

# Executive Summary Backgrounder

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## How Europe and America Should Confront Islamic Extremism

*Sally McNamara*

Through immigration and demographic changes, Europe's Muslim population has grown exponentially in recent years. Because of this, several experts and commentators have predicted doomsday scenarios for Europe, forecasting majority Muslim populations in major European cities within a decade. Mark Steyn, author of *America Alone: The End of the World As We Know It*, envisages the Islamization of Europe by the end of the 21st century.

The disaffection of significant segments of the Muslim population in Europe has coincided with a growth in terrorist activity. In a November 2006 speech, Dame Eliza Manningham-Buller, former Director General of the Security Service (MI5), announced that British security services had identified over 1,600 individuals actively engaged in plotting or facilitating terrorist acts at home and abroad involving some 200 British-based terrorist networks. The foiled attacks by Islamic terrorist cells in Germany and Denmark stand as ominous signs of the level of threat facing Europe.

However, this is not just a European problem. Knowing that Europe is a logistical and fundraising base for both domestic and international terrorist plots, including the September 11 attacks, both the United States and Europe need to confront al-Qaeda and other extremist groups head-on. The atrocities committed by Islamic terrorists in Washington, New York, Madrid, and London were attacks on the principles of freedom and liberty that define Western civilization. Al-Qaeda

and its allies have targeted innocent civilians in Europe, America, Africa, the Middle East, the Far East, and Central Asia and will continue to advance their borderless war on Western values and attempt to break the West's will to fight an asymmetric "long war."

A united transatlantic response and commitment to what is currently an indeterminable timetable for victory is not only necessary, but essential if Europe and America are to confront the domestic and global network of extremists intent on annihilating the West and its allies.

**What the U.S. and Europe Should Do.** The United States and its European allies should take a number of steps to confront Islamic extremism. Specifically:

- **The EU needs to be more receptive to transatlantic information sharing** and agree to an umbrella agreement accepting U.S. data privacy standards as adequate to permit the transfer of information.
- **The United States, United Kingdom, and European Union should coordinate their lists**

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of designated foreign terrorist organizations as closely as possible. Congress should continue its steady pressure on the European Union, and President Bush should use the recent détente in French–American relations to press for Hezbollah’s inclusion on the EU’s official list of foreign terrorist organizations.

- **Prime Minister Brown should carefully assess which EU policies are in the British interest** and sign on only to those that demonstrably add value. Britain should withdraw from the European Convention on Human Rights and formulate alternate arrangements that are specifically commensurate with British interests. Britain should also oppose proposals in the forthcoming EU Reform Treaty that would supranationalize key areas of police and judicial policy.
- **Joint EU counterterrorist activities should be pursued through a mutual recognition approach rather than a supranational one.**
- **Britain should vigorously enforce exclusion and deportation from the U.K. for individuals who engage in unacceptable behaviors and should continue to prosecute high-profile Islamists who threaten public order.**
- **Poland and the Czech Republic should continue to pursue negotiations with the United States on missile defense.**
- **The U.S. Congress and the Administration should carefully implement the changes in the Visa Waiver Program with flexibility and bilateral alliance-building in mind.** The system that is finally introduced should minimize travelers’ inconvenience and recognize frequent trusted travelers.
- **Congress should support Poland’s entry into the Visa Waiver Program.**

**Conclusion.** Peter Wehner, former director of the White House Office of Strategic Initiatives, recently commented that it has fallen to the West, particularly the United States, to deal with Islamic extremism. European directives, regulations, and communiqués will not win the war on terrorism. The EU has a specific role in coordinating intergovernmental action and even cooperating on a multilateral basis with third parties, but it should not be seen as a replacement for the valuable relationships and bilateral alliances that the United States has carefully crafted over decades.

When Irish republican terrorists attempted to assassinate British Prime Minister Margaret Thatcher with a bomb at the Conservative Party Conference in 1984, she famously held her ground and declared that terrorism would never destroy democracy. On 9/11, Islamic terrorists killed nearly 3,000 people, including 67 British citizens, and America and Britain were called upon to react with equal resolve and vigor. Just as Prime Minister Thatcher stood firm in 1984, and just as she and President Ronald Reagan faced down the Soviet Union and won the Cold War, American and British leadership will once again be required to stand up to a hostile and motivated enemy and defeat the enemies of freedom and liberty.

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# Background

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Through immigration and demographic changes, Europe's Muslim population has grown exponentially in recent years. Because of this, several experts and commentators have predicted doomsday scenarios for Europe, forecasting majority Muslim populations in major European cities within a decade. Mark Steyn, author of *America Alone: The End of the World As We Know It*, envisages the Islamization of Europe by the end of the 21st century.<sup>1</sup>

The disaffection of significant segments of the Muslim population in Europe has coincided with a growth in terrorist activity. In a November 2006 speech, Dame Eliza Manningham-Buller, former Director General of the Security Service (MI5), announced that British security services had identified over 1,600 individuals actively engaged in plotting or facilitating terrorist acts at home and abroad involving some 200 British-based terrorist networks.<sup>2</sup> The foiled attacks by Islamic terrorist cells in Germany and Denmark stand as ominous signs of the level of threat facing Europe.

However, this is not just a European problem. Knowing that Europe is a logistical and fundraising base for both domestic and international terrorist plots, including the September 11 attacks, both the United States and Europe need to confront al-Qaeda and other extremist groups head-on. The atrocities committed by Islamic terrorists in Washington, New York, Madrid, and London were attacks on the principles of freedom and liberty that define Western civilization. Al-Qaeda and its allies have targeted innocent civilians in Europe, America, Africa, the Middle East,

### Talking Points

- The United States will find its strongest partners, both in fighting the war on terrorism and in combating Islamic extremism, among its individual bilateral allies.
- Despite the initial 9/11 moment of solidarity, the European Union has slowly become more inclined toward its traditional confrontational approach with the United States in coordinating counterterrorism efforts rather than acting as an effective partner.
- The European Parliament is a bastion of anti-American sentiment, determined to obstruct America's war on terrorism rather than contribute meaningfully to transatlantic security.
- Evidence shows that "familiarity breeds favorability" for America. The United States should be opening its doors to legitimate travelers and encouraging people-to-people exchanges.
- The Administration should better target its large foreign aid program as a strategic tool of foreign policy to project American values.

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the Far East, and Central Asia and will continue to advance their borderless war on Western values and attempt to break the West's will to fight an asymmetric "long war."

A united transatlantic response and commitment to what is currently an indeterminable timetable for victory is not only necessary, but essential if Europe and America are to confront the domestic and global network of extremists intent on annihilating the West and its allies.

### Islamic Extremism: A Global Threat

The threat of Islamic terrorism in Europe is nothing new.

**The United Kingdom.** In 1983, acting on behalf of the Abu Nidal Organization, Tunisian Habib Maaouia bombed two Jewish-owned department stores in London.<sup>3</sup> Britain's first al-Qaeda-related terrorist plot was uncovered in November 2000, and Moinul Abedin was eventually found guilty of planning to detonate a terrorist bomb.<sup>4</sup>

Since September 11, 2001, however, the number and scope of Islamic terrorist threats in the United Kingdom have increased significantly. In her November 2006 speech, the MI5 Director General revealed that the police and MI5 were aware of 30 active plots.<sup>5</sup> Since 9/11, there have been 15 attempted terrorist plots on British soil.<sup>6</sup> From

September 11, 2001, through the end of 2006, there were 1,166 terrorism-related arrests in the United Kingdom, and more than 400 charges were brought.<sup>7</sup>

The catalogue of extremist plots and the extent of the radicalization of Muslim youth in Britain are enormous. For example:

- In August 2006, intelligence officers thwarted a plan to explode up to 10 transatlantic flights headed for the U.S. with liquid explosives and detonators disguised as drinks and electronic equipment.<sup>8</sup>
- In September 2006, police raided a Jihadi training camp in the South of England where young Muslim men were being indoctrinated and radicalized.<sup>9</sup>
- In April 2007, five British men were convicted of an al-Qaeda-related bomb plot targeting a shopping center, a nightclub, and the House of Commons.<sup>10</sup>
- In June 2007, seven men were convicted of more al-Qaeda-inspired plots to "blow apart a London Underground tunnel beneath the River Thames" and to explode dirty bombs and cause mass civilian casualties.<sup>11</sup>
- In July 2007, four men were convicted of trying to detonate explosive backpacks on public trans-

1. Mark Steyn, *America Alone: The End of the World As We Know It* (Washington, D.C.: Regnery Publishing, 2006).
2. Dame Eliza Manningham-Buller, "The International Terrorist Threat to the UK," speech at Queen's College, London, November 9, 2006, at [www.mi5.gov.uk/output/Page374.html](http://www.mi5.gov.uk/output/Page374.html) (September 17, 2007).
3. Memorial Institute for the Prevention of Terrorism, "Abu Nidal Organization," Terrorism Knowledge Base, at [www.tkb.org/Incident.jsp?incID=3757](http://www.tkb.org/Incident.jsp?incID=3757) (September 17, 2007).
4. BBC News, "Bomb Maker Jailed for 20 Years," February 27, 2002, at [http://news.bbc.co.uk/2/hi/uk\\_news/england/1845218.stm](http://news.bbc.co.uk/2/hi/uk_news/england/1845218.stm) (September 17, 2007).
5. Manningham-Buller, "The International Terrorist Threat to the UK."
6. Gordon Brown, in *Parliamentary Debates*, Commons, Vol. 463, Part No. 130, July 25, 2007, Column 841, at [www.publications.parliament.uk/pa/cm200607/cmhansrd/cm070725/debtext/70725-0004.htm](http://www.publications.parliament.uk/pa/cm200607/cmhansrd/cm070725/debtext/70725-0004.htm) (September 17, 2007).
7. Philip Johnston, "Terrorists Will Be Put on a Special Register," *The Daily Telegraph*, June 8, 2007, at [www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/06/07/nterror107.xml](http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/06/07/nterror107.xml) (September 17, 2007).
8. BBC News, "Airlines Terror Plot Disrupted," August 10, 2006, at [http://news.bbc.co.uk/2/hi/uk\\_news/4778575.stm](http://news.bbc.co.uk/2/hi/uk_news/4778575.stm) (September 18, 2007).
9. Jason Lewis, "Police Swoop on Britain's First Jihad Training Camp," *Daily Mail*, September 2, 2006, at [www.dailymail.co.uk/pages/live/articles/news/news.html?in\\_article\\_id=403368&in\\_page\\_id=1770](http://www.dailymail.co.uk/pages/live/articles/news/news.html?in_article_id=403368&in_page_id=1770) (September 18, 2007).
10. BBC News, "Five Get Life over UK Bomb Plot," April 30, 2007, at [http://news.bbc.co.uk/2/hi/uk\\_news/6195914.stm](http://news.bbc.co.uk/2/hi/uk_news/6195914.stm) (September 18, 2007).

portation targets in London, just weeks after the successful al-Qaeda suicide bombings on July 7, 2005, which killed 52 people and injured 700.<sup>12</sup>

The recent failed car bomb attacks on London's entertainment district and the burning car driven into the Glasgow airport are potent reminders of the extent of Islamic radicalization in the United Kingdom.<sup>13</sup> However, Britain is not alone.

