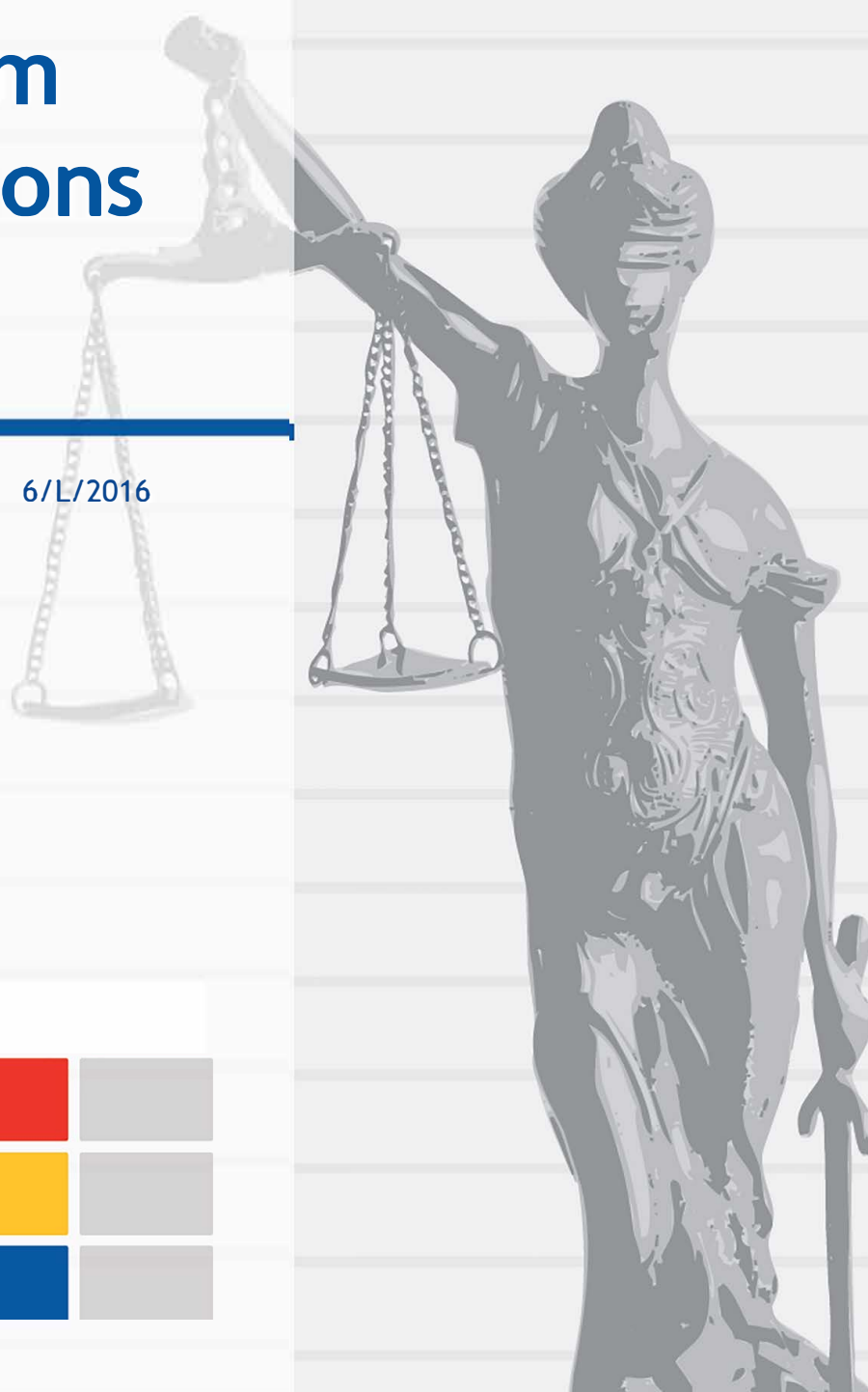




EUROJUST Report

Terrorism Convictions Monitor

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Introduction

The Terrorism Convictions Monitor (TCM) is intended to provide a regular overview of the terrorism-related developments throughout the EU area. The Monitor has been developed on the basis of **open sources information** available to the Case Analysis Unit and methodologies such as individual case studies and comparative analysis. There is a link provided to each of the respective articles found on the Internet. **In addition, the current TCM includes information exclusively provided to Eurojust by the national authorities of several Member States by virtue of Council Decision 2005/671/JHA with no links to open sources.**

Issue 26 of the TCM covers the period **May – August 2016**. It includes an overview of the concluded court proceedings in the reporting period, a selection of upcoming and ongoing trials as well as an update on relevant legal developments. The analytical part of the report contains an analysis of a judgment of the Tribunal de Grande Instance of Paris against a terrorist cell, whose members had either contacts with FTFs or had participated in the Syrian armed conflict by joining Jabhat al-Nusra,¹ ISIL and/or Al-Qaeda.

The Topic of Interest chapter focuses on the use of the so-called ‘FTF questionnaires’ in criminal proceedings based on the experience of the District Court of Glostrup, Denmark, which is the first one in Europe to consider this matter.

The general objective of the TCM is to inform and kindly invite the National Members to review, confirm, and, if possible, complete the information retrieved from the various open sources. The respective National Desks will be further contacted for specific details, when needed.

The Eurojust National Correspondents for Terrorism Matters are invited to provide information on an ongoing basis to Eurojust, in conformity with Council Decision 2005/671/JHA.

¹ In July, Jabhat al-Nusra have changed their name to Jabhat Fatah al-Sham. However, the old name of Jabhat al-Nusra will be used throughout this report.

I. Court Decisions

1. Terrorism Convictions/Acquittals per Member State

May - August 2016

Austria

July 2016

Two defendants were tried and convicted by the Graz criminal court to twenty and ten years in prison respectively.

The first defendant, a preacher in an Islamic centre in Austria, was proved to have been an influential recruiter for the terrorist organisation ISIL. He was convicted of having been a **member of a terrorist organisation, of incitement to murder, assault and terrorism**. The prosecution proved that the defendant was responsible for a considerable number of youths leaving to fight in the Syrian civil war, and was preaching in German – able thus to appeal to a larger audience. An expert who testified at the trial confirmed that the aim of his message was to call for jihadi armed struggle and to incite the audience into believing it was their duty to fight.

The second defendant was also convicted for his involvement in **recruiting local fighters for ISIL** as well as for his **involvement in ISIL attacks** carried out in Syria. It was alleged that, during his stay in Syria, he took part in civilian massacres.

Interestingly, the pronouncement of the trial was postponed due to reports that potentially dangerous individuals were present at the trial. While the public was not denied access, special security measures were taken.

Source: Kleine Zeitung, The New Observer

Belgium

May 2016

The Brussels Criminal Court convicted 26 men and ordered prison sentences ranging from eight months to seven years, with some suspended, for **participation in the activities of a terrorist group** during the period between 2012 and 2014. One of the perpetrators of the Brussels airport bombing was also among the convicted. The court sentenced him despite his death since it had not received a death certificate on his name. Furthermore, four of the initial 30 suspects were released.

Source: Information submitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Supreme Court dismissed the appeal of the spokesman of the group Sharia4Belgium who was convicted on appeal to 12 years in prison. The Court confirmed the findings of the lower court according to which the defendant had been responsible for the radicalisation of young people and for their preparation to join armed struggles abroad. Furthermore, it was acknowledged that Sharia4Belgium had contacts with terrorist groups abroad, including Jabhat al-Nusra. In the same judgment, the court also dismissed the appeal of a member of Sharia4Belgium who had been convicted to four years in prison.

Source: HLN.be

June 2016

The Antwerp Court of First Instance heard the case of a 22-year old Belgian national who had been charged with **participation in an activity of a terrorist group** in the period 1 April 2014 – 6 August 2015. On 29 April 2014 his mother had declared to the police that he had left for Syria to join the fighting there. The court found that the man had been radicalised within a very short time influenced by the leader of Sharia4Belgium, whom he had met while serving time in prison for a petty crime. He had then been recruited in a cafe in Antwerp and left for Syria together with three other young men. While in Syria, he had been posting photographs on Facebook of members of Sharia4Belgium and declared that he wanted to join ISIL fighters and die as a martyr. According to a message, sent by his wife in Syria to her mother on 7 March 2015, he had been shot by the Syrian president's army while helping refugees to escape. His parents had also been informed of his death and received a photograph of his dead body via WhatsApp. In later statements, they declared that they suspected he had initially been with ISIL but had later joined a group of Chechens in the Aleppo province.

