrorism legislation, and a group or organisation may be designated if there is reason to believe that this group is currently involved in terrorism, and if it is proportionate to do so. This procedure can apply to

both online and off-line groups and associations and is not necessarily limited to associations based in the country that is applying it.

This session showed that these tools have already been successfully used to curtail the activities of the violent extremist groups, including violent far-right, or violent far-left, for example in France with the proscription of a group "Génération identitaire", in Finland with the proscription of "Nordic resistant movement", and with the designation of "Atomwaffen Division" in the UK. Speakers discussed the effects of proscription and designation procedures on the groups and associations and underlined that they are useful to disrupt the violent activities. It can prevent these groups from meeting, organising events or recruitment. Proscription and designation can also be supported by other disruptive tools such as asset freezes or take-down of online content. Designations can, for example, also facilitate the use of criminal offences associated with designations, such as being a member of a designated terrorist group, expressing support or even wearing an item of clothing/displaying a symbol which could raise reasonable suspicion of support to a designated organisation.

It was nonetheless recognised that designation and proscription tools certainly have limits and may pose several challenges. For instance, growing use of encrypted online messaging can be a challenge to detect these groups. Similarly, they are limited for tackling network-type affiliations, where the subject of proscription or designation would not be easily identifiable. The need to adapt legislation and practices to this evolution of terrorist movements was highlighted, as well as a need for a more detailed review of the concrete impact of proscriptions and designations.

Throughout the session, a need for balancing these measures against the guaranteed freedoms of expression and association was repeatedly highlighted. The same was noted regarding the need for further transparency around the decision-making process to impose these measures.

International and regional initiatives aimed at addressing the potential terrorist threats from violent far-right and far-left groups

This Session, focusing on existing international and regional counter-terrorism initiatives, was aimed at sharing experiences in jointly addressing the threat from violent extremism and identifying areas where further work would need to be done.

The United Nations Office of Drugs and Crime used this opportunity to present its "Manual of prevention and responses to terrorist attacks on the basis of xenophobia, racism, and other forms of intolerance or in the name of religion or belief (XRIRB)", which was produced with two main objectives: (1) raising awareness of the threat and (2) presenting legal and administrative measures to address it. It discusses international efforts to collaborate in this area and analyses the threat in different member States, as well as existing national measures.

This manual puts together 10 Recommendations, which are to be considered as informative and not prescriptive, to help Member States address this threat in conformity with Human Rights norms.

The Organisation for Security and Co-operation in Europe (OSCE) initiatives in this area emphasise the importance of prevention and the need to respond to the issue of disinformation. As underlined by this session's speakers, there is a need to find tools to detect this content in real time and to build alternative narratives. It was noted that governments, in cooperation with private organisations, civil society and international organisations are already working at addressing the issue, but that additional efforts are needed. The importance of having a gender-based approach on this matter, was also underlined. In this regard, the OSCE initiative Leaders against Intolerance and Violent Extremism (LIVE) was presented as an example of good practice. Field operations are also considered important to support States in adopting and implementing comprehensive, inclusive and human-rights centred measures against violent extremism, taking into consideration local contexts.

The European Union has also seen major advancement in its legal framework, including the continued importance of the 2017 Directive on combating terrorism and the more recent 2021 Regulation on addressing the dissemination of terrorist content online (TCO Regulation). Furthermore, the EU is a co-Chair of the Global Counter terrorism Forum (GCTF) with Morocco, which helps to serve an important apolitical multilateral counter-terrorism platform. The GCTF, through its working groups and activities, also helps to produce important guidance and good practices, such as the New York Memorandum on Interdicting Terrorist Travel as part of its Maritime Security and Terrorist Travel Initiative.

Several speakers highlighted that the remaining divergent views concerning applicable legal frameworks and definitions have an impact on efforts by international institutions. Speakers acknowledged that although some initiatives have already been taken, there is still a lot of work to be done to more effectively coordinate between governments, civil society and local actors in addressing violent extremism conducive to terrorism.

The funding behind violent far-right or far-left extremism and possible counter-measures

This session was dedicated to the analysis of the various means that violent far-right or far-left extremist groups and networks use to finance their activities and the best ways to address and mitigate this phenomenon.

The session begun with a presentation of the findings of the Financial Action Task Force (FATF) report on the so-called "Ethnically or Racially Motivated Terrorism Financing". The attacks by violent far-right extremist individuals, as lone-actors, are mainly self-funded and usually do not involve complex organisation and weapons. They are often low cost, spontaneous and may involve tools already accessible to the perpetrator. That said, violent far-right extremist

groups employ various types of fundraising for their activities, both legal – through donations, membership fees or commercial activities, for example, and illegal – by engaging in criminal activities typical to organised crime, such as robberies, fraud, or drug trafficking. Most groups source their funding from licit sources, making adequate detection challenging for national authorities where AML/CFT regimes could be used for this purpose, including monitoring of transactions. This has resulted in the fact that there is little to no information on the movement of funds by violent far-right groups. In addition, as some jurisdictions proceed with proscription or designation of specific groups or associations, use of alternative means of financing, including online platforms, is emerging.