**Continental Europe.** Between June 2005 and September 2006, French counterterrorist officers foiled three Islamist bomb plots targeting the Paris Metro, Orly Airport, and the Directorate of Territorial Security.<sup>14</sup> In November 2005, Belgian authorities arrested members of terrorist cells that were moving suicide bombers into Iraq. In summer 2006, Cologne narrowly avoided a Madrid-style attack when bombs on two regional passenger trains failed to explode.<sup>15</sup> On September 5, 2006, nine people were arrested on charges of terrorism in Vollsmose after police foiled Islamist bomb plots, which Danish Minister of Justice Lene Espersen described as “the most severe ever in Denmark.”<sup>16</sup>

On March 11, 2004, an al-Qaeda-inspired terrorist cell attacked public transportation targets in Madrid, killing 191 commuters. In November

2004, Mohammed Bouyeri murdered Dutch filmmaker Theo van Gogh in a frenzied attack after the airing of *Submission*, his film about women in Islam that Bouyeri found insulting to Islam.

**The United States.** The United States has not been immune to homegrown plots by Islamic extremists since 9/11 either. Four al-Qaeda-inspired terrorists were arrested in June 2007 for conspiring to attack fuel pipelines at John F. Kennedy International Airport,<sup>17</sup> and Shahawar Matin Siraj was sentenced to 30 years in prison for plotting to blow up a New York subway station in 2004.<sup>18</sup>

American intelligence services have adopted aggressive policies to combat U.S.-based Islamic extremists. U.S. policy is one of rapid intervention to arrest suspects at the earliest opportunity.<sup>19</sup> In the five years after 9/11, 510 individuals were arrested in cases initially announced as terrorism cases. Of these 510 individuals, 158 were indicted for the federal crime of terrorism. The other 352 were prosecuted on lesser charges unrelated to terrorism such as fraud, racketeering, and criminal conspiracy.<sup>20</sup>

**Iraq.** Al-Qaeda has largely conspired to levy war against the U.S. abroad rather than at home since 9/11.<sup>21</sup> Iraq has proven a fertile ground for fighting

11. BBC News, “UK al-Qaeda Cell Members Jailed,” June 15, 2007, at [http://news.bbc.co.uk/2/hi/uk\\_news/6755797.stm](http://news.bbc.co.uk/2/hi/uk_news/6755797.stm) (September 18, 2007).

12. BBC News, “Four 21/7 Bomb Plotters Get Life,” July 11, 2007, at [http://news.bbc.co.uk/2/hi/uk\\_news/6291238.stm](http://news.bbc.co.uk/2/hi/uk_news/6291238.stm) (September 18, 2007).

13. BBC News, “Bomb Plot Suspects Case in Court,” July 27, 2007, at [http://news.bbc.co.uk/2/hi/uk\\_news/6918661.stm](http://news.bbc.co.uk/2/hi/uk_news/6918661.stm) (September 18, 2007).

14. “French Counterterror Forces on High Alert,” *International Herald Tribune*, December 19, 2006, at [www.ihf.com/articles/2006/12/20/news/france.php](http://www.ihf.com/articles/2006/12/20/news/france.php) (September 18, 2007).

15. This is frequently referred to as the “trolley bomb case.” See Mark Landler, “German Official Talks Tough on Terror,” *The Boston Globe*, July 12, 2007, at [www.boston.com/news/world/europe/articles/2007/07/12/german\\_official\\_talks\\_tough\\_on\\_terror](http://www.boston.com/news/world/europe/articles/2007/07/12/german_official_talks_tough_on_terror) (September 18, 2007).

16. Michael Taarnby Jensen, “Jihad in Denmark: An Overview and Analysis of Jihadi Activity in Denmark 1990–2006,” Danish Institute for International Studies Working Paper No. 2006/35, 2006, at [www.diis.dk/graphics/Publications/WP2006/WP%202006-35%20til%20web.pdf](http://www.diis.dk/graphics/Publications/WP2006/WP%202006-35%20til%20web.pdf) (September 18, 2007).

17. CNN, “Four Charged with Terror Plot at JFK Airport,” June 4, 2007, at [www.cnn.com/2007/US/06/02/jfk.terror.plot/index.html](http://www.cnn.com/2007/US/06/02/jfk.terror.plot/index.html) (September 18, 2007).

18. Associated Press, “NYC Subway Bomb Plotter Gets 30 Years,” MSNBC, January 8, 2007, at [www.msnbc.msn.com/id/16530760](http://www.msnbc.msn.com/id/16530760) (September 24, 2007).

19. Scott Shane and Lowell Bergman, “U.S. Enters Age of Foiled Plots,” *International Herald Tribune*, September 8, 2006, at [www.ihf.com/articles/2006/09/08/news/anni.php](http://www.ihf.com/articles/2006/09/08/news/anni.php) (September 18, 2007).

20. New York University School of Law, Center on Law and Security, “Terrorist Trial Report Card: U.S. Edition,” September 11, 2006, at [www.lawandsecurity.org/publications/TTRCCComplete.pdf](http://www.lawandsecurity.org/publications/TTRCCComplete.pdf) (September 18, 2007).

al-Qaeda head-on and has drawn significant numbers of prospective terrorists and suicide bombers. Joseph Billy, FBI chief of counterterrorism, has stated that suicide bombers are a threat to the United States because of their numbers and “willingness to die for sheer belief,”<sup>22</sup> and the Bush Administration has recommitted itself to fighting al-Qaeda in Iraq and tackling the problem.

The United States has captured or killed a number of senior al-Qaeda leaders, including Abu Mus’ab al Zarqawi, Muhammad ’Atif, and Khalid Shaykh Mohammad. However, al-Qaeda’s contribution to the global jihad post 9/11 is still enormous, with a vast ability to promote hateful ideology and inspire terrorist cells worldwide.

**Transatlantic Plots.** The groundswell of Muslim extremism in Europe represents a particular threat to the United States. Many of the high-profile foiled European plots were in fact transatlantic in nature, including the August 2006 airliner bomb plot. The threat from Islamic extremism is undoubtedly a global one. As British Prime Minister Gordon Brown said during a recent press conference with President George W. Bush at Camp David:

We know we are in a common struggle, and we know we have to work together, and we know we’ve got to use all means to deal with it [terrorism]. So we are at one in fighting the battle against terrorism, and that struggle is one that we will fight with determination and with resilience, and right across the world.<sup>23</sup>

**Popular Support for Extremism.** Jihadi activity in Europe and the Middle East has undoubtedly been fuelled by widespread sympathy among signif-

icant minorities of Europe’s Muslim populations. Attitudes among British Muslims, as revealed in a 2006 survey, are particularly striking. Among Muslim youth in Britain, 31 percent believe that the 7/7 bombings in London were justified because of British support for the war on terrorism, and 13 percent understood why young British Muslims might want to carry out suicide operations. Among British Muslims, 42 percent of Muslims in the South of England would prefer to live under Shari’a law rather than under British law, 28 percent would like to see Britain as an Islamic state, and 45 percent believe that 9/11 was a conspiracy by America and Israel.<sup>24</sup>

In June 2006, when asked “What do you consider yourself first?” 81 percent of British Muslims, 69 percent of Spanish Muslims, 66 percent of German Muslims, and 46 percent of French Muslims considered themselves Muslim first rather than citizens of their respective countries.<sup>25</sup> Thirty-five percent of French Muslims and 25 percent of Spanish Muslims said violence against civilian targets to defend Islam can be justified often, sometimes, or rarely.<sup>26</sup> When asked “Did Arabs carry out 9/11 attacks?” 46 percent of French Muslims, 44 percent of German Muslims, and 35 percent of Spanish Muslims answered “No.”<sup>27</sup>

## Counterterrorism and the European Union

The 9/11 attacks spurred the European Union to introduce new counterterrorism policies aimed at deepening cooperation and integration among member states. The smooth flow of information and exchange of intelligence was seen as critical to European counterterrorist efforts, especially in light of

21. *Ibid.*

22. Pat Milton, “FBI Counterterrorism Chief Says Suicide Bombs Are a Big Concern,” Associated Press Worldstream, July 4, 2007.

23. Press release, “President Bush Participates in Joint Press Availability with Prime Minister Gordon Brown of the United Kingdom,” The White House, July 30, 2007, at [www.whitehouse.gov/news/releases/2007/07/20070730.html](http://www.whitehouse.gov/news/releases/2007/07/20070730.html) (September 18, 2007).

24. GfK NOP Social Research, “Attitudes to Living in Britain,” April 27, 2006, pp. 14, 16, 27, 32, and 33, at [www.gfknop.com/imperia/md/content/gfk\\_nop/newsandpressinformation/muslims\\_in\\_britain\\_aug\\_06.pdf](http://www.gfknop.com/imperia/md/content/gfk_nop/newsandpressinformation/muslims_in_britain_aug_06.pdf) (September 18, 2007).

25. Pew Research Center, “Muslims in Europe: Economic Worries Top Concerns About Religious and Cultural Identity,” July 6, 2006, at <http://pewglobal.org/reports/display.php?ReportID=254> (September 18, 2007).

26. Pew Research Center, “The Great Divide: How Westerners and Muslims View Each Other,” June 22, 2006, at <http://pewglobal.org/reports/display.php?PageID=830> (September 18, 2007).

27. *Ibid.*

the global jihad proclaimed by al-Qaeda and its terrorist affiliates.

The EU has made great strides to become a bigger player in this field. The centerpiece of its legislative agenda was the EU-wide arrest warrant, which was accompanied by a number of other measures to harmonize and standardize member states' anti-terrorism policies. In traditional EU style, Brussels created multiple new posts and beefed up existing agencies to establish its formal standing as primary agent in anti-terrorist affairs, including a counterterrorist coordinator, Europol, and Eurojust. The European Council even went as far as declaring a solidarity clause with one another in the event of a terrorist attack, to be invoked under Article 42 of the original European Constitution.<sup>28</sup>

Coordinating counterterrorism efforts with the United States was seen as an equally top priority for EU officials, and numerous declarations and legislative initiatives followed.<sup>29</sup> It was also seen as a way for the EU to advance its integrationist agenda and bring on board those member states that were reluctant to pool sovereignty in these highly sensitive fields. As the Congressional Research Service noted, "The EU views establishing external relationships with the United States and other countries in the police and judicial field as an essential part of developing a common judicial identity."<sup>30</sup>

However, the EU's counterterrorist efforts have slowly become more focused on furthering its integrationist agenda in security and defense and in justice and home affairs than on genuinely cooperating in fighting the war on terrorism.