The court held that as there was no death certificate and the man had not been legally declared dead, it could not dismiss the case. The court found the defendant guilty as charged. Taking into consideration the former criminal record of the defendant and the severity of the present offence, the court sentenced him *in absentia* to an imprisonment of five years and a fine of EUR 6,000.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

July 2016

The Brussels criminal court sentenced fifteen men – with nine in absentia – to prison sentences of up to 15 years for **membership in a terrorist organisation** and **planning of terrorist attacks**. The defendants formed the so-called Verviers cell which had proven ties to the attackers responsible for the November 2015 terror attacks in Paris. The police in Verviers had arrested one of the members in a shootout and killed two others. Further arrests were made in the aftermath of the raid; the other nine members of the cell are believed to be either dead or fighting in Syria for ISIL.

Three of the defendants present at the trial were considered to be the leaders of the cell, each receiving a sixteen year sentence. One of them was proven to have travelled to Syria to receive

instructions on targets, while the others were responsible for arranging the logistics side of their activity, including the securing of a safe house in Verviers and the obtaining of weapons and chemicals needed for their planned attacks.

Another defendant present at the trial received a sentence of 30 months in prison for helping a radicalised family member to travel to Syria in order to fight for ISIL. Similarly, another defendant received a three year sentence on probation for having attempted to join ISIL in Syria.

The defendants convicted *in absentia* received sentences of five to seven years in prison. Most are considered foreign fighters who left for Syria to fight within the ranks of ISIL.

Source: *Deutsche Welle*

The Brussels Criminal Court convicted two men – one for **leading a terrorist group** and the other for **membership in a terrorist organisation** – to various prison sentences. One of these two defendants – who was also a former Guantanamo detainee – was arrested during an attempted robbery on a drug dealer.

Source: *Truth-out*

Denmark

May 2016

A teenager was sentenced by a court in Aarhus to one year and three months in prison after having **encouraged terrorist acts** through a video and comments posted on Facebook. The video itself was produced by the terrorist organization ISIL and depicted scenes of murder. In the comment section the defendant had threatened categories of the public with murder. The defence argued unsuccessfully that given the limited outreach of the Facebook group onto which the video was posted – only eleven members – the act could not have had the intention to threaten the society in general. The case was considered special since it was only rarely that Danish authorities charged individuals with threatening the public with terrorist attacks.

Source: *The Local*

June 2016

Two individuals were convicted of **financing terrorism** by the Eastern High Court. As it was proven, they channeled money through a Kurdish television channel based in Denmark, which in turn liaised with the PKK. The two defendants were able to raise respectively DKK 4.5 million and 29 million for the organisation. Prior this conviction, the television channel had its license revoked in 2013 for glorifying terrorism. In the trial, the court had to consider – and eventually confirmed – the terrorist nature of the PKK which is recognised as such by the EU and a number of countries in and beyond Europe.

Source: *The Local*

An individual was convicted to 40 days' suspended prison sentence by the Copenhagen City Court for **having praised an arson attempt on an Islamic centre** and for **having incited further similar violence**. In court, he denied his intention to incite violence and declared instead that he had been carried away by previous similar comments. Prior to his conviction, an individual was arrested for an attempted arson attack on the Islamic centre which housed a considerable number of people at the time. The damage to the building was not severe, and was labelled a terrorist attack.

Source: The Local

One person was convicted of terrorist offences for **having joined and fought with the ISIL**, as well as for **financing the group**. The defendant was the first foreign terrorist fighter convicted by Danish courts for acts of terrorism. The latter had travelled to Syria in 2013 and planned to return there before he was stopped by Danish authorities. While in Syria, he received military training and financially aided the group with DKK 20,000. While he admitted to having joined ISIL in Syria, the defendant argued unsuccessfully that he was only involved in providing food and cooking for the fighters there (*for further details on the case, please see Chapter IV. Topic of Interest*).

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

France

June 2016

One individual was sentenced to six months in prison by a court in Beziers after **having threatened to attack** tourists on a beach in southern France. The man had already been jailed for glorifying terrorism – through a kebab business rife with references to terrorist weaponry – and was serving his prison sentence when inmates informed the authorities about his new threat. On the day of his planned release, the Court ordered the extension of his sentence by a further six months.

Source: The Local

July 2016

Seven men, including the brother of one of the 13 November 2015 Paris attackers, were convicted by the Paris Criminal Court to sentences of six to nine years for being part of a **criminal conspiracy to carry out terrorist attacks**. They had travelled to Syria and had been trained by and fought for ISIL there. The men were part of a larger group that had travelled to Syria at the end of 2013. After two of the initial members had been killed, the rest – except one of the assailants of the 13 November attacks – returned to France in April 2014, only to be arrested a month later. The prosecutor in this case used a series of evidence, including wiretaps and various jihadi-inspired materials taken from the defendants' devices. The judge in the case

noted that the brother of the 13 November attacker convicted in this case had shown an “active interest in jihadism”.

Source: *Deutsche Welle, New York Times*

Italy

May 2016

Two third-country nationals were convicted by the Court of Assizes of Milano to six years in prison for **international terrorism** due to threats issued on a NATO base and other landmarks in Italy. During the trial, it became obvious that the defendants were well integrated members of the Italian society. The prosecutors were able to establish their criminal intent by intercepting certain communication between them. Furthermore, the prosecutors were able to challenge the defence arguments that the intercepted communications could not be used as evidence. The sentence handed down had an international terrorist dimension since it was apparent from an intercepted correspondence between the defendants that ISIL was involved. Upon serving the prison sentence, both will be expelled from Italy.

Source: *Corriere della Sera*

With the support offered by Eurojust, four members of the Merano cell of the international group Rawti Shax have been sentenced by the Court of Assizes in Trento for **planning terrorist attacks** throughout Europe. The leader of the group was convicted by the court to six years in prison, while the other three members of the cell to four years respectively. The defendants had as their stated aim the establishment of a theocratic state and the overthrow of the government of Kurdistan. The prosecution built its case on intercepted communications which showed that despite the transnational nature of the Rawti Shax group, the Merano cell operated to a large extent independently. Its members were able to engage in fundraising and were theoretically capable of carrying out the attacks referred to in their communications. The defence has announced that it would appeal the decision since it believes that the targets and attacks referred to by the defendants should not have been relied upon so strongly. In this sense, the defence referred to a sentencing decision of the Oslo court where the alleged leader of the Rawti Shax group was acquitted of the terrorism charges and sentenced only for the threats they issued.

Source: *Corriere della Sera*

The Netherlands

May 2016

One man appeared at the District Court of Amsterdam on charges of **threatening to commit a terrorist crime and attempting to blackmail several media companies by sending, on behalf of ISIL, an email message threatening to make explosions** on five locations unless he

received EUR 10 million. In relation to this charge, the court ruled that threatening to commit bomb attacks on behalf of ISIL is a grave offence, which would cause unrest and insecurity in particular after the Paris attacks of January 2015. The man was also accused of possession of a large amount of child pornography material over a period of eight years. He was found guilty as charged and sentenced to three years' imprisonment.

Source: Rechtspraak.nl

The District Court of Noord-Holland sentenced one defendant to imprisonment of 18 months, of which six conditional, and a probation period of two years after it found him guilty of **preparation to commit murder and/or manslaughter with a terrorist purpose and an attempt to join an organisation that had an objective to commit terrorist crimes**. The man had travelled to Turkey via Düsseldorf and Serbia in December 2014 and had been stopped by the Turkish authorities while attempting to cross the border with Syria. Based on a European Arrest Warrant issued on his name, he had been returned to the Netherlands in April 2015. He had been released soon and detained again in October 2015 at the border between Bulgaria and Turkey. He had been brought back to the Netherlands and held in custody on suspicion of having attempted to travel to Syria to participate in the armed conflict and prepared to commit terrorist crimes. According to his statements, his intention was to go to Syria, live peacefully and study the Koran. When deliberating on the case, the court considered a recent study of two Dutch universities focusing on the life of Dutch travellers to Syria. Among others, the report mentions that men go to ISIL knowing that the caliphate needs to be defended by violence and joining ISIL seems to be the condition to stay in an ISIL controlled area. Material seized from the defendant also proved that he wanted to go to Syria to take part in jihad.

Source: Rechtspraak.nl

The Court of Cassation dismissed the appeal of a man, who had been found guilty of **preparation to commit arson and/or cause an explosion, distributing material inciting a terrorist crime and acquisition of resources or information for the commission of a terrorist offence** (training). The man had been acquitted of the latter charge by the District Court of Rotterdam in first instance which decision had not been upheld by the Court of Appeal of The Hague. He had had visited websites and made queries about homemade bombs and explosives, purchased ten metres ignition cord and one kilogramme of aluminium powder, as well as other materials that could be used to make explosives. He had also posted videos showing the execution of violent attacks and some jihadist texts on websites and engaged in discussions about armed jihad on the Internet. Released on bail in June 2013, he had been arrested in Germany before he could reach Syria. The man had been sentenced to three months' imprisonment for the distribution offence and to 15 months for the other two offences (*for further details, please see TCM, issues 18 and 22*).