The panel also examined the difference in the use of funds by violent extremist groups for operational and/or organisational purposes, which can be expensive over time. Studies showed that most of the funds are used to finance training, propaganda and recruitment, rather than for organising attacks. Real-estate was also mentioned as a as a key source of funding, as it can give these groups a legitimate registration address and a venue for gathering and training. This highlights the need to consider the role of real-estate property belonging to or controlled by violent extremist groups in the course of investigations to deter terrorist financing and disrupt related financial networks.

Current tools to counter the financing of terrorism are seen to be of limited applicability when it comes to violent extremism groups. In light of this, use of other financial crime tools, criminal or administrative, related to, for example, tax evasion, should be considered to successfully address the financial flows.

The role of the private sector, including banks and virtual asset service providers, was underlined by several speakers. Building private-public partnerships across a wide-range of actors may improve detection and contribute to making the international financial system more resilient against extremist groups.

Throughout this session, it was emphasised that additional work is needed to fully understand the funding mechanism behind the violent far-right or far-left. Further efforts need to be made to successfully address the issues of transnational connections between these groups, the use of new technologies, and the intersection between violent extremism and organised crime.

Cross-border cooperation on addressing the risks from violent extremist groups

The final session of this Conference was dedicated to the question of cross-border cooperation, in terms of criminal justice responses, as well as prevention strategies used against violent extremism conducive to terrorism. Speakers shed light on the ongoing efforts while acknowledging that challenges remain. This session looked at these challenges and,

through concrete examples of cross-border actions, highlighted the lessons learned from efforts taken.

It was underlined that although violent extremism conducive to terrorism seems to be primarily seen as a domestic threat, there is also an important transnational aspect that should not be forgotten. This is evident not only in the way that certain patterns and types of attacks have been repeated in similar forms in different jurisdictions, but also in the way that several attackers referenced previous attackers as inspiration in planning and carrying out their own attacks. Furthermore, several states have seen persons associated with known violent extremist groups travelling abroad to be recruited or for training and gatherings, sharing of operational knowledge and ideas through online platforms, thereby attempting to building what can be seen as an emerging global network.

In this context, Europol's European Counter Terrorism Centre (ECTC) and the US Department of Justice discussed identified patterns of cross-border cooperation among actors and actions taken to date to disrupt or process individuals involved in violent activities conducive to terrorism. Cross-border initiatives to exchange information and evidence, as well as use of joint investigative teams related to transnational violent extremism were highlighted as part of these discussions as the key approaches to successfully addressing such transnational linkages. Speakers also stressed the importance of building trusted relationships with the private sector, especially with respect to technology companies and those involved in online gaming platforms and virtual reality, particularly due to the vulnerability of juveniles and children to online efforts to radicalise and spread propaganda. In sum, ensuring that a range of means and mechanisms are available to continue to share experiences and good practices between States, relevant organisations and key actors is essential in supporting national efforts to prevent the threat of violent extremism conducive to terrorism.

Conference Conclusions

- There is no one understanding of violent far-right or far-left, but rather that there are a wide range of groups and networks motivated by a variable mix of ideologies and aesthetics, though many groups often share some common elements and goals with others.
- Loosely organised, online networks are increasingly a means by which violent far-right actors engage with other individuals and groups internationally, with lone actors inspired by these networks or groups being the main tactic for carrying out violent attacks.
- While lethal violence against individuals is more prominent on the violent far-right, this is far less visible when one looks at the acts of violent far-left, where the use of violence appears to predominantly involve property damage and arson.
- A range of challenges may be increasingly emerging in this area, particularly in relation to youth and neurodivergent individuals, which requires a careful approach from state actors.
- Though not without challenges, many countries are successfully using existing anti-terrorism tools to address the threat from violent extremism groups, though, further sharing of good practices may be valuable.
- Approaches to selection of charges are driven by the facts of each case and the evidence gathered.
- Countries are using non-criminal law measures to better disrupt violent extremist groups. In that context, it is remains important to ensure that legislation and its application remain ideologically neutral, transparent, and compatible with human rights and the rule of law.
- It is clear that engagement and the sharing of information between states, multilateral organisations, local actors and other key institutions remains a key part of the effort to counter and prevent violent extremism at all levels of society.
- Regarding terrorism financing, there is a need to recognise that violent extremist financing presents a particular challenge due to, among others, predominant use of licit funds, small amounts associated with attacks, and more loose structures. The use of existing CFT tools would need to be adapted to these particularities, and supplemented with other financial administrative or criminal tools, such as those related to tax avoidance.
- Addressing the threat of violent extremism is a "two-way" street by default. Cooperation in multilateral and bilateral settings on exchange of information and on particular cases crucial for successfully addressing the threat both nationally and across the border.
- While there is a lot of high-quality research concerning the violent far-right and, to lesser extent, the far left, there are a number of aspects that require further examination and research to be able to inform future policies.
- Lastly, while there are a range of historical precedents for activities by violent far-right and far-left groups, there is a need to look into the current and future trends and threats. A reflection of past events may be equally valuable in finding solutions to break some of the re-emerging patterns.