- EU Commissioner Franco Frattini and other officials in Brussels continue to push national governments to give up veto powers in a wide range of criminal justice areas.
- At a meeting of EU officials and European interior ministers after the transatlantic airliner bomb plot was thwarted, Finnish Interior Minister Karl Rajamaeki, whose country held the rotating EU presidency, said, "We came to the conclusion that a united Europe will win the battle with the terrorists."<sup>31</sup>
- Former French Interior Minister and current French President Nicolas Sarkozy said he hoped that Europe's response to the threat of terrorism would be "harmonized."<sup>32</sup>
- The European Council's 2004 Declaration on Combating Terrorism called for "work to be rapidly pursued to develop the contribution of ESDP [European Security and Defense Policy] to the fight against terrorism."<sup>33</sup>

These statements and intentions go beyond moral solidarity with fellow EU members and beyond a desire to fight a comprehensive, effective war against terrorists. They reflect a wider integrationist agenda.

The ESDP is a tool for projecting European power in the world and promoting the EU as a global actor. Despite rhetorical commitment to the fight against terrorism, the ESDP embodies the worst elements of European animosity toward the United States and fundamentally undermines the NATO Alliance and the Anglo-American Special Relationship, both of which are vital in the long

28. European Council, "Declaration on Combating Terrorism," Brussels, March 25, 2004, p. 18, at <http://www.consilium.europa.eu/uedocs/cmsUpload/DECL-25.3.pdf> (September 18, 2007).

29. For instance, the U.S.–EU Declaration on Combating Terrorism was signed at the U.S.–EU Summit in Shannon, Ireland, on June 26, 2004.

30. Kristin Archick, "Europe and Counterterrorism: Strengthening Police and Judicial Cooperation," Congressional Research Service *Report for Congress*, updated October 15, 2004, p. 22, at <http://digital.library.unt.edu/govdocs/crs/permalink/meta-crs-7370:1> (September 18, 2007).

31. BBC News, "Europe Faces 'Very Real Threat,'" August 16, 2006, at <http://news.bbc.co.uk/2/hi/europe/4796543.stm> (September 18, 2007).

32. Alasdair Sandford, "France Sees Ongoing Terror Risk," BBC News, August 16, 2006, at <http://news.bbc.co.uk/2/hi/europe/4796873.stm> (September 18, 2007).

33. European Council, "Declaration on Combating Terrorism," p. 2.

struggle America and Europe should be facing together. As a consequence, despite the initial 9/11 moment of solidarity, the European Union has slowly become more inclined toward its traditional confrontational approach with the United States, rather than coordinating counterterrorism efforts as an effective partner.

**Renditions.** In January 2006, in a high-profile act of hostility to U.S. foreign policy, the European Parliament set up a 46-member committee to investigate the CIA's alleged use of European countries to transport and illegally detain prisoners.<sup>34</sup> Members of the European Parliament (MEPs) pledged to leave "no stone unturned" to find out whether or not the CIA had carried out abductions, extraordinary renditions, or detentions at secret sites.<sup>35</sup>

U.S. Secretary of State Condoleezza Rice went to extraordinary lengths to clarify the Bush Administration's policy on rendition, making a detailed speech on the matter in December 2005.<sup>36</sup> Then-U.S. Attorney General Alberto Gonzales met with EU Commissioner Franco Frattini in Vienna in May 2006 to personally deny allegations that the U.S. either tortured or was complicit in the torture of suspects.<sup>37</sup> Poland and Romania categorically denied the existence of secret detention facilities in

their countries.<sup>38</sup> However, the sovereign word of EU member states and the United States was not considered sufficient, and the European Parliament voted a report condemning national governments on little more than speculation and supposition.<sup>39</sup>

In fact, the year-long investigation of America's rendition policy, based on the flimsiest of evidence, served less as an independent investigatory committee than as a Trojan horse intended to rein in the American-led war on terrorism. As Heritage Foundation analysts Nile Gardiner and James Jay Carafano noted:

Despite three major terrorist attacks on European soil in the past three years (in London, Madrid, and Istanbul), many top European officials still do not grasp the magnitude of the terrorist threat. Instead, they are engaged in a campaign of pandering and grandstanding to delegitimize U.S. counter-terrorism efforts, especially the policy of rendition.<sup>40</sup>

**Data Sharing.** Transportation security is an area in which the EU and the United States need to cooperate effectively. A number of transatlantic accords have been reached since 9/11.<sup>41</sup> The most important aviation security agreement is the May 2004 Passenger Name Records Agreement (PNR).<sup>42</sup> The

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34. European Parliament, "European Parliament Decision Setting Up a Temporary Committee on the Alleged Use of European Countries by the CIA for the Transportation and Illegal Detention of Prisoners," January 18, 2006, at [www.europarl.europa.eu/sides/getDoc.do?language=EN&pubRef=-//EP//TEXT+TA+P6-TA-2006-0012+0+DOC+XML+V0//EN](http://www.europarl.europa.eu/sides/getDoc.do?language=EN&pubRef=-//EP//TEXT+TA+P6-TA-2006-0012+0+DOC+XML+V0//EN) (September 18, 2007).
35. Sajjad Karim, "Extraordinary Rendition (Debate)," July 5, 2006, at [www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+CRE+20060705+ITEM-011+DOC+XML+V0//EN](http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+CRE+20060705+ITEM-011+DOC+XML+V0//EN) (September 18, 2007), and Sarah Ludford, quoted in "European Parliament CIA Committee—First Meeting," January 26, 2006, at [www.sarahludfordmep.org.uk/news/000611.html](http://www.sarahludfordmep.org.uk/news/000611.html) (September 18, 2007).
36. Condoleezza Rice, "Remarks Upon Her Departure for Europe," December 5, 2005, at [www.state.gov/secretary/rm/2005/57602.htm](http://www.state.gov/secretary/rm/2005/57602.htm) (September 18, 2007).
37. Veronika Oleksyn, "Gonzales Denies Torture by U.S.," *Deseret News* (Salt Lake City), May 4, 2006, p. A4.
38. Daniel Dombey, Jan Cienski, and Christopher Condon, "Europeans 'Aided US Renditions,'" *Financial Times*, June 8, 2007, at [www.ft.com/cms/s/496e8ca4-15f1-11dc-a7ce-000b5df10621.html](http://www.ft.com/cms/s/496e8ca4-15f1-11dc-a7ce-000b5df10621.html) (September 18, 2007).
39. European Parliament, *Final Report on the Alleged Use of European Countries by the CIA for the Transportation and Illegal Detention of Prisoners*, A6-0020/2007, January 30, 2007, at [www.europarl.europa.eu/comparl/tempcom/tdip/final\\_report\\_en.pdf](http://www.europarl.europa.eu/comparl/tempcom/tdip/final_report_en.pdf) (September 18, 2007).
40. Nile Gardiner and James Jay Carafano, "The Great EU Inquisition: Europe's Response to the U.S. Rendition Policy," Heritage Foundation *WebMemo* No. 988, February 6, 2006, at [www.heritage.org/Research/Europe/wm988.cfm](http://www.heritage.org/Research/Europe/wm988.cfm).
41. These include the U.S.–EU high-level policy dialogue on border and transport security in April 2004 and customs cooperation and mutual assistance in customs matters in April 22, 2004.



agreement allowed U.S. Customs and Border Protection (CBP) to access European airline reservation databases to retrieve up to 34 pieces of intelligence about each passenger, including personal data and travel information. The U.S. ran this information against lists of known and suspected terrorists and analyzed traveling trends of other known terrorists in the interests of passenger safety and national security.<sup>42</sup>

As Secretary of Homeland Security Michael Chertoff said, “It simply gives us a way of analyzing their behavior in conjunction with other things we know so we can pursue further inquiry when they appear at our airports.” The Department of Homeland Security instituted strong privacy protections to “provide a very strong guarantee against misuse of this information.” The guarantees of the Federal Privacy Act are extended to foreign nationals, and the recently introduced Traveler Redress Inquiry Program allows travelers of any nationality to seek redress if they feel their rights have been violated.<sup>43</sup>

However, the European Parliament challenged the agreement, and the European Court of Justice subsequently upheld their complaint, ruling that the agreements lacked an appropriate legal foundation.<sup>44</sup> A new, more limited deal has since been approved that restricts information sharing, reducing the pieces of shareable information from 34 to 19, and airlines are now required to “push” or send data to CBP rather than allowing the U.S. to “pull” or access PNR data electronically. The amount of time that data can be retained has also been limited.<sup>45</sup>

Sharing personal information between the EU and the U.S. has proven one of the most difficult challenges to overcome. The European Union purports to be at the forefront of defending its citizens’ fundamental rights and considers America’s data protection standards to be a breach of EU standards. The political reality is that the European Parliament is a bastion of anti-American sentiment, determined to obstruct America’s war on terrorism rather than make a meaningful contribution to transatlantic security. Regardless of the significant concessions on America’s part, MEPs still adopted a parliamentary resolution calling the new PNR agreement “substantively flawed in terms of legal certainty, data protection and legal redress for EU citizens.”<sup>46</sup>

To facilitate smoother transfer of information and to make a statement in support of transatlantic cooperation, as a matter of principle, EU leaders should agree to an umbrella agreement accepting U.S. data privacy standards as adequate to permit the transfer of information. The conclusion of two U.S.–Europol information-sharing agreements and the new PNR agreement should in fact establish U.S. data privacy standards as adequate for future agreements.<sup>47</sup>

**Visa Wars.** Visa policy is a critical tool of American public diplomacy, economic growth, and international alliance-building. It is a strategic public policy that America must get right.

The continued exclusion of many of America’s closest Central and Eastern European allies from the Visa Waiver Program (VWP) has undoubtedly been a significant obstacle in America’s attempts to build

42. *Official Journal of the European Union*, May 20, 2004, p. L183/83, at [http://ec.europa.eu/external\\_relations/us/intro/pnr\\_agreement0504.pdf](http://ec.europa.eu/external_relations/us/intro/pnr_agreement0504.pdf) (September 18, 2007), and July 6, 2004, p. L235/11, at [http://eur-lex.europa.eu/LexUriServ/site/en/oj/2004/l\\_235/l\\_23520040706en00110022.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2004/l_235/l_23520040706en00110022.pdf) (September 18, 2007).