Source: Rechtspraak.nl

June 2016

A 32-year old man was given nine months' conditional sentence and 240 hours of public service. The District Court of Midden-Nederland heard that in 2014 had had planned to bring various items to his brother, who had been fighting in Syria in the ranks of ISIL. According to the prosecution, the items could have been used by his brother in ISIL. If the items had successfully been provided, this would have contributed to ISIL's fight. In his home, the police had found a hard drive with documents containing jihadist training schedules, fighting and survival techniques and instructions on the use of weapons. It had also found a backpack with batteries, headlamps, hard drives, altimeter watches, multitools, a sleeping mat and a mosquito net. He had admitted to have planned to give these to his brother. The court concluded that by doing so he had made **preparations to join ISIL**. He was, however, acquitted of **participation in a terrorist organisation**, as it could not be proven that he belonged to ISIL. He was also acquitted of **preparing to commit a terrorist crime**.

Source: [Rechtspraaknl](#)

The District Court of Gelderland acquitted a minor and his 23-year old co-defendant of **conspiracy, preparation and commission of terrorist crimes** and sentenced them to two and three years' imprisonment respectively for **attempted participation in a terrorist organisation**. The two had attempted to join ISIL in Syria but had been caught at the Turkish-Syrian border. The penalty handed down by the court was lower than that which was requested by the prosecution since it was not proven that the defendants were preparing a terrorist attack. When deliberating on the case, the court considered a recent study of two Dutch universities focusing on the life of Dutch travellers to Syria, according to which travellers join mainly ISIL and Jabhat al-Nusra and it was not plausible that Dutch fighters joined the Free Syrian Army. The court concluded that at the time of commission of the offences it was not possible to go to the conflict zone without joining one of the groups fighting there. One of the defendants announced that an appeal would be lodged on the basis that the court placed undue reliance on evidence provided by the Dutch secret service AIVD. It is contended that the origin and the reliability of the information was not verified.

Source: [Rechtspraaknl](#), [Rechtspraaknl](#)

One individual was jailed for one year on appeal by the Appeals Court of The Hague for his **intention to commit a terrorist crime by assassinating certain embassy personnel**. The man had praised ISIL on Facebook and researched means to manufacture explosive and incendiary devices. The defendant had been acquitted in first instance since the court accepted the argument that his intention was only to boast. However, the Court overturned the decision and ordered a one year prison sentence. This conviction was lower than that requested by the prosecution since it was not proven that the defendant had an actual plan of carrying out the attack.

Source: [Rechtspraaknl](#)

July 2016

The District Court of Amsterdam sentenced two brothers to 27 months' imprisonment, nine of which conditional, after it found them **guilty of terrorist training and attempted participation in a terrorist organisation**. The two had left the Netherlands in April 2015 after buying return tickets from Düsseldorf to Antalya. They had been arrested shortly after their arrival in Turkey before they managed to enter Syria. The two had initially claimed they had gone on holidays to Turkey but later changed their statements and declared they had been planning to go to Syria to help people there. Content of SMS and WhatsApp messages showed that they had planned to leave the Netherlands for good. In their possession, the police had found also issues of ISIL's publication *Dabiq*, as well as other documents with information concerning ISIL, the armed conflict in Syria, etc. The court did not consider it proven that the two brothers had **prepared to commit terrorist crimes**. It ordered also a three-year probation period and specified the terms for reporting to the probation officer, as well as some other requirements, including the obligation to contact an expert in theology or transcultural issues, the temporary prohibition to come in vicinity of Dutch airports, as well as electronic supervision.

Source: [Rechtspraaknl](#), [Rechtspraaknl](#)

The Court of Appeal of The Hague considered the appeal submitted against the December 2014 ruling of the District Court of The Hague in the case of a returnee from Syria. He had been arrested, together with his wife, on 17 July 2013 at the central station of Rotterdam. As there was no suspicion at the time regarding the defendant, he had immediately been released. He had then travelled to Syria from Amsterdam, via Düsseldorf and Istanbul in the end of July 2013. His wife had joined him in Syria in August 2013 after she had been released from the police. The defendant had left Syria in January 2014 and returned to the Netherlands in the beginning of February 2014 (*for further details, please see TCM, issue 21*). The Court of Appeal sentenced him to four years' imprisonment, two of which conditional, for **preparing to commit murder or manslaughter with a terrorist purpose, self-training for terrorist purposes and spreading of material inciting terrorist crimes**. It ordered also a probation period of two years, during which the man is not allowed to come in contact with certain person, approach Dutch airports or the border with Belgium or Germany, or leave the Netherlands.

Source: [Rechtspraaknl](#)

The District Court of Rotterdam acquitted one defendant of participation in a terrorist organisation and sentenced him to 180 hours' community service, 30 of which conditional, after it found him guilty of **financing of terrorism and violations of the Sanctions Act 1977**. The man had sent money to his younger brother, who had left the Netherlands in 2013 to join the jihad there. The money had been sent in three transactions in 2013 via money transfer companies. In two of the cases the money had been received by a middleman, who had later delivered it to the recipient. The court found that individual support to jihadist fighters contributed to the continuation of their 'cause'. The court did not consider it a changing circumstance if the money sent was in fact from the fighter's own savings.

Source: [Rechtspraaknl](#)

At the District Court of The Hague four defendants have been convicted *in absentia* to six years in prison for joining ISIL and planning to carry out terrorist attacks. It is believed that the defendants are either fighting outside of the country or have been killed in action. Three of the four men have criminal records and all left under the influence of extreme ideologies. This case is connected to the Operation Context, which led to convictions in December 2015.

Source: [Rechtspraak.nl](#), [Rechtspraak.nl](#), [Rechtspraak.nl](#), [Rechtspraak.nl](#)

August 2016

At the District Court of Rotterdam one defendant was charged with **attempted participation in a terrorist organisation and training for terrorist purposes**. He had prepared to join the jihad in Syria and tried to leave for the war zone in August 2014. He had been arrested after his mother alerted the police that he had been planning to leave for Syria. The border police had stopped him at Schiphol airport and confiscated his passport. The man had managed to escape and showed up at a Rotterdam police station a couple of days later. According to his statement, he had planned to go to Turkey on a camping holiday. The court, however, heard that his computer's browser history showed he had actively sought information on the armed jihad and ISIL. He had also been in possession of images, video and audio files with jihadist content, as well as lectures of jihadist preachers. The court found the defendant guilty of attempted participation in a terrorist organisation but, based on Article 9a of the Dutch Criminal Code, decided not to impose any penalty. The court considered the defendant's acts as a one-time misstep and recognised the efforts he had made to re-integrate in the Dutch society (e.g. renting a place to live, continuing his studies, finding a job, etc.).

Source: [Rechtspraak.nl](#)

The District Court of Rotterdam sentenced a former terrorist convict to three years' imprisonment after it found him guilty of **preparing to commit terrorist crimes**. The man had tried to travel to Syria or Iraq to join ISIL and take part in the jihad. He had been arrested in October 2015. The prosecution claimed that he had been in possession of documents and images related to the jihadist ideology, had visited websites with information on the armed jihad, martyrdom and/or war crimes, expressed his wish to go to Syria to join the armed jihad, collected information on how to obtain a forged passport, etc. He had also collected money for the trip and tried to persuade someone to marry him and leave together with him for the war zone. The court held that, despite the fact that he had not managed to reach Syria or Iraq and engage in the jihad, he had made preparations to commit crimes with a terrorist purpose. He had actively shared with others videos of terrorist acts, expressing his regret he could not commit them himself. The court found that the possibility that he still may be willing to go to Syria or Iraq could not be ruled out. Based on expert conclusions on the limited intellectual capacity of the accused and the high risk of recidivism, the court ordered him also to participate in a re-socialisation programme managed by the *Leger des Heils* or a similar organisation and prohibited any contacts with persons placed on the national Terrorism Sanctions List. The man will not be allowed to leave the Netherlands or come in the vicinity of any border or airport. He

will also be placed under electronic supervision. The court did not consider it proven that the accused had committed the offence in **conspiracy** with others and acquitted him of this charge.