43. Michael Chertoff, “Remarks to European Parliament,” U.S. Department of Homeland Security, May 15, 2007, at [www.dhs.gov/xnews/speeches/sp\\_1180627041914.shtm](http://www.dhs.gov/xnews/speeches/sp_1180627041914.shtm) (September 18, 2007).

44. EurActive, “ECJ Puts End to EU Air Passenger Data Transfers to US,” June 8, 2007, at [www.euractiv.com/en/security/ecj-puts-eu-air-passenger-data-transfers-us/article-155680](http://www.euractiv.com/en/security/ecj-puts-eu-air-passenger-data-transfers-us/article-155680) (September 18, 2007).

45. *Official Journal of the European Union*, August 4, 2007, p. L204/18, at [http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l\\_204/l\\_20420070804en00180025.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l_204/l_20420070804en00180025.pdf) (September 18, 2007).

46. European Parliament, resolution on the PNR agreement with the United States of America, July 12, 2007, at [www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2007-0347+0+DOC+XML+V0//EN&language=EN#ref\\_1\\_1](http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2007-0347+0+DOC+XML+V0//EN&language=EN#ref_1_1) (September 18, 2007).

47. The first U.S.–Europol agreement was reached in December 2001. A second agreement in December 2002 permitted European and American investigators to share personal information.

enduring bilateral alliances with European nations. Under the VWP, most visitors from 27 partner nations are allowed to enter the United States for up to 90 days without a visa if they have valid passports from their countries.

A 2006 U.S. Government Accountability Office report substantiates the VWP's considerable value in encouraging legitimate travel, commerce, and beneficial people-to-people exchanges.<sup>48</sup> A 2007 survey from the Pew Global Attitudes Project shows that those who have visited the U.S. and interacted with Americans consistently feel more positive about America than those who have not: "familiarity breeds favorability."<sup>49</sup> At a time when America's image has reached rock bottom among many Europeans, a strong coordinated public diplomacy effort is clearly needed, starting with meaningful reform of the VWP.<sup>50</sup>

Undoubtedly, the VWP is a relic of the Cold War era rather than the 9/11 era, and in Tallinn, Estonia, in November 2006, President Bush announced plans to work with Congress to reform the Visa Waiver Program.<sup>51</sup> Congress recently passed homeland security legislation that modernizes the VWP and includes a modified version of the Secure Travel and Counterterrorism Partnership Act (S. 342). President Bush signed it into law on August 3, 2007.<sup>52</sup>

Under the legislation, a handful of additional countries (e.g., the Czech Republic, Greece, Cyprus, Malta, and Estonia) could be included in

the VWP<sup>53</sup> based on the new set of criteria on visa rejection rates and overstays. It also establishes a new electronic travel authorization system for VWP countries whereby passengers will be expected to register personal details and travel plans on-line two days before departure.<sup>54</sup>

The expansion of the VWP to European countries such as the Czech Republic and other key U.S. allies like South Korea is significant. It also creates a new path for other countries eventually to gain admission. Regrettably, overly restrictive amendment language was introduced at the last minute that makes future VWP participation by countries such as Poland very difficult. The requirement that countries achieve visa refusal rates—determination of visa refusals is largely subjective—below 10 percent will have an unduly negative impact on some of America's best friends in Europe.

Although details of the new road map to VWP participation have yet to be settled, significant roadblocks will undoubtedly remain. The 10 percent requirement will continue to exclude some of America's strongest supporters in the war on terrorism (e.g., Poland, Bulgaria, and Romania) and hinder the Administration's public diplomacy efforts.

The new electronic travel authorization system also could add a layer of difficulty for travelers from existing VWP countries like Britain. If implemented to its extreme—for example, without an extended timeframe of eligible travel for previously registered

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48. Jess T. Ford, Director, International Affairs and Trade, U.S. Government Accountability Office, "Border Security: Stronger Action Needed to Access and Mitigate Risks in the Visa Waiver Program," testimony before the Subcommittee on Terrorism, Technology, and Homeland Security, Committee on the Judiciary, U.S. Senate, September 7, 2006, at [www.gao.gov/new.items/d061090t.pdf](http://www.gao.gov/new.items/d061090t.pdf) (February 16, 2007).
49. Pew Global Attitudes Project, "Rising Environmental Concern in 47-Nation Survey," June 27, 2007, p. 18, at <http://pewglobal.org/reports/pdf/256.pdf> (September 18, 2007).
50. Favorable opinions of the U.S. were 39 percent in France, 37 percent in Germany, 23 percent in Spain, and 56 percent in the United Kingdom. See Pew Global Attitudes Project, "America's Image Slips, But Allies Share U.S. Concerns over Iran, Hamas," June 13, 2006, at <http://pewglobal.org/reports/display.php?ReportID=252> (September 18, 2007).
51. The White House, "President Bush Participates in Joint Press Availability with President Ilves of Estonia," November 28, 2006, at [www.whitehouse.gov/news/releases/2006/11/20061128-4.html](http://www.whitehouse.gov/news/releases/2006/11/20061128-4.html) (September 18, 2007).
52. Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53.
53. Jeffrey Stinson, "EU Has Mixed Views on U.S. Visa Program," *USA Today*, August 9, 2007, at [www.usatoday.com/news/world/2007-08-09-visas\\_N.htm](http://www.usatoday.com/news/world/2007-08-09-visas_N.htm) (September 18, 2007).
54. David Gow, "EU Threatens Tit-for-Tat Visa Limits on Americans After US Tightens Law," *The Guardian*, August 8, 2007, at [www.guardian.co.uk/usa/story/0,,2143761,00.html](http://www.guardian.co.uk/usa/story/0,,2143761,00.html) (September 18, 2007).

frequent travelers—passengers will see the system as cumbersome, unnecessary, and especially restrictive to transatlantic commerce. It is also likely to drive America's enduring allies closer to the European Union, tempting them to use the EU's retaliatory clout as a blunt negotiating instrument with the United States.

The EU has responded quickly and issued its strongest statement yet in favor of retaliatory measures at the EU level.<sup>55</sup> The EU's desire to supranationalize visa policy is nothing new. In 2006, the European Commission threatened reprisals against U.S. diplomats based in Schengen-area countries in retaliation for not extending visa waivers to EU accession countries. The commission has long demanded "political recognition of the enlarged Europe" by the United States and a commitment to treating all EU member states in the same way.<sup>56</sup>

However, the VWP should not be considered an EU issue. Extending visa waivers to EU member states *per se* would allow Brussels to decide to which countries America opens its doors and would set a powerful precedent for automatically extending the VWP to future EU accession countries like Turkey.<sup>57</sup> Participation has never been decided on an EU-wide basis. For example, Greece is not a visa waiver participant, but Slovenia has been since the program's inception in 1986.<sup>58</sup> In fact, U.S. diplomats working in many EU countries (e.g., France and Spain) already have to apply for visas.

The EU's supranational drive is the latest in a protracted power grab for competence over member states' borders. EU attempts to make border security a purely political issue rather than a security issue have been badly handled and deeply misguided. As an editorial in the *Financial Times* opined, "Retalia-

tion is not the right basis for making security policy."<sup>59</sup> Yet passage of measures that the EU sees as discriminatory and unfair has emboldened the EU's instinctively aggressive reflex, and the United States should not be surprised to receive significant push-back from Brussels, including a possible EU-wide electronic travel authorization system of its own.

President Bush is already urging flexibility on VWP regulation to ensure an inclusive and workable system. It is critical that the system that is finally introduced minimizes travelers' inconvenience and does not exclude last-minute legitimate travelers who are vital to maintaining healthy transatlantic relations. Frequent "trusted" travelers such as business executives must be recognized and not be required to reregister for every visit. Allies such as Poland, which the U.S. is currently seeking to engage in a special defense relationship, should also not be neglected. Warsaw has invested considerable political capital during the missile defense negotiations and has found itself at the forefront of fighting for a European Union of independent and sovereign nation-states. A VWP regulation that excludes Poland but includes some of its neighbors could have significant ramifications for the future of the Polish-American alliance.

The key to ensuring national security is targeting terrorists, not placing punitive and restrictive measures on genuine travelers. The legislation itself notes that extending visa-free travel privileges to nationals of foreign countries that are partners in the war on terrorism will strengthen bilateral relationships.<sup>60</sup> In a cost-benefit analysis, the legislation could easily exclude and inconvenience legitimate travelers more than it deters terrorists. Not only does it place America's bilateral alliances at considerable risk and inadvertently push toward

55. *Ibid.*

56. Nicholas Watt, "EU Fights Back in 'Visa Wars' with US," *The Guardian*, June 19, 2006, at [www.guardian.co.uk/eu/story/0,,1801304,00.html](http://www.guardian.co.uk/eu/story/0,,1801304,00.html) (September 18, 2007).

57. EU candidate countries are Turkey, Croatia, and the Republic of Macedonia.

58. U.S. Department of State, Bureau of Consular Affairs, "Visa Waiver Program (VWP)," October 2006, at [http://travel.state.gov/visa/temp/without/without\\_1990.html#countries](http://travel.state.gov/visa/temp/without/without_1990.html#countries) (September 18, 2007).

59. "Transatlantic Travellers' Trials," *Financial Times*, August 8, 2007, at [www.ft.com/cms/s/0/83a2a182-45e2-11dc-b359-0000779fd2ac.html](http://www.ft.com/cms/s/0/83a2a182-45e2-11dc-b359-0000779fd2ac.html) (September 18, 2007).

60. Public Law 110-53, § 711(a)(1)(B).

further European integration, but no substantial evidence suggests that it will make air travel significantly safer.

**Foreign Terrorist Organizations.** Following the September 11 attacks, the EU sensibly agreed on a Common Definition of Terrorism, making it harder for terrorists to abuse the EU's open borders and seek sanctuary in countries not specifically recognizing terrorism as a crime.<sup>61</sup> It also defined a common list of terrorist individuals and organizations, whereby designated individuals and groups would have their assets frozen and member states would provide mutual judicial and legal cooperation and assistance.

It is important that the United States, Great Britain, and the European Union coordinate these lists as closely as possible in designating foreign terrorist organizations (FTOs). As a symbolic gesture alone, it sends a powerful message that the West is united in defeating the enemies of freedom and liberty, but it also acts as a powerful financial sanction against the free flow of terrorist finances.

Both sides have had some notable successes. The EU added the Kurdistan Workers Party (PKK), Revolutionary Armed Forces of Colombia (FARC), and Hamas to its FTO list after lobbying from Turkey, Columbia, and Israel.<sup>62</sup> The U.S. also added several "European" terrorist groups to its FTO list, including Basque Homeland and Liberty (ETA) and the Real IRA.

Regrettably, some extraordinary gaps in the EU list persist, including not listing Ansar al-Islam and Hezbollah.<sup>63</sup> According to Europol's "EU Terrorism Situation and Trend Report 2007":

Six Member States reported investigations into Islamist terrorist recruitment in the EU between October 2005 and December 2006. In total, 24 individuals were arrested on suspicion of terrorist recruitment. The individuals reported as having been arrested for recruitment were linked to the Iraqi Sunni organization Ansar al-Islam. This may suggest that they were involved in recruiting volunteers in the EU for the support of the armed struggle against coalition troops in Iraq.<sup>64</sup>

The omission of Ansar al-Islam as a proscribed terrorist group on the EU's FTO list is incredible considering the significant contribution of many EU member states to Operation Iraqi Freedom. Another notable exception is the Salafist Group for Preaching and Combat (GSPC), now linked with al-Qaeda, which plotted to blow up multiple French targets<sup>65</sup> and was described by the French Anti-Terrorist Coordination Unit in 2006 as "one of the most serious threats currently facing France."<sup>66</sup>

Yet the EU's refusal to proscribe Hezbollah as an FTO is what has drawn real ire from the United States. In the five years after 9/11, 510 individuals were arrested in the U.S. in cases initially announced as terrorism cases in the United States. In 228 of those cases, the U.S. government alleged an affiliation with an FTO—overwhelmingly al-Qaeda, Hamas, or Hezbollah.<sup>67</sup>

Hezbollah is a violent international terrorist organization that has repeatedly targeted Europe in the past, including a campaign of bombings in France in 1985–1986 that killed 13 people and injured hundreds more. Refusal to place Hezbol-

61. France, Germany, Italy, Portugal, Spain, and the United Kingdom were the only EU member states that recognized terrorism as a specific crime as opposed to a common offense.

62. Archick, "Europe and Counterterrorism," p. 18.

63. *Official Journal of the European Union*, June 29, 2007, p. L169/58, at [http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l\\_169/l\\_16920070629en00580062.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l_169/l_16920070629en00580062.pdf) (September 18, 2007).

64. Europol, "EU Terrorism Situation and Trend Report 2007," March 2007, p. 22, at [www.europol.europa.eu/publications/EU\\_Terrorism\\_Situation\\_and\\_Trend\\_Report\\_TE-SAT/TE-SAT2007.pdf](http://www.europol.europa.eu/publications/EU_Terrorism_Situation_and_Trend_Report_TE-SAT/TE-SAT2007.pdf) (September 18, 2007).

65. Katrin Bennhold, "French Counterterror Forces on High Alert," *International Herald Tribune*, December 19, 2006, at [www.iht.com/articles/2006/12/20/news/france.php](http://www.iht.com/articles/2006/12/20/news/france.php) (September 18, 2007).

66. Craig Whitlock, "Al-Qaeda's Far-Reaching New Partner," *The Washington Post*, October 5, 2006, p. A1, at [www.washingtonpost.com/wp-dyn/content/article/2006/10/04/AR2006100402006.html](http://www.washingtonpost.com/wp-dyn/content/article/2006/10/04/AR2006100402006.html) (September 18, 2007).

67. New York University School of Law, "Terrorist Trial Report Card."

lah on the EU's FTO list has allowed Hezbollah to raise funds and transfer money freely, using European banks. Hezbollah has also had a profoundly radicalizing affect on Europe's significant Muslim population. Heritage Foundation research has outlined multiple reasons for adding Hezbollah to the EU's FTO list, from protecting Europe's citizens to acting consistently and in concert with domestic and international allies to helping to stabilize the volatile Middle East and containing Iran's rising power.<sup>68</sup>

Congress should continue its steady pressure on the European Union, and President Bush should use the recent détente in French–American relations to press for Hezbollah's inclusion on the EU's FTO list.

### Counterterrorism and Bilateral Engagement

As Secretary Chertoff has observed, “Information sharing and intelligence gathering are some of our most important tools in the global war on terrorism.”<sup>69</sup> Because intelligence is often sensitive and classified, how to share and disseminate it among allies has always been a major issue. The biggest challenge of developing exclusive ties with the European Union has been the risk to the solid and enduring alliances established with individual member states. The United States will find its strongest partners, both in fighting the war on terrorism and in combating Islamic extremism, among its individual bilateral allies.

British and American intelligence services share one of the most successful relationships in counterterrorism. The July 2007 Intelligence and Security Committee (ISC) report on rendition notes that Britain's most important intelligence-sharing relationship is with the U.S.<sup>70</sup> and explains:

Our intelligence-sharing relationships, particularly with the United States, are critical to providing the breadth and depth of intelligence coverage required to counter the threat to the UK posed by global terrorism. These relationships have saved lives and must continue.<sup>71</sup>

The Special Relationship has meant that high-level trust and enduring friendships are the norm and that disagreements are largely played out in private. The directors of the Secret Intelligence Service (SIS) and the Government Communication Headquarters both gave evidence to the ISC emphasizing Britain's national interest in maintaining the close working relationship between Britain and America.<sup>72</sup> The European Union's desire to take a primary role in counterterrorism puts that in jeopardy.

America should continue to build bilateral alliances with its strongest European partners to maintain the trust and cooperation necessary for high-level intelligence sharing, especially considering the international nature of terrorist plots. The Administration should reassess its investment in EU alliance-building and recommit to strong bilateral alliances for police, judicial, and border control cooperation.

This should not exclude sensible dialogue and cooperation with the EU as necessary, but it should also acknowledge that the EU is often a complicating factor in many areas and that the multilateral forum for intelligence sharing is suboptimal. As the Congressional Research Service noted in 2005:

Some U.S. officials doubt the utility of collaborating with EU-wide bodies given good, existing bilateral relations between U.S. law enforcements agencies—such as the FBI and CIA—and national police and intelligence services in individual EU member states....

68. James Phillips, “Hezbollah's Terrorist Threat to the European Union,” testimony before the Subcommittee on Europe, Committee on Foreign Affairs, U.S. House of Representatives, June 20, 2007, at [www.heritage.org/Research/MiddleEast/tst062007a.cfm](http://www.heritage.org/Research/MiddleEast/tst062007a.cfm).

69. Michael Chertoff, “A Tool We Need to Stop the Next Airliner Plot,” *The Washington Post*, August 29, 2006, p. A15, at [www.washingtonpost.com/wp-dyn/content/article/2006/08/28/AR2006082800849.html](http://www.washingtonpost.com/wp-dyn/content/article/2006/08/28/AR2006082800849.html) (September 18, 2007).

70. U.K. Intelligence and Security Committee, *Rendition*, July 2007, p. 11, at [www.cabinetoffice.gov.uk/publications/intelligence/20070725\\_isc\\_final.pdf](http://www.cabinetoffice.gov.uk/publications/intelligence/20070725_isc_final.pdf) (September 17, 2007).

71. *Ibid.*, p. 12.

72. *Ibid.*, p. 11.

[M]ember states' national police and intelligence services are often reluctant to share information with each other, let alone with U.S. authorities.<sup>73</sup>

**The Successful Special Relationship.** The issue of rendition perfectly illustrates the contrast between the U.K.'s cooperative and workable approach and the EU's combative attitude toward the United States. The ISC report on rendition outlines the different legal guidelines and ethical approaches under which the U.K. and U.S. operate with regard to rendition but concludes, "It is to the credit of our Agencies that they have now managed to adapt their procedures to work round these problems and maintain the exchange of intelligence that is so critical to UK security."<sup>74</sup>

While the European Parliament has worked dogmatically to obstruct U.S. policy, the U.K. approach has been to work together toward a mutually beneficial arrangement that does not infringe on either's national security. As the SIS Chief made clear, the British intelligence services assess the merits and seek ministerial approval when sharing "actionable intelligence" where rendition may occur, but "this does not and cannot be allowed to inhibit the exchange of what we call 'building-block intelligence,' by which I mean material which over time contributes to a picture of a terrorist or a terrorist group, or much other vital operational collaboration."<sup>75</sup> Although rendition has been a contentious issue of public debate in the U.K. and Europe, British security services have strived for a workable resolution. Ironically, the ISC report also notes that there is "no real evidence" to

support the spurious allegations of the European Parliament's report on rendition.<sup>76</sup>

The success of Operation Rhyme is an example of the high-level counterterrorism cooperation that both Prime Minister Brown and President Bush should seek to maintain at all costs. Operation Rhyme was responsible for investigating and subsequently convicting seven British men of plotting terrorist attacks in Britain and the U.S. from 2004 until their arrest in August 2006. The joint U.S.–U.K. investigation foiled a series of coordinated attacks, including plans to set off a dirty bomb in the U.K. Following the arrest of British cell leader Dhiren Barot, terrorist "reconnaissance" documents of multiple American targets including the New York Stock Exchange and the International Monetary Fund in Washington, D.C., were found on two of his associates.<sup>77</sup>

Upon the conviction of the seven men in June 2007, British Home Secretary John Reid specifically noted the international nature of the threat posed by Islamic extremists "to murder innocent people both here and in the United States causing death and injury on a horrific scale."<sup>78</sup> FBI Director Robert Mueller cited Operation Rhyme to demonstrate "unclassified examples of successes in the war against terrorism that would not have been possible without extensive cooperation and coordination with both our domestic as well as our foreign partners."<sup>79</sup>

In October 2005, President Bush outlined 10 serious al-Qaeda plots targeting the United States and its international partners that American intelligence services had helped to prevent.<sup>80</sup>

73. Kristin Archick, "US–EU Cooperation Against Terrorism," Congressional Research Service *Report for Congress*, January 19, 2005, pp. 4–5, at [www.fas.org/man/crs/RS22030.pdf](http://www.fas.org/man/crs/RS22030.pdf) (September 18, 2007).

74. U.K. Intelligence and Security Committee, *Rendition*, p. 49.

75. *Ibid.*, p. 52.

76. *Ibid.*, p. 72.

77. Justin Davenport, "The Biggest Terror Plot Since 9/11," *The Evening Standard* (London), August 17, 2004.

78. Anna Farley, "Terror Cell Members Jailed for 'Wicked' Plot," *Press Association Newsfile*, May 15, 2007.

79. Robert S. Mueller III, "Transforming the Federal Bureau of Investigation," statement before the Subcommittee on Science, State, Justice, and Commerce, and Related Agencies, Committee on Appropriations, U.S. House of Representatives, September 14, 2005, at [www.fbi.gov/congress/congress05/mueller091405.htm](http://www.fbi.gov/congress/congress05/mueller091405.htm) (September 18, 2007).

80. The White House, "Fact Sheet: Plots, Casings, and Infiltrations Referenced in President Bush's Remarks on the War on Terror," October 6, 2005, at [www.whitehouse.gov/news/releases/2005/10/20051006-7.html](http://www.whitehouse.gov/news/releases/2005/10/20051006-7.html) (September 18, 2007).