Source: [Rechtspraak.nl](#)

The Rotterdam District Court sentenced one defendant to ten months in prison after it found him guilty of **participation in an organisation that had the objective to commit terrorist crimes**. The man had travelled to Syria in 2014 and had returned to Europe with the refugee flow from Syria/Turkey. His identity had been uncovered at the asylum centre and later imposed a strict detention regime. The court considered it proven that the defendant had joined in Al Qaida in Syria, although his exact role was difficult to define. The available photographs showed him carrying arms, although it could not be established whether he had taken part in the fighting. He had, however, contributed to the violent jihad in Syria. When ruling on the case, the court considered also the conclusions of a psychologist and a psychiatrist regarding his mental health, as there were suspicions he was a pathological liar.

Source: [Rechtspraak.nl](#)

A female minor from Maastricht was sentenced to eight months in juvenile detention – out of which seven months and fourteen days suspended – for **planning to reach Syria** in order to join ISIL. Furthermore, the defendant was placed under electronic supervision for two years and is similarly banned from reaching any Dutch airport. Additionally, the defendant is required to attend talks with a theologian with a view to prevent any relapses into radicalisation. The prosecutor proved his case through the interception of certain online chats whereby the defendant sought advice on how to reach ISIL.

Source: [DutchNews.nl](#)

Portugal

May 2016

A Dutch national appeared at the Criminal Court of Lisbon after he had been charged with **membership and support to terrorist organisations, attack on air transport with a terrorist purpose, possession of a weapon and penetrating a restricted area**. The man, who had converted to Islam and become radicalised, had travelled to Syria in March 2014. According to his statements, he had gone to Turkey to help refugees, from where he had travelled to Syria with the same humanitarian purpose. While in Syria, he had been part of a group, which had split due to internal fighting. In his room at the hostel where he had been staying the authorities had found a notebook linking him to some known jihadists. The notebook contained also information on a two-week training he had attended in Syria. However, it was not established whether the training was of terrorist nature. Having spent some time in Syria, the accused had returned to Turkey from where he had been sent back to the Netherlands. On 29 June 2014 he had travelled from Luxembourg to Lisbon by train. On 2 July 2014 he had entered the restricted area of the Lisbon airport and hidden himself in an abandoned radar building from where he

could monitor the movements and the work of the airport staff. On the next day, he had approached an airplane bound to Angola carrying a 33 cm kitchen knife and had been arrested by the Portuguese authorities. During the investigation the police had seized documents and obtained statements linking the accused with jihadists groups. The man was also believed to have been involved in the planning of terrorist attacks, mainly in Europe. Based on the available evidence, the judge did not consider it proven that the facts were related to terrorism. The accused was acquitted of the terrorism charge and sentenced to four and a half years' imprisonment for the other charges. The prosecution has submitted an appeal.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

Spain

May 2016

The Audiencia Nacional ordered the one-year imprisonment of a defendant charged with **glorification of terrorism**. He had been prosecuted for having used his Facebook account to post a series of images and comments, without any access restriction, which were praising the activities of the terrorist organisations ETA and GRAPO and their members. Among others, the postings included photographs of ETA members, of police officers hit by Molotov cocktails, etc. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

A former member of ETA's *Katu* command was brought to court on charges of **conspiring an offence against the crown, murder of a police officer and possession of arms as part of a terrorist organisation, forgery of an official document, illicit possession of a small arm, illegal detention with a terrorist purpose and coercion**. The command had received the order to kill the king of Spain at the opening of the Guggenheim Museum in Bilbao in October 1997. It had been supposed to place a large amount of explosives in the vicinity of the museum's main entrance. Members of the command had been caught by the police when placing some of the explosives at the planned location. Having fatally shot one of the police officers, the defendant had managed to escape. During a house search at his home on the following day, the police had found weapons, cartridges, grenades, timers, detonators, passports, vehicle licence plates, etc. In February 2004 the Spanish authorities had issued a European Arrest Warrant for him. In July 2012 he had been surrendered to Spain [REDACTED]. The man had also been sentenced to imprisonment in France in 2006 and in 2011 for collaboration with a terrorist group. At the Audiencia Nacional he was found guilty as charged and sentenced to a total of 79 years and a half. The defence has submitted an appeal against the conviction.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Audiencia Nacional sentenced one defendant to a total of 164 years and six months' imprisonment after it found him guilty of **destruction and robbery with a terrorist purpose, eighteen counts of a terrorist attack against a person resulting in (serious) injuries, and**

forgery of an official document. As part of ETA's *Buru-Ahuste* command, together with some of its other members, he had placed an explosive device at the entrance of a bank in Madrid. The device had exploded late in the evening of 11 May 2001, causing serious injuries to a number of people, as well as material damage. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

At the Audiencia Nacional one defendant appeared in court for his alleged involvement in the planned kidnapping of a politician from the Socialist Party. The kidnapping had been plotted by ETA's *Askatasun* command in 2007 but had not been carried out. The prosecution had charged him with **conspiracy to commit a terrorist offence (illegal detention)** or, alternatively, with **attempted collaboration with a terrorist organisation** and pleaded for an imprisonment of three years and one month. The court did not consider it proven that the defendant had been involved in the plot and acquitted him of the charges. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Audiencia Nacional found one defendant guilty of **glorification of terrorism** and sentenced him to 18 months' imprisonment. He had been prosecuted for having posted on Facebook a series of messages and images praising the violent acts of the terrorist organisation ETA. The material was made publicly available without any restriction for access. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Supreme Court confirmed the 18-month prison sentence given to a Moroccan national by the Audiencia Nacional in November 2015. The man had been found guilty of **glorification of terrorism** for having uploaded a self-made video on YouTube. The video had been a clear homage to the former Al Qaida leader, killed by U.S. troops in Pakistan. It had contained calls to join the jihad, speeches of other leading jihadist figures and images of Al Qaida training camps. The same YouTube channel had been used to publish 28 other videos, with similar violent and radical content. His personal computer had been used to produce 33 videos posted on YouTube (*for further details, please see TCM, issue 24*). The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

At the Audiencia Nacional one defendant was charged with **glorification of terrorism** and humiliation of the victims of terrorism. According to the prosecution, he had used his Facebook and Twitter accounts to post messages and images praising the terrorist organisation ETA and its members in the period 2011-2014. The court found him guilty as charged and sentenced him to 18 months' imprisonment, as pleaded by the prosecution. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Audiencia Nacional found one defendant guilty of **glorification of terrorism** and sentenced him to one year of imprisonment. He had used his Facebook account to publish comments on ETA-related images posted by other users. The images included photographs of an ETA leader and imprisoned ETA members. As suggested by the prosecution, the execution of the sentence was suspended for a period of two years. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Supreme Court dismissed the appeal submitted by the defence of two members of ETA's *Ekaitz* command sentenced to 296 years' imprisonment each by the Audiencia Nacional in December 2015. The Audiencia Nacional had found them guilty of 2 counts of **assassination**, 10 counts of **attempted assassination**, and **causing terrorist destruction**. In June 1991, they had prepared a package with a bomb intended for a company which had been involved in the construction of a highway. The device had been constructed in such a way as to ensure its explosion in case someone would attempt to deactivate it. The package had exploded as the police had been examining it. As a result, two officers had been killed and others had been injured (*for further details, please see TCM, issue 24*). The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Audiencia Nacional found nine defendants guilty of **belonging to a terrorist organisation**, seven of whom as leaders and two as members. They admitted they had been part of the organisation EKIN, which was officially dissolved following the decision of the court but continued its underground activities. The defendants had played various roles within EKIN at national and local level, including leading communities and policies, participated in various meetings and conferences. All nine had been arrested in September 2010. The court ordered prison sentences of 21 to 25 months. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Audiencia Nacional sentenced one defendant to 18 months' imprisonment after it found him guilty of **glorification of terrorism**. The court found that in the period 2013-2015 he had been using his Twitter account to post, without any access restriction, images, videos and comments that glorified acts committed by ETA members or humiliated victims of terrorism or their families. The postings included a video and messages in tribute to deceased ETA members, photographs of other ETA members, collages of photographs of politicians with pro-ETA texts on them, etc. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

One defendant was brought to court at the Audiencia Nacional on charges of **glorification of terrorism**. Using his Facebook account, he had posted, without any access restriction, numerous images and messages, which glorified terrorist acts or their authors. Those included photographs of imprisoned ETA members, images with ETA's anagram and graffiti, texts

supporting what he called 'political prisoners' and in particular those from ETA, etc. The court found him guilty as charged and sentenced him to a prison term of one year. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Supreme Court dismissed the appeal submitted by the defence of a person convicted of **glorification of terrorism** by the Audiencia Nacional in February 2015. He had been caught spraying with permanent red paint the inner side of a bus stop and drawing ETA's anagram. The incident had taken place in June 2014 (for further details, please see TCM, issue 22). The Supreme Court confirmed the one year prison sentence ordered by the Audiencia Nacional. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Audiencia Nacional sentenced one person to one year of imprisonment after it found him guilty of **glorification of terrorism**. The court found that since 2013 he had been posting various comments and images via his Twitter account. The postings had been considered a clear glorification of terrorist organisations and humiliation of victims of terrorism. Some of them referred to murdering mayors, ministers, judges, police officers and businessmen.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