Operation Crevice was mentioned as a major success of British–American intelligence sharing. It thwarted a plot to detonate a fertilizer bomb in the U.K. that was intended to cause mass civilian casualties. The ensuing convictions of cell leader Omar Khyam and four other cell members after the longest criminal trial in British legal history was a major victory in the war on terrorism. “Through joint investigation by intelligence and law enforcement agencies in these countries [U.S., U.K., Pakistan, and Canada],” Mueller said, “components for explosive devices were recovered and numerous individuals overseas were arrested.”<sup>81</sup>

British and American intelligence officers were also in close contact for months tracking the transatlantic airliner bomb plot in the summer of 2006.<sup>82</sup> After the arrest of 21 men, Prime Minister Tony Blair commented: “There has been an enormous amount of cooperation with the U.S. authorities which has been of great value and underlines the threat we face and our determination to counter it.”<sup>83</sup> This approach also corresponds closely with the 9/11 Commission’s recommendation that the U.S. should continue to develop strategies for intelligence sharing with trusted allies.

Transnational and supranational counterterrorism policies have roles to play in combating Islamic extremism. However, it is imperative that such measures are innovative and helpful and that they actually add value to the existing work of national law enforcement agencies. Europol and Eurojust are EU agencies looking for roles to justify their budget lines rather than significantly contributing to counterterrorism. The United Kingdom is the second largest

contributor to Europol’s €63.5 million budget, but it remains unclear whether the costs justify the benefits or its contributions would be better invested in domestic counterterrorism efforts.<sup>84</sup>

In the same vein, EU attempts to formulate a common judicial identity and further harmonize member states’ judicial and legal spheres under the EU Reform Treaty will usurp existing bilateral cooperation with Washington under a supranational banner. The proposal to move police and judicial cooperation from third-pillar (intergovernmental) decision making to “the community method” (co-decision of the Parliament and Council) will equally negate Britain’s ability to operate bilaterally.

Neither is Brussels’ attempt to take control of Britain’s borders commensurate with its national interest. Although Britain wisely exempted itself from the Schengen Agreement, Tony Blair chose to opt into far too many EU immigration and asylum measures, including the first phase of the Common European Asylum System. Frontex, the new EU body coordinating the management of external borders, has not added significant value for member states,<sup>85</sup> although Britain’s minor 2007 contribution (€400,000) reflects a certain contempt for failing EU policies.<sup>86</sup> For the U.K., the best public policy would be to sign on only to policies that are clearly in the British interest and that demonstrably add value.

#### **Bilateral Relationships: A Recipe for Success.**

The first law of terrorism is that it plays on weakness.<sup>87</sup> The current U.S. negotiations with Poland and the Czech Republic on missile defense send a clear message that they will pursue a muscular

81. Mueller, “Transforming the Federal Bureau of Investigation.”

82. MSNBC, “Details Emerge on Alleged Plot to Bomb Airliners,” August 10, 2006, at [www.msnbc.msn.com/id/14278216](http://www.msnbc.msn.com/id/14278216) (September 18, 2007).

83. BBC News, “Airlines Terror Plot Disrupted,” August 10, 2006, at [http://news.bbc.co.uk/2/hi/uk\\_news/4778575.stm](http://news.bbc.co.uk/2/hi/uk_news/4778575.stm) (September 18, 2007).

84. Europol is financed from member state contributions rather than from the EU budget. For member state contributions to the 2006 budget, see *Official Journal of the European Union*, July 14, 2005, p. C174/9, at [www.europol.europa.eu/publications/Budget/Budget2006.pdf](http://www.europol.europa.eu/publications/Budget/Budget2006.pdf) (September 18, 2007).

85. Dan Bilefsky, “EU concedes failure on migration policy,” *International Herald Tribune*, May 29, 2007, at [www.ihf.com/articles/2007/05/29/news/immig.php](http://www.ihf.com/articles/2007/05/29/news/immig.php) (September 18, 2007).

86. Frontex, “Budget 2007,” at [www.frontex.europa.eu/gfx/frontex/files/budget\\_2007.pdf](http://www.frontex.europa.eu/gfx/frontex/files/budget_2007.pdf) (September 18, 2007).

87. Melanie Phillips, *Londonistan* (New York: Encounter Books, 2006), p. 182.

response to emerging threats. One of the foremost lessons of the Cold War is that threats should be addressed from a position of strength. Stationing 10 long-range, ground-based missile defense interceptors in Poland and a mid-course radar in the Czech Republic will strengthen transatlantic security and especially counter the evolving Middle Eastern ballistic missile threat.

These “third site” installations allow the United States to extend its security umbrella and protect its European allies. For Warsaw and Prague, this would mark a milestone in their integration into the transatlantic security community. They would be providing a significant contribution to NATO and making a powerful statement in support of the alliance’s principle of mutual defense. While the European Parliament may find it “undesirable” for member states to assert their sovereign right to conduct national security and defense policy, Warsaw and Prague are asserting their primary rights as self-determining and independent nation-states to take the actions that they deem necessary to ensure their own national security.<sup>88</sup>

Joint EU counterterrorist activities are better taken through a mutual recognition approach rather than by undoing national sovereignty and historic traditions. The serious divergence between the U.S. and the EU on policy questions such as missile defense, rendition, the International Criminal Court, and capital punishment should make Washington wary of further attempts by Brussels to consolidate power. Although the United States might save time in the short term by negotiating with one power, full EU integration and supranationalization is not in America’s long-term interests.

### **A Multi-Layered Strategy: Development, Diplomacy, and Defense**

A muscular response to terrorism is clearly needed. However, winning hearts and minds should also be a policy priority. As MI5’s Dame Eliza Manningham-Buller pointed out, al-Qaeda has a sophisticated propaganda machine and wages 50 percent of its war through the media.<sup>89</sup> Europol’s 2007 terrorism report highlights a “coordinated global media offensive from Islamist terrorists.”<sup>90</sup> As a major element of President Bush’s National Security Strategy, economic development has a vital role to play alongside diplomacy and defense.<sup>91</sup> The British government’s July 2006 report “Countering International Terrorism” calls for British policy to become engaged in the “battle of ideas.”<sup>92</sup>

America and Britain need to demonstrate visibly that their global leadership is not restricted to military campaigns in Iraq and Afghanistan. The U.S. and Britain are the world’s largest and third largest net aid donors, respectively, and U.S. and British humanitarian and development assistance totals more than \$38 billion per year, representing enormous global reach.<sup>93</sup> Combining this effort with better public information campaigns, a commitment to freedom, and people-to-people exchanges, America can work in conjunction with its European allies to win deeper understanding and support for its policies through multiple instruments of foreign policy.

A recent report from Terror Free Tomorrow, a research organization, found that foreign aid not only changes short-term perceptions of the United States, but also “makes a significant and long-term difference in building goodwill toward the United States and eroding popular support for global terrorists.”<sup>94</sup> The report found that American aid cut

88. European Parliament, “MEPs Hold Hearing on US Missile Interceptors in Europe,” July 5, 2007, at [www.europarl.europa.eu/news/public/story\\_page/031-8744-179-06-26-903-20070703STO08737-2007-28-06-2007/default\\_en.htm](http://www.europarl.europa.eu/news/public/story_page/031-8744-179-06-26-903-20070703STO08737-2007-28-06-2007/default_en.htm) (September 18, 2007).

89. Manningham-Buller, “The International Terrorist Threat to the UK.”

90. Europol, “EU Terrorism Situation and Trend Report 2007,” p. 22.

91. The White House, *The National Security Strategy of the United States of America*, September 2002, at [www.whitehouse.gov/nsc/nss.pdf](http://www.whitehouse.gov/nsc/nss.pdf) (September 18, 2007).

92. Her Majesty’s Stationery Office, “Countering International Terrorism: The United Kingdom’s Strategy,” July 2006, pp. 2 and 13, at [www.intelligence.gov.uk/upload/assets/www.intelligence.gov.uk/countering.pdf](http://www.intelligence.gov.uk/upload/assets/www.intelligence.gov.uk/countering.pdf) (September 18, 2007).

93. Organisation for Economic Co-operation and Development, “Final ODA Data for 2005,” p. 8, Chart 1, at [www.oecd.org/dataoecd/52/18/37790990.pdf](http://www.oecd.org/dataoecd/52/18/37790990.pdf) (September 18, 2007).



across societal boundaries in the world's three most populous Muslim societies (Bangladesh, Indonesia, and Pakistan) and shifted previously held sympathies for terrorist organizations:

The bottom line is that American aid is the single most important action the people of the three largest Muslim countries want from the United States. And here's the key to winning hearts and minds: deeper American assistance directly to the people, following their expressed priority.<sup>95</sup>

The broader effects of direct American assistance in priority areas such as education, health, and economic growth should not be underestimated.

As a matter of principle, U.S. foreign aid should seek to garner goodwill for the United States. The longer-term positive effects harvested by the enormous U.S. humanitarian relief efforts following the tsunami in 2004 and the Pakistan earthquake in 2005 support the argument that America's generosity reaps the most goodwill when it is most visible to ordinary people. In a 2006 poll, Terror Free Tomorrow found that, more than a year after the tsunami and for the first time in almost four years, more Indonesians are favorable to the United States than unfavorable.<sup>96</sup> This followed a 2005 poll that showed—for the first time ever in a major Muslim nation—that more people in Indonesia were favorable to America's efforts to fight terrorism than were in opposition.<sup>97</sup>

An international survey conducted in 2007 by the Pew Research Center found similar trends. Sup-

port for suicide bombings among Pakistanis fell from 41 percent in 2004 to just 9 percent in 2007. Among Indonesians, it dropped from 26 percent in 2002 to just 10 percent in 2007. A combination of economic growth following the demonstrable benefits of U.S. assistance and a strong belief that the next generation will be better off than the current one has encouraged greater support for America in many parts of the Muslim world.<sup>98</sup>

In a separate poll, Terror Free Tomorrow found that the five-month Western Pacific humanitarian deployment of USNS *Mercy*, which treated 60,000 people, was hugely welcomed by Bangladeshis and Indonesians and led to a positive view of America in a broader sense.<sup>99</sup>

These polls contrast sharply with the traditional model of government-to-government financial assistance. Government-to-government aid has not made America friends in the world. Heritage Foundation analysts have noted that, overall, U.S. foreign and military assistance has not led recipients to support America in the United Nations. In fact, most countries that receive U.S. assistance vote against the U.S. more often than they vote with the U.S.<sup>100</sup> The analysts have suggested that economic freedom is the key to unlocking nation-states' support in the U.N. This applies equally to public support in general and vindicates the Administration's slow attempts to restructure the development agenda toward supporting economic growth and freedom.<sup>101</sup>

Using foreign aid as a strategic tool of foreign policy to project American values will require ana-

94. Terror Free Tomorrow, "Humanitarian Assistance Key to Favorable Public Opinion in World's Three Most Populous Muslim Countries," 2006, at [www.terrorfreetomorrow.org/upimagesft/Indonesia%20Bangladesh%20TFT%20Final%20Poll%20Report.pdf](http://www.terrorfreetomorrow.org/upimagesft/Indonesia%20Bangladesh%20TFT%20Final%20Poll%20Report.pdf) (September 18, 2007).

95. *Ibid.*

96. Terror Free Tomorrow, "2006 Poll: Humanitarian Relief Sustains Change in Muslim Public Opinion," 2006, at [www.terrorfreetomorrow.org/articlenav.php?id=82](http://www.terrorfreetomorrow.org/articlenav.php?id=82) (September 18, 2007).

97. Terror Free Tomorrow, "Poll: Major Change of Public Opinion in Muslim World," 2005, at [www.terrorfreetomorrow.org/articlenav.php?id=56](http://www.terrorfreetomorrow.org/articlenav.php?id=56) (September 18, 2007).

98. Pew Global Attitudes Project, "A Rising Tide Lifts Mood in the Developing World," July 24, 2007, pp. 4 and 56, at <http://pewglobal.org/reports/pdf/257.pdf> (September 18, 2007).

99. Terror Free Tomorrow, "Unprecedented Terror Free Tomorrow Polls: World's Largest Muslim Countries Welcome US Navy," 2006, at [www.terrorfreetomorrow.org/upimagesft/Final%20Mercy%20Poll%20Report.pdf](http://www.terrorfreetomorrow.org/upimagesft/Final%20Mercy%20Poll%20Report.pdf) (September 18, 2007).

100. Brett D. Schaefer and Anthony B. Kim, "U.S. Aid Does Not Build Support at the U.N.," Heritage Foundation *Background* No. 2018, March 26, 2007, at [www.heritage.org/Research/InternationalOrganizations/bg2018.cfm](http://www.heritage.org/Research/InternationalOrganizations/bg2018.cfm).

lyzing the results from the Terror Free Tomorrow and Pew Research Center surveys very carefully. While America is unlikely to find popular support for the war on terrorism in these countries, the goodwill harnessed by emergency and direct foreign aid frees the public space necessary for America to communicate its message and explain its policies more effectively.

### A New Policy Agenda

Europe has an appalling catalogue of failed public policies, such as multiculturalism and crippling human rights legislation, that must be addressed. A new legislative agenda could face down both domestic and international threats and help Europe to work in close partnership with the United States to combat Islamic extremism effectively.

**Multiculturalism: Toward Separation.** Multiculturalism has been a comprehensive failure. Instead of integrating different ethnic and cultural groups into society and garnering value from waves of immigration, Europe has moved far further toward separation than toward integration, with millions of disaffected and radicalized Muslims living in ethnic ghettos.

Multiculturalist policies appear to give special treatment to groups identified by religious affiliation, which stirs resentment among the majority population.<sup>102</sup> This has given birth to an emergent culture of isolated ethnic groups, particularly Muslim, who are geographically clumped together and are increasingly unlikely to challenge extremist ideologies. Ed Hussain, a reformed former Islamic fundamentalist terrorist

plotter, has said that “in the name of multiculturalism we have these monocultural ghettos, this underworld where none of this [extremism] is ever questioned.”<sup>103</sup>

In social, economic, political, and security terms, multiculturalism has failed, and European governments have failed to address this on a public policy level. As Melanie Phillips argues in *Londonistan*:

Having allowed the country to turn into a global hub of the Islamic jihad without apparently giving it a second thought, the British establishment is still failing even now—despite the wake-up calls of both 9/11 and the London bomb attacks of 2005—to acknowledge what it is actually facing and take the appropriate action. Instead it is deep into a policy of appeasement of the phenomenon that threatens it.<sup>104</sup>

London’s courting of radical imams such as Sheikh Yusuf al-Qaradawi is a perfect example of this policy of appeasement. In July 2006, the British government paid for Dr. al-Qaradawi and his wife to attend a taxpayer-funded conference on “Muslims of Europe,” including accommodations at a five-star hotel. The Foreign and Commonwealth Office describes al-Qaradawi as “a highly respected Islamic scholar” and particularly influential to British foreign policy objectives.

However, al-Qaradawi has defended suicide bombings and called for the execution of homosexuals.<sup>105</sup> He has also advised European Muslims to create “Muslim ghettos” where they can avoid cultural assimilation and introduce Shari’a

101. The largest component of U.S. foreign aid finances bilateral economic assistance programs. Within that pillar, the largest level of funding has been for economic growth, agriculture, and trade—\$4.4 billion from a total budget of \$8.2 billion for fiscal year 2004. See Curt Tarnoff and Larry Nowels, “Foreign Aid: An Introductory Overview of U.S. Programs and Policy,” updated April 15, 2004, p. 10, at <http://fpc.state.gov/documents/organization/31987.pdf> (September 18, 2007).

102. Jytte Klausen notes this phenomenon, saying that the Church of England has complained that the British government is showing “favoritism to Muslims” and that tax money is being used to promote Islam. See United States Institute of Peace, “British Counter-Terrorism After the July 2005 Attacks: Adapting Community-Policing to the Fight Against Domestic Terrorism,” February 2007, at [www.usip.org/pubs/usipeace\\_briefings/2007/0205\\_terrorism.html](http://www.usip.org/pubs/usipeace_briefings/2007/0205_terrorism.html) (September 18, 2007).

103. Karla Adam, “A Lack of Belonging,” *Newsweek*, May 25, 2007, at [www.msnbc.msn.com/id/18866920/site/newsweek/page/0](http://www.msnbc.msn.com/id/18866920/site/newsweek/page/0) (September 18, 2007).

104. Phillips, *Londonistan*, p. 182.

105. Sean O’Neill, “Taxpayers Fund Five-Star Trip for Extremist Cleric,” *The Times* (London), July 13, 2006, at [www.timesonline.co.uk/tol/news/uk/article686879.ece](http://www.timesonline.co.uk/tol/news/uk/article686879.ece) (September 18, 2007).

law.<sup>106</sup> Because of his views on violence, he has been banned from entering the U.S. since 1999.<sup>107</sup>

The London Metropolitan Police also sponsored Tariq Ramadan to attend the “Middle Path” conference in London on July 24, 2005, under the guise that “the Government and police need the co-operation of the Muslim community.”<sup>108</sup> In 1999, a Spanish judge found that Professor Ramadan had “routine contacts” with an Algerian member of al-Qaeda, and he has denied Osama bin Laden’s involvement in the 9/11 terrorist attacks, which he refers to as “interventions.”<sup>109</sup> He has also been banned from the U.S. for endorsing terrorist activity.<sup>110</sup>

These Islamists are actively working to separate Muslims from society, and the policies of multiculturalism have encouraged them. Public money is being used to elevate not the principle of fairness or the right to equal treatment, but the right to difference as an end in itself, even to the extreme of being governed by different laws.

The British government is funding advocates who want to see an Islamic state under Shari’a law in Britain and who want Muslims to withdraw from democratic participation. The British government should reassess its £8.5 million Engaging with the Islamic World Group (EIWG) program, which has been pivotal in promoting engagement with radical clerics such as Yusuf al-Qaradawi and Delwar Hossain Sayeedi.<sup>111</sup> The British government has laudably doubled its annual spending on counterterrorism since

9/11,<sup>112</sup> but that does not excuse boondoggles and ill-advised adventures like the EIWG, which recently funded *The Muslim Scholars Roadshow*, which British journalist Martin Bright described as “an elaborate sham.”<sup>113</sup>

The British government has placed at the heart of its counterterrorist agenda the need to counter domestic radicalization and win hearts and minds,<sup>114</sup> but by embracing preachers of hate and radical imams, it is setting itself up for failure. Moreover, Jon Benjamin, chief executive of the Board of Deputies of British Jews, argues that the government’s embrace of radical imams like Yusuf al-Qaradawi means that “moderates within the Muslim community are not really given a voice.”<sup>115</sup> Muslims certainly have at least as much to lose as non-Muslims in this war, and the British government should not crowd out genuine moderates by picking and choosing the wrong allies in the war of ideas.

It is important that in the British drive to transmit the values of liberal democracy, hate speech does not get confused with free speech. Islamist groups that advocate overthrowing liberal democracy in favor of Shari’a law should not be considered non-extremist simply because they do not necessarily call for terrorist acts. As Hudson Institute scholar Zeyno Baran argues:

[S]trategies based on such a framework will certainly lead to defeat in the “war of ideas,” since they mistake the nature and ultimate

106. Zeyno Baran, “Countering Ideological Support for Terrorism in Europe: Muslim Brotherhood and Hizb ut-Tahrir—Allies or Enemies?” *Connections*, Vol. 5, No. 3 (Winter 2006), at [https://consortium.pims.org/filestore2/download/3607/Countering%20Ideological%20Support%20for%20Terrorism%20in%20Europe\\_Zeyno%20BARAN.pdf](https://consortium.pims.org/filestore2/download/3607/Countering%20Ideological%20Support%20for%20Terrorism%20in%20Europe_Zeyno%20BARAN.pdf) (September 18, 2007).

107. Anti-Defamation League, “Sheik Yusuf al-Qaradawi: Theologian of Terror,” August 1, 2005, at [www.adl.org/main\\_Arab\\_World/al\\_Qaradawi\\_report\\_20041110.htm](http://www.adl.org/main_Arab_World/al_Qaradawi_report_20041110.htm) (September 18, 2007).

108. Julia Hartley-Brewer, “‘Danger Man’ Will Be Allowed into Britain,” *Sunday Express*, July 17, 2005.

109. Ben Leapman, “He Supports the Suicide Bombers, Is Banned in the US and Is Now on His Way Here,” *The Evening Standard* (London), July 12, 2005.

110. Hartley-Brewer, “‘Danger Man’ Will Be Allowed into Britain.”

111. Dipesh Gadhur, “Radical Past of Top Whitehall Islamic Aide,” *Sunday Times* (London), July 30, 2006.

112. By 2008, annual spending on counterterrorism will reach £2 billion. See Her Majesty’s Stationery Office, “Countering International Terrorism.”

113. Martin Bright, “The Task Force Was a Sham,” *New Statesman*, July 3, 2006, at [www.newstatesman.com/200607030031](http://www.newstatesman.com/200607030031) (September 18, 2007).