June 2016

At the Audiencia Nacional four defendants were found guilty of **glorification of terrorism**. Three of them were ordered to serve two years in prison and the fourth one 21 months. They had been prosecuted for having praised a deceased ETA member and some other imprisoned ETA members during local festivities in Otxandio in July 2015. They had brought posters with photographs and used a megaphone to read some texts honouring the life and acts of those ETA members. Family members of other imprisoned ETA members had also been present. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Audiencia Nacional ordered the 18-month imprisonment of two defendants found guilty of **glorification of terrorism**. The two had been arrested for having made graffiti with ETA's anagram and some texts with the intention to glorify the terrorist organisation ETA, justify its actions and humiliate victims of terrorism. The decision of the court has been appealed.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

July 2016

An ETA member, previously convicted of terrorist offences, stood trial at the Audiencia Nacional for his alleged involvement in a planned terrorist attack in Durango in June 1997. The attack had been intended to target Basque country police officers. The accused, together with other members of ETA's *Katu* command, had placed a bomb and, on behalf of ETA, called the police to announce the upcoming explosion. They had later called a broadcaster as well to inform about the bomb. The device, however, had not exploded due to some malfunctioning of one of its parts. Later on the same day, the police had managed to neutralize the device. The court found the accused guilty of **attempted terrorist attack intended to kill a police officer** and **possession of explosives as part of a terrorist organisation**. It ordered a prison sentence of 26 years. The defence has submitted an appeal.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Audiencia Nacional acquitted one person charged with **glorification of terrorism and humiliation of the victims of terrorism**. The man is a singer and song writer of several Spanish rap groups. He has published several novels and appeared in cinema and TV productions as actor, director, screenwriter and producer. The lyrics of his songs contain references to terrorist events and are considered quite provocative, ironic and sarcastic. The man had also used his Twitter account to make comments mentioning assassinations and kidnappings carried out by ETA. The court, however, did not consider it proven that with his messages he sought to defend the terrorist organisation or humiliate its victims. The prosecution has submitted an appeal.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Audiencia Nacional handed an 18-month imprisonment sentence to a 21-year old man found guilty of **glorification of terrorism and humiliation of the victims of terrorism**. The man had posted messages on Twitter justifying the existence and actions of the terrorist organisation ETA and humiliating its victims. The messages had been posted in the period July 2013 – July 2015. The decision of the court has been appealed.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Audiencia Nacional sentenced a member of the terrorist group Resistencia Galega to seven years and six months' imprisonment after it found him guilty of **membership in a terrorist organisation, storing of explosive devices** and **causing terrorist destruction**. The man had been arrested after he had placed an explosive device at the entrance of the town hall in Barralla in October 2014. The device had exploded during the night and caused serious damage to the town hall and other buildings at a radius of 50 metres. Following the explosion, the police had searched the man's home, his car and a forested area nearby. As a result of the search, the police had found two plastic bags and a backpack with explosive devices, vehicle registration plates, a video with instructions on how to activate explosive devices, a map of Pontevedra on which the locations of party headquarters, town hall and other public buildings had been marked, etc. The

attack on the Barralla town hall appeared on the list of activities of Resistencia Galega in 2014 published on the website *A Fouces – Voz Da Resistencia Galega*. The man admitted he had committed the acts but renounced the use of violent means to achieve political objectives. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

The Supreme Court dismissed the appeal submitted by the defence of 11 persons convicted of terrorist offences by the Audiencia Nacional in September 2015, in the framework of the so-called Operation Cesto. The eleven had been part of a terrorist network established at the beginning of 2012 and consisting of two cells operating in a coordinated manner in the Spanish town of Ceuta and in Morocco. Members of the network had financed and facilitated the travel of recruits to Syria and Iraq, as well as their subsequent integration in the terrorist organisations ISIL and Jabhat al-Nusra. In order to supervise the process, one of the leaders of the network, who resided in Brussels, had made numerous trips to the border zone between Turkey and Syria. The Audiencia Nacional had heard that at least six foreign terrorist fighters recruited by the network had died in suicide attacks in the conflict zone. Based on the available evidence, the Audiencia Nacional had found two defendants guilty of **leadership** and the remaining nine of **membership in a terrorist organisation** and sentenced them to serve between ten and 12 years in prison. One of them had also been convicted of **illegal possession of firearms**. The decision of the court is final.

Source: Information transmitted to Eurojust by virtue of Council Decision 2005/671/JHA

Sweden

June 2016

A former teaching student was jailed for five years by the Attunda District Court for **plotting a suicide attack** in Sweden. At the trial, it was proven that the defendant had purchased a pressure cooker and bottles of acetone, duct tape, a phone and bullets with the intention to create an explosive device. It was the defendant's relatives who informed the authorities about his radicalisation months before the arrest. A year before, the defendant had also been prevented twice from reaching Syria.

Source: The Local

United Kingdom

May 2016

Four persons were sentenced by the Central Criminal Court of England and Wales for terrorism-related offences. The first one was convicted to ten years in prison with one year extended licence for **preparing terrorist acts** by helping the second accused and the spouse of the third one to flee to Syria in order to fight within the ranks of ISIL. His plea was considered to have

been inconsistent and thus unreliable since, despite his proven sympathies, he had offered to assist the British intelligence services in any way that he could.

The second accused, aged 22, was sentenced by the court to five years with one year additional licence after his attempt to cross into Syria. He had pleaded guilty to the charge of **preparing acts of terrorism**.

The third accused was sentenced to two and a half years in prison for attempting to reach Syria to join her spouse together with her children. In attempting to do so, she booked flights to a number of destinations, with the final intention to eventually reach Turkey and cross the border into Syria. This final intention was betrayed by the spouse of the second accused who was already in Turkey and who texted her that she would see the third accused there.

The fourth accused – the spouse of an ISIL fighter – was convicted to two years' suspended sentence for two years with a supervision order and six months curfew. Similarly to the third accused, she attempted to reach Syria in order to join her spouse who was fighting there as an ISIL fighter. The lighter sentence was justified by the judge because of her easily persuadable character.

Source: *The Guardian*

One defendant was convicted to five years and a half in prison with a four years' licence by the Woolwich crown court for **assisting a number of individuals to reach Syria** in order to fight for ISIL. The defendant also tried to arrange firearms for others and sent GBP 2,000 to his brother in Syria for terrorist purposes. The defendant held that he disliked ISIL and was nothing more than a messenger between the individuals associated with him and his brother. Nevertheless, a search at his home revealed that he had sourced automatic weapons which would have been available for one individual whom he had aided to reach Syria. One official labelled the defendant as a key part of the communication between a number of individuals who had the intention to commit acts of terrorism.

Source: *The Guardian*

Following a complaint, one defendant received a four years and six months' sentence by the Sheffield Crown Court for using social media to **disseminate violent ISIL propaganda material**. The defendant was found to have opened 14 Twitter profiles in less than a month, suspended subsequently by Twitter due to their extreme content. The material she posted or sent privately included links to the propaganda magazine Dabiq, as well as other documents containing warnings from the terrorist group to certain countries and which further encouraged the online dissemination of ISIL propaganda. Other communications contained links to ISIL propaganda films, which depicted *inter alia* the execution of a Jordanian pilot or the direct threats issued by children dressed in fatigues. During the trial, it was further proved that the defendant had used WhatsApp to maintain contact with an alleged ISIL fighter in Syria whom she was considering to marry and live with there.

Source: *Crown Prosecution Service*

A taxi driver was sentenced by the Old Bailey to eight years and three months in prison with a 15 year notification period for **planning to travel to Syria** and marry a jihadi wife. The defendant was caught as the final preparations to desert his home were completed. The defendant had tried to disguise his trip to Syria via Turkey by purchasing a return flight to the latter destination, without the intention of actually returning to the UK. On one of his mobile devices he also had Islamist propaganda enticing its readers to join the global jihad, as well as detailing certain methods of conducting terrorist attacks. Furthermore, the defendant was proven to have purchased outdoor material needed for combat in Syria.

Source: Crown Prosecution Service

June 2016

One defendant was sentenced by the Old Bailey to life imprisonment for **having plotted a street beheading** near the date of Remembrance Sunday in 2014. The offender had attempted to leave for Syria in order to join a relative fighting there for ISIL. After failing to do so, he turned towards attempting to perpetrate acts of terrorism domestically. More specifically, the defendant was inspired in his attempted actions by the murder of an army officer in the streets of Woolwich. The prosecution in this case did not need to prove that the defendant had exhaustively planned the attack in detail. Rather, the fact that they undertook specific actions – in this case buying a long knife – was enough to warrant a conviction. The judges argued that only a life sentence had the requisite deterrent effect in such cases since it was deemed unlikely that the defendant would refrain from attempting to act similarly after a limited prison sentence. In the judges' view, it was only after the threat of jihadi-inspired terrorism passed that the danger posed by the defendant's conditional release would subside.

Source: BBC

One defendant was convicted by the Kingston Crown Court for **disseminating a terrorist publication**. He was sentenced to two and a half years in prison. He had distributed ISIL propaganda to a number of contacts with messages encouraging the recipient to open the content. This material involved videos describing the rise of ISIL and the link between its current activity and alleged prophecies made by the prophet Muhammed. The judge at the trial observed that the defendant had known that the sending of the material would be interpreted by the recipients as a sign of the defendant's endorsement of ISIL. The latter was also deemed reckless as to whether the material would be prone to encourage terrorist activities. Nevertheless, it was admitted that the defendant's diagnosed mental problems could probably have affected his proper judgment.

Source: Crown Prosecution Service

July 2016

A former RAF gunner was convicted by the Woolwich Crown Court to five years in prison for **preparing, assisting another to commit, and funding acts of terrorism**. The defendant attempted to cross the border twice into Syria in order to join ISIL, but was turned back by both

the Turkish and Bulgarian authorities. The defendant converted to Islam during his time in the British RAF after having been stationed in Baghdad in the wake of the American invasion.

Source: *The Guardian*

A Muslim convert was sentenced to 18 years of prison concurrently with five years extended licence by the Preston Crown Court for **attempting to buy firearms, a silencer and ammunition** from an undercover police officer with the intent to endanger life. The defendant was a veteran who developed sympathy for ISIL and was considering taking his children to Syria. Prior to his attempt, the defendant had tried to travel to Syria three times, but failed. It was after these attempts that the defendant decided to procure the firearms with a view to take part in the Syrian civil war.

Source: *International Business Times*

A London based student was jailed by the Old Bailey to three and a half years in prison after **attempting to reach Syria** in order to join the terrorist organisation ISIL. The defendant was apprehended by law enforcement officers upon his attempt to board a flight heading to Romania. He was found to have had in his possession a number of items recommended by the terrorist organisation to anyone planning to join their ranks in Syria, as well as at least a beheading video on one of his electronic devices. Furthermore, the defendant had researched possible roles which could have been of use for the organisation, including those of bomb-makers or fitness military trainers, and was in possession of a number of ISIL terrorist propaganda leaflets.

Source: *Daily Mail*

A well-known Islamic preacher and his aide were convicted to five and a half years in prison by the Old Bailey for pledging allegiance to ISIL and for **having invited support to the terrorist organisation**. Both will be sentenced in September and are facing prison terms of up to ten years. During the trial it became obvious that the men had been responsible for swaying a considerable number of individuals to travel – or attempt to travel – to Syria in order to fight for ISIL. The cleric – who had been a spokesman for al-Muhajiroun, an organisation linked to dozens of suspected terrorists – was well known for his extremist views disseminated through frequent media appearances. He has also repeatedly endorsed terrorist attacks such as the 9/11 attack in the United States or the 2005 London bombings. Nevertheless, and according to the authorities, he had managed for a long time to remain within the boundaries of the law.

Attesting to the highly radical content of his message, a number of his followers were known to be associated with terrorism, including the murderers of a British Fusilier, a suspected ISIL executioner and a British suicide bomber who attacked the city of Tel Aviv. The British Crown Prosecution Service said that the men were knowingly legitimizing terrorism and were highly involved in encouraging others to join extremist jihadi movements.

Source: *BBC*



August 2016

One defendant was jailed for life by the Old Bailey for **attempted murder** after he carried out an indiscriminate knife attack at a London subway station in December 2015. According to footage filmed by onlookers, the defendant had tried to attack a number of passengers close to the entrance. Following the attack, one victim required surgery after a serious wound to the throat. At the trial it was established that the defendant had been a sympathizer of ISIL.

Source: The Guardian

An individual was jailed for seven years with three years extended license by the Old Bailey for **preparing terrorist acts** through his attempt to facilitate the travelling to Syria of another. The defendant was able to do so by running a communications hub through the instant messaging application WhatsApp. It was also apparent that the defendant had been in contact with four other individuals fighting in the Syrian civil war, two of which have been killed. The judge ruled that the defendant was radicalised considerably and was determined and committed towards violent jihad. According to the judge, he manifested his committal by overtly supporting ISIL and its killings.

Source: The Mirror

2. Other Court Decisions of Interest

May - August 2016

The Netherlands

May 2016

The District Court of Amsterdam authorised the surrender of a French national wanted by the French authorities for his alleged involvement in terrorist activities, on the basis of a European Arrest Warrant. The 22-year old man is suspected to have been part of an international criminal terrorist organisation, which had as objective to carry out terrorist attacks. He was believed to have travelled to Syria between the end of 2014 and the beginning of 2015 to join terrorist groups fighting there. As a result of the house search at his family residence in December 2015, the police uncovered items that linked him to a criminal terrorist organisation. The items included forged identity documents, jihadist videos and bomb-making manuals. The man had also been present in an apartment in Argenteuil, France, where weapons, explosives and stolen identity documents had been found by the police on 24 March 2016. It was considered possible that the criminal terrorist organisation the man had been part of may have also been active in the Netherlands. The man had been arrested on 27 March 2016 in Rotterdam and questioned in the framework of a Dutch investigation, in which he is suspected to have participated in a terrorist organisation. In addition to the surrender, the court authorised also the transfer of a report on the items seized from the suspect.

Source: Rechtspraak.nl

Norway

August 2016

An Oslo court has issued a prison sentence of six and seven and a half years to two men who fought within the ranks of ISIL in Syria. Both were convicted of membership to a terrorist organisation and of terror conspiracy. The Court found the two men to have travelled to Syria in 2014 and to have taken part in military training and operations there. One of the defendants received a heavier sentence for his longer stay in Syria and for maintaining his ties to ISIL.

Source: The Local

Court of Justice of the European Union

June 2016

A case was brought before the Court of Justice of the European Union (hereinafter CJEU or 'the Court') through a 267 preliminary reference procedure from the Higher Regional Court of Hamburg, Germany. The case concerned the interpretation of Articles 54 and 55 of the Convention Implementing the Schengen Agreement (CISA) as well as of Article 50 of the Charter of Fundamental Rights of the European Union (CFREU) in relation to criminal proceedings brought in Germany against a defendant.

The case before the national court concerned one defendant who allegedly committed extortion with aggravating factors in Germany. On the basis of this allegation, an investigation was commenced by the German authorities. However, the defendant fled the country to Poland in the alleged victim's car before any further useful enquires could be made.

Once in Poland, the local authorities detained him in relation to a sentence received in this country on matters unrelated to the German investigation. Upon further inquiries concerning the car, the Polish prosecutor opened another investigation on a similar charge to that in Germany – namely extortion with aggravating factors – for the acts committed there. Consequently, the Polish authorities sent an MLA request pursuant to which they asked copies of the investigation files from their German counterpart. Nevertheless, the Polish authorities decided to terminate the proceedings due to lack of sufficient evidence. On the one hand, the accused had refused to give a statement, and on the other, it was difficult to secure a statement from the relevant witness and victim since they lived in Germany. Subsequently, the German public prosecutor issued an EAW in relation to the offence. However, the Polish authorities refused to enforce the warrant on *ne bis in idem* concerns since the termination of the investigation by the Polish prosecutor on the same facts was considered final.