114. See Her Majesty’s Stationery Office, “Countering International Terrorism.”

115. Padraic Flanagan, “Taxpayers Fund Hate Cleric’s 5-Star Junket,” *The Express*, July 14, 2006.

goals of the enemy. The deciding factor in choosing allies in this war cannot be based on tactics—that is, on whether or not a group has chosen to pursue violent methods. Rather, it must be based on ideology, on whether a group is Islamist or not.<sup>116</sup>

**Forced vs. Productive Integration and Assimilation.** France has taken a much stronger line in favor of assimilation over multiculturalism, but it has still failed to address the problem of radicalization. The social fragmentation caused by failed integration policies across Europe is profound and will take decades to turn around. Many young members of ethnic minorities now believe themselves to be persecuted minorities<sup>117</sup> and are being systematically radicalized by extremists who exploit this sense of alienation. According to Europol, terrorist organizations recruit in schools, mosques, and prisons to find Muslims to take part in the global jihad.<sup>118</sup> No element of society is excluded, and a mixture of social, economic, and security responses is clearly needed.

Europe currently lacks confidence in its own values and founding principles and is even more unwilling to act in defense of them. The EU's reluctance to cite its Christian heritage in its draft Constitutional Treaty demonstrates the profound loss of confidence, verging on revisionism, that is consuming Western Europe.

Conversely, radical Muslim groups such as the Muslim Brotherhood and the Hitz ut-Tahir provide British Muslims with the cultural identity that they lack. If European countries were to replace the banner of cultural diversity with a new sense of national identity and reassert the non-negotiable values of democracy, rule of law, tolerance, and integration

for all, Europe would be on track to combating the radical ideology promoted by Islamic extremists.

The American integration model is something Europe should consider. Muslim Americans reject Islamic extremism by larger margins than Muslims in Western Europe reject it. Muslim Americans report far lower levels of support for extremism. Overall, they have a positive view of American society and believe that America is a land of opportunity for those who wish to work hard.<sup>119</sup>

The American integration model stands in stark contrast to the failure of multiculturalism in Europe. America's widespread and highly integrated Muslim population contrasts with British, German, and French ethnic populations of poorly integrated concentrated communities.<sup>120</sup> The strength of a democratic society is not its multiculturalism and diverse set of values and principles, but its unified adherence to basic societal principles.

### A New Legislative Agenda for Britain

Integration is undoubtedly a long-term project that may not show results for decades, but a number of other public policy measures should also be undertaken.

In August 2005, the British government introduced a list of "unacceptable behaviors" that could lead to deportation for non-U.K. citizens. These behaviors included the glorification of terrorism in public speaking engagements and fostering hatred to cause intercommunity violence. Since then, 36 foreign nationals have been excluded from the U.K.<sup>121</sup>

The removal of hate preachers such as Sheikh Omar Bakri Mohammed has been an enormous force for good and a visible sign of deterrence to

116. Baran, "Countering Ideological Support for Terrorism in Europe."

117. Anushaka Asthana, Dana Gornitzki, Lorna Martin, Tariq Pnaja, David Smith, and Ned Temko, "Bombers, Racists, the Law: They're Out to Get Muslims," *The Observer*, July 24, 2005, at [www.guardian.co.uk/attackonlondon/story/0,16132,1535190,00.html](http://www.guardian.co.uk/attackonlondon/story/0,16132,1535190,00.html) (September 18, 2007).

118. Europol, "EU Terrorism Situation and Trend Report 2007," p. 22.

119. Pew Research Center, *Muslim Americans: Middle Class and Mostly Mainstream*, May 22, 2007, at <http://pewresearch.org/assets/pdf/muslim-americans.pdf> (September 18, 2007).

120. Jeremy Shapiro and Daniel Byman, "Bridging the Transatlantic Counterterrorism Gap," *The Washington Quarterly*, Vol. 29, No. 4 (Autumn 2006), pp. 33–50, at [www.twq.com/06autumn/docs/06autumn\\_shapiro.pdf](http://www.twq.com/06autumn/docs/06autumn_shapiro.pdf) (September 18, 2007).

121. Her Majesty's Stationery Office, "Countering International Terrorism," p. 12.

those who facilitate and encourage terrorism. Omar Bakri Mohammed tried unsuccessfully to reenter the U.K. in July 2006. He is famous for saying, "I want Britain to become an Islamic state. I want to see the flag of Islam raised in 10 Downing Street."<sup>122</sup>

Britain must not allow people who promote, incite, and glorify terrorism and who represent threats to public order to abuse its liberal tradition of free speech. Prime Minister Brown recently listed a growing number of exclusions and deportations from the U.K. for individuals who glorify terrorism.<sup>123</sup> This sends a powerful message that extremism will no longer be tolerated, and the British government needs to continue to enforce this policy as a matter of practice rather than haphazardly or on an ad hoc basis.

Prosecution as well as deportation can be employed as a valuable public policy to disrupt Islamists. In February 2006, the successful prosecution of Abu Hamza al-Masri, an imam at the Finsbury Park mosque, signaled that London was finally getting tough with those who abuse the freedoms afforded by liberal democracies to further Islamist aims. Washington has described Hamza as a "terrorist facilitator with a global reach"<sup>124</sup> and has requested his extradition to the U.S. to face terrorism charges after he completes his seven-year sentence.

Britain's legislative stand against these hate preachers and Islamists needs to be firm, including recovery of £1 million in legal aid costs spent on Hamza's defense.<sup>125</sup> Britain can also signal its intent to face down the extremists by working closely with Washington to coordinate Hamza's potential extradition to the U.S. However, the U.K. may face inter-

ference from the EU, which has long been hostile to the United States' use of the death penalty.

It is essential that European countries, including Britain, create a hostile environment for terrorists and terrorist collaborators and that in their pursuit of tolerance, robust legislation strengthens, not weakens the government. The strangling effect of the European Convention on Human Rights (ECHR) exemplifies how supranational legislation is constraining Britain's counterterrorist measures. Even after Parliament introduced control orders under the Terrorism Act 2000, judges have been reluctant to use the full powers afforded by these control orders on the grounds that 18-hour curfews breach Article V of the ECHR on detention without trial.<sup>126</sup> This has been roundly condemned by Britain's anti-terrorism watchdog Lord Carlile<sup>127</sup> and previous Home Secretary John Reid, who indicated that he wanted to suspend certain parts of the ECHR under a state of emergency.<sup>128</sup>

Prime Minister Brown has indicated that he will present a comprehensive counterterrorism bill to Parliament later this year. He should propose to withdraw from the entire convention and formulate alternative arrangements that are specifically commensurate with British interests.

### What the U.S. and Europe Should Do

The United States and its European allies should take a number of steps to confront Islamic extremism. Specifically:

- **The U.S. Congress and the Administration should carefully implement the changes in the VWP with flexibility and bilateral alliance-**

122. Audrey Gillan, "Militant Groups in the UK," *The Guardian*, June 19, 2002, at [www.guardian.co.uk/religion/Story/0,,739813,00.html](http://www.guardian.co.uk/religion/Story/0,,739813,00.html) (September 18, 2007).

123. Brown, in *Parliamentary Debates*.

124. Dominic Casciani, "Profile: Abu Hamza," BBC News, at [http://news.bbc.co.uk/2/hi/uk\\_news/3752517.stm](http://news.bbc.co.uk/2/hi/uk_news/3752517.stm) (September 18, 2007).

125. "Abu Hamza Must Pay £1m for Trial," BBC News, January 18, 2007, at [http://news.bbc.co.uk/2/hi/uk\\_news/6276209.stm](http://news.bbc.co.uk/2/hi/uk_news/6276209.stm) (September 18, 2007).

126. Richard Ford, Philip Webster, and Stewart Tendler, "We May Declare an Emergency to Quit Rights Act, Says Reid," *The Times* (London), May 25, 2007, at [www.timesonline.co.uk/tol/news/politics/article1837662.ece](http://www.timesonline.co.uk/tol/news/politics/article1837662.ece) (September 18, 2007).

127. Patrick Hennessy, "Brown Revives 90-Day Terror Detention Plan," *Telegraph*, June 4, 2007, at [www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/06/03/nterr03.xml](http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/06/03/nterr03.xml) (September 18, 2007).

128. Ford *et al.*, "We May Declare an Emergency to Quit Rights Act, Says Reid."

**building in mind.** The system that is finally introduced should minimize travelers' inconvenience and recognize frequent trusted travelers.

- **Congress should support Poland's entry into the Visa Waiver Program.**
- **The EU needs to be more receptive to transatlantic information sharing** and agree to an umbrella agreement accepting U.S. data privacy standards as adequate to permit the transfer of information.
- **The United States, United Kingdom, and European Union should coordinate their lists of designated foreign terrorist organizations as closely as possible.** Congress should continue its steady pressure on the European Union, and President Bush should use the recent détente in French–American relations to press for Hezbollah's inclusion on the EU's official list of foreign terrorist organizations.
- **Prime Minister Brown should carefully assess which EU policies are in the British interest** and sign on only to those that demonstrably add value. Britain should withdraw from the European Convention on Human Rights and formulate alternate arrangements that are specifically commensurate with British interests. Britain should also oppose proposals in the forthcoming EU Reform Treaty that would supranationalize key areas of police and judicial policy.
- **Joint EU counterterrorist activities should be pursued through a mutual recognition approach rather than a supranational one.**
- **Britain should vigorously enforce exclusion and deportation from the U.K. for individuals who engage in unacceptable behaviors and should continue to prosecute high-profile Islamists who threaten public order.**
- **Poland and the Czech Republic should continue to pursue negotiations with the United States on missile defense.**

## Conclusion

Peter Wehner, former director of the White House Office of Strategic Initiatives, recently commented that it has fallen to the West, particularly the United States, to deal with Islamic extremism.<sup>129</sup> European directives, regulations, and communiqués will not win the war on terrorism. The EU has a specific role in coordinating intergovernmental action and even cooperating on a multilateral basis with third parties, but it should not be seen as a replacement for the valuable relationships and bilateral alliances that the United States has carefully crafted over decades.

When Irish republican terrorists attempted to assassinate British Prime Minister Margaret Thatcher with a bomb at the Conservative Party Conference in 1984, she famously held her ground and declared that terrorism would never destroy democracy.<sup>130</sup> On 9/11, Islamic terrorists killed nearly 3,000 people, including 67 British citizens, and America and Britain were called upon to react with equal resolve and vigor. Just as Prime Minister Thatcher stood firm in 1984, and just as she and President Ronald Reagan faced down the Soviet Union and won the Cold War, American and British leadership will once again be required to stand up to a hostile and motivated enemy and defeat the enemies of freedom and liberty.

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129. Peter Wehner, "The War Against Global Jihadism," Real Clear Politics, January 8, 2007, at [www.realclearpolitics.com/articles/2007/01/the\\_nature\\_of\\_our\\_enemy.html](http://www.realclearpolitics.com/articles/2007/01/the_nature_of_our_enemy.html) (September 18, 2007).

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