The defendant was eventually arrested in Berlin upon his return to Germany almost 4 years after the EAW was issued. Initially, the lower Hamburg court refused to open the trial on the ground that prosecution had been barred by virtue of Article 54 CISA given the final Polish decision to terminate the investigation. The German prosecutor appealed this decision before the Higher Regional Court Hamburg which transmitted a preliminary question to the Court of Justice, summarized by the latter as asking, in essence, *"(i) whether the declaration made by the Federal Republic of Germany under Article 55(1)(a) of the CISA remains valid and (ii) if Question 1 is answered in the negative, whether the accused's case has been 'finally disposed of', for the purposes of Article 54 of the CISA and Article 50 of the Charter, in circumstances such as those at issue in the main proceedings."*

In considering the questions before it, the CJEU interestingly avoided to answer the first question. It did so by considering the second question as a matter of priority, which it eventually answered in the negative. In the words of the Court, *"[s]ince the question of the possible applicability of the exception in Article 55(1)(a) of the CISA to the ne bis in idem rule will arise only when, in circumstances such as those in issue in the main proceedings, that rule applies because a person's trial has been 'finally disposed of' within the meaning of Article 54 of the CISA, it is appropriate to start by answering Question 2."*

In answering the second question, the Court started by recalling case C-398/12 which ruled that Article 54 CISA must be interpreted in light of Article 50 of the CFREU. On this basis, the Court understood the second question as essentially asking whether the matter pertaining to the principle of *ne bis in idem* referred to in both Articles must mean that a final decision by a prosecutor terminating proceedings – with limited possibility for reopen – may be characterised as final if the investigation terminated without a detail assessment of the merits.

The Court recalled that Article 54 CISA prohibits double prosecution in relation to the same acts which have been ‘finally disposed of’ in another Member State. On one hand, for the matter to be ‘finally disposed of’ further prosecution needs to be definitely barred in the Member State in which criminal law decision was taken. This condition was met by the case at hand since in Polish law the prosecutor’s decision to terminate the investigation was final. Also, the procedural possibility to reopen the investigation in very narrow situations was not deemed to challenge the above finding.

On the other hand, the decision ‘finally disposes of’ the case if the decision was issued after a determination of the merits of the case. In support of this finding, the Court cited case C-469/03 and argued that *ne bis in idem* ensures the proper operation of the area of freedom, security and justice in that a criminal trial or punishment should not be pursued or imposed twice on account of an individual exercising free movement rights. The Court argued that the aim of the principle is to ensure legal certainty through a system of mutual recognition of decisions rendered by the competent public bodies once they have become final. However, in the Court’s view, the previous argument did not imply that a defendant does not have to submit to parallel investigations on same criminal offence or facts.

Essentially, the Court went on to say that Article 54 CISA needs to be read in light of Article 3(2) TEU which requires the EU to offer its citizens an area of freedom, security and justice where free movement is ensured in conjunction with proper means to combat crime. Therefore, in the assessment whether a decision is final or not for the purpose of Article 54 CISA entails, the prevention and combating of crime needs to prevail.

Against this background, and in the case at hand, it was considered obvious that the decision to terminate the proceedings by the Polish prosecutor was rendered hastily and without a proper assessment. The Court acknowledged that if one were to accept the application of the principle of *ne bis in idem* in the present case, then German authorities would be barred to prosecute and consequently the alleged unlawful conduct would be left without a thorough assessment. Such an outcome would clearly run counter to the aim of Article 3(2) TEU, detailed above. Additionally, such an outcome would be prejudicial to the principle of mutual trust which can only function if the Member States can be satisfied that other Member States did assess the merits of a given dispute with due diligence before closing a case.

Therefore, the Court found that the decision rendered by the Polish authorities – afforded in the absence of an assessment of the merits of the file – did not ‘finally dispose of’ the case, and the German authorities were able to prosecute the defendant without infringing the principle of *ne bis in idem*. In light of the answer given to this question, the Court did not find it necessary to answer the other question transmitted by the national court.

Source: *Official Journal of the European Union, C-series*

II. Legal Update

May - August 2016

1. EU

European Commission

June 2016

Commission Implementing Regulation (EU) 2016/1018 of 23 June 2016 amending for the 246th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations was adopted. The Regulation amends Annex I to regulation (EC) No 881/2002 by deleting one entry under the heading 'Natural persons'.

Official Journal of the European Union

July 2016

Commission Implementing Regulation (EU) 2016/1063 of 30 June 2016 amending for the 247th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations was adopted. The Regulation amends Annex I to Regulation (EC) No 881/2002 by modifying 8 entries under the heading 'Natural persons' and amending 1 entry under the heading 'Legal persons, groups and entities'.

Official Journal of the European Union

Commission Implementing Regulation (EU) 2016/1113 of 8 July 2016 amending for the 248th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations was adopted. The Regulation amends Annex I to Regulation (EC) No 881/2002 by deleting one entry under the heading 'Natural persons'.

Official Journal of the European Union

Commission Implementing Regulation (EU) 2016/1186 of 20 July 2016 amending for the 249th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations was adopted. The Regulation amends Annex I to Regulation (EC) No 881/2002 by deleting one entry under the heading 'Natural persons'.

Official Journal of the European Union

III. Judicial Analysis

The analysis that follows has been produced in an attempt to provide an insight into a landmark judgment related to a dismantled terrorist network dedicated to the recruitment, financial support and dispatch of jihadists to terrorist organisations in Syria. It is intended to help practitioners by highlighting several issues that are of relevance in the context of the judicial response to the FTF phenomenon, not only in France but also across Europe.

The analysis focuses on selected aspects of the case rather than on covering all issues and arguments addressed by the court.

1) Procedure: Tribunal de Grande Instance Paris

Date of decision: 7 January 2016²

Introduction

Geopolitical situation in Syria

Since 2011, several terrorist groups such as Jabhat al-Nusra or ISIL were established or have developed in Syria.

On 9 April 2013, ISIL emerged. Two months later, the leader of Al-Qaeda announced the dissolution of ISIL and requested it to leave Syria for the benefit of Jabhat al-Nusra. Nevertheless, ISIL's leader dismissed the announcement and confirmed the preservation of ISIL in its then form and location. Ever since this tension, both terrorist groups have come into conflict, ISIL eventually obtaining the most support from FTFs.

Overall, these groups are known for their sectarian and violent attacks against all opponents to their belief, such as Shiites as well as against the 'infidels'. In support of their mission, the groups often engage in banditry, rape, executions, suicide attacks, plundering and kidnappings for ransom.

Summary of the facts and proceedings

In July 2013, French authorities launched an investigation against a terrorist cell in Nimes. The investigation led to the discovery of a distinct cell, located in the Val de Marne, whose members had either contacts with FTFs or had participated – between January 2012 and November 2013 – in the Syrian armed conflict by joining Jabhat al-Nusra, ISIL and/or Al-Qaeda. As a result, the prosecution brought charges against seven defendants, including criminal conspiracy aiming at

² The Case Analysis Unit would like to thank the National Desk of France at Eurojust for kindly providing a copy of the judgment.

the perpetration of terrorist acts for six of them as well as recidivism regarding the participation in a criminal conspiracy aiming at the perpetration of terrorist acts for the other defendant.

One of the main defendants did not appear in court and was tried *in absentia*.

In its ruling, the court found all defendants guilty as charged. It ordered prison sentences of up to 15 years, as well as pecuniary fines. It further ordered the immediate detention of the convicted persons as well as the maintaining of the arrest warrant issued on the name of the absent defendant.

The prosecution case

The prosecution claimed that the accused had travelled to Syria in order to fight alongside a terrorist group and to be active members thereof before returning to France. It used as evidence a series of data from statements and testimonies of the defendants, statements of family members of fighters in Syria, contents of intercepted telecommunications, various photographs posted *inter alia* on social networks, statements posted on websites, outcomes of surveillance carried out by French authorities, outcomes of house searches where electronic devices were secured as well as police and judicial information.

Certain intercepted telecommunications were particularly important in the case. More specifically, three telephone numbers were considered of high significance and generated the majority of evidence used by the prosecution: one was used by a certain defendant in France and two other lines were used by another two defendants in Syria. These helped the investigators to formally identify and investigate the roles played by all suspects involved. The decision itself includes not only references to the above interceptions but also 'fragments' of conversations covering all the subjects at stake. In pp. 58-59 of the decision, the court expressly pointed out that the interceptions continued even after the charges were formulated. Consequently, even though many statements are outside the scope of the proceedings, the court found that they must be considered as reflecting the ideology of the defendants in general and therefore admissible in court.

Following investigations into the intercepted telecommunications, the role of each member could be clearly established. It became obvious that one of the defendants was the main figure of the cell and was known to have incited young people to participate in terrorist attacks in Syria and to have financed and facilitated other individuals' travel to Syria. The prosecution argued that he was able to do so by providing the services of a smuggler. Furthermore, the investigators found evidence in his computer of his support to the jihadist cause.

Another four defendants went to Syria successively and then returned to France between May and July 2013. One defendant stayed three weeks, another stayed less than fifteen days, while the other two stayed two months and ten days respectively. The intercepted communication reveals their activities and their degree of involvement.

The last two defendants were involved in Syria by fighting for Jahbat al-Nusra and then ISIL. According to the prosecution, they were in charge of dispatching new recruits to the training

camps in Aleppo. They also financed the activities of the succession of terrorist groups that they belonged to. One of them was extradited to France in May 2014 as an arrest warrant had been issued against him in the meantime. The other defendant presumably left for Syria in March 2013 and was allegedly still participating in the armed conflict there at the time of the trial. An international arrest warrant was issued on his name in May 2014, without however any result so far.

The defence case

The defendants claimed that they joined either Al-Qaeda or ISIL out of curiosity or for humanitarian purposes. Even though they admitted that they had intended to join the aforementioned terrorist groups, they argued that they had not participated in any training or combat – despite the interceptions made in the case which appeared to prove otherwise. More specifically, four of the defendants claimed that after arriving in Syria, they had realised that the reality had not matched their expectations and consequently had tried to return to France as soon as practicable. Nevertheless, their interest in jihad and in the armed conflict in Syria was proven by documents stored on electronic devices seized during the searches or interceptions of their communications.

One of the defendants particularly claimed that his presence there was justified by humanitarian reasons since his involvement in Syria was intended to provide help for the needy. He even called those who participated in jihad ‘traitors’.

The ruling of the court

The court noted that the defendants were not charged with participation in a terrorist group even though some defendants left for Syria and actively participated in the armed conflict there. As such, the court found it beyond doubt that the defendants were aware of their participation in a terrorist organisation even though they considered it as a justified battle.

The charge of criminal conspiracy with terrorist intention was proven by the evidence gathered on the cell, including by its role in the recruitment of youths and their dispatching to and from Syria. Furthermore, the court considered the cell as a main ‘hub’ of information which facilitated communication to and between fighters in Syria.

Furthermore, the *Tribunal correctionnel* quotes extracts of the intercepted telecommunications in its decision in order to underline the willingness of the accused to join a terrorist group, to prove their awareness of the situation in Syria and to establish their state of mind as well as their degree of involvement there. Although the provisional charges were the same for all of the accused, the *Tribunal correctionnel* proceeds in its argument by considering them individually and applying the principle of proportionality guaranteed by the French constitution.

The defendants' degree of involvement in jihad

Where active participation in the armed fight was not satisfactorily proven by the prosecution, the defendants received lower sentences than those who did provide financial support, helped with the recruitment of new fighters and provided material.

In its final decision, the *Tribunal correctionnel* also took into account the duration of the defendants' stay in Syria. It considered that a short stay (around two weeks) is proof that the accused had the genuine willingness to leave Syria. Nevertheless, the court voiced doubts concerning the reason why the latter left Syria at all. Possible reasons included either disillusionment or a chance that they were not able to fight as it was expected of them – as some intercepted telecommunications seemed to suggest.

The defendants' stage of radicalisation

The court noted that the general ideology within the group was not homogenous. The general feeling of some was still ambiguous as compared to others who clearly declared their stance: one defendant, for example, openly supported the Paris attacks in November 2015. Even if these events were outside the scope of the present proceedings, the court nevertheless inferred a certain state of mind of the accused.

Moreover, some accused swore allegiance to terrorist groups such as Jabhat al-Nusra or ISIL. In addition, some propaganda documents were found in personal belongings and some links with pro-jihad figures were established. Certainly, the fact that these pro-jihad figures had the same ideological affinity with the above-mentioned terrorist groups clearly revealed the defendants' mindset with regard to the current violent jihadist sectarian battle. It is also worth noting that the leaders of the cell provided sufficient logistical support to enable the members to leave for Syria and to allow them to join the two terrorist groups immediately.

On the defendants' criminal record and level of dangerousness

Most of the suspects did not have any criminal record. Only one of the defendants was judged on the basis of use and possession of narcotics, aggravated violence, attempted murder and recidivism in aggravated violence and thus received the strongest punishment. Additionally, according to the intercepted communications, it seemed that one of the defendants had already had previous military experience in the absence of a criminal record.

One of the defendants expressed self-questioning while another similarly expressed the will to live accordingly in accordance with the rules of the French society. On the contrary, another defendant showed no desire to be properly reinserted in society and he appeared unable to the court to comply with French democratic values. As far as another defendant was concerned, the court held that his preeminent role in the cell had to be severely sanctioned given his extensive criminal history.

The penalties

Six of the accused were declared guilty of participation in a criminal conspiracy aiming at the perpetration of terrorist acts, while the other was declared guilty of recidivism regarding his participation in a criminal conspiracy aiming at the perpetration of terrorist acts. The sentences vary from six to fifteen years of imprisonment with a mandatory minimum between four and ten years depending on either the role of the suspect, their general level of involvement within the respective terrorist group or the existence of recidivism together with a fine of EUR 127.

The court also ordered the relevant assets of the accused to be seized. In order to ensure the effectiveness of the sentences, five defendants were kept in detention. Another defendant was placed under committal order, while the European Arrest Warrant concerning the defendant tried *in absentia* remained in force. As a complementary sentence, a permanent ban from French territory was ordered on one defendant.

IV. Topic of Interest

Use of 'FTF Questionnaires' in criminal proceedings

The analysis below focuses on the findings of the District Court of Glostrup, Denmark, concerning in particular the authenticity and evidential value of a questionnaire/form filled in on behalf of a foreign terrorist fighter upon his arrival at the terrorist organisation ISIL. The existence of the questionnaires was revealed earlier this year when media reported to have received copies of thousands of forms filled in by foreign terrorist fighters with information on their background, skills, preference of fighting over suicide attacks, etc.

Procedure: District Court of Glostrup, Denmark

Date of decision: 24 June 2016³

Introduction

The accused, a Danish national of Turkish origin, travelled to Istanbul, Turkey, in July 2013, from where he continued to the Syrian border. There he met with his contact person, who took him across the Syrian border. Once he arrived at his destination, at a property held by the terrorist organisation ISIL, he handed over his passport and started working a few days later. The accused subsequently returned to Denmark. Upon his return to Denmark, the accused applied for a new passport in August 2013, which confirmed his statement to the police that while the terrorist organisation did not prevent him from leaving, his passport was not returned to him. At the end of August 2013, the accused travelled to Syria for the second time, following the same travel pattern. By early October 2013, the accused had left Syria again, claiming that his father was ill. In March 2015, when the accused tried to make the trip for the third time, he was arrested and detained in Denmark.

The accused faced the following charges:

Count 1: Joining a terrorist organisation or, alternatively, furthering the activities of a terrorist organisation, more specifically the terrorist organisation ISIL in Syria, on two occasions in 2013.

Count 2: Joining a terrorist organisation or, alternatively, the attempt to further the activities of a terrorist organisation, more specifically the terrorist organisation ISIL in Syria. This charge concerned the accused's attempted travel to Syria in March 2015.

Count 3: Directly or indirectly providing financial support to a terrorist organisation, by getting a loan with the aim of bringing money to Syria and handing it over to the terrorist organisation ISIL.

³ The Case Analysis Unit would like to thank the National Desk of Denmark at Eurojust for kindly providing a copy of the judgment.

Count 4: Using unlawful coercion, by threatening a person with the aim of getting hold of a credit card, including the pin code.

Count 5: Committing theft, having stolen a phone and a computer.

Count 6: Participating in committing arson, therewith causing damage to a building.

Count 7: Using unlawful coercion, by threatening law enforcement personnel.

Count 8: Publicly approving of crimes against the State, more specifically terrorist offences.

In addition to these charges, the prosecution made the claim that the accused should be deprived of his Danish nationality and expelled with no right to re-enter the country.

Selected findings

With regard to the criminal charge of joining a terrorist organisation, an interesting point referred to by the court was a form/questionnaire used by ISIL. The Danish authorities had received this questionnaire containing information on the accused from the U.S. authorities and the court noted that the U.S. authorities had provided an explanation to how this and other similar forms had come into their possession. To the Danish authorities the accused explained that upon his arrival to ISIL the second time, a person working for this organisation had filled in information about the accused on a form. When the Danish authorities showed him this form, originating from the terrorist organisation, the accused confirmed to having provided the data contained on it. When asked on which date he had entered Syria for the second time, the accused did not remember this exactly but trusted that the date mentioned on this questionnaire was correct.

Reference to the questionnaire was subsequently made when questioning the accused about his role as a fighter within the terrorist organisation. While he had stated that he was not interested in armed combat, the form showed that the accused had been registered as a fighter. When confronted with this inconsistency, the accused answered that his tasks had only involved serving food, and simply because the form did not contain any other possible alternatives for answering which tasks he was going to be involved in, he had been registered as a fighter. By a majority vote, the court held that the statement made by the accused about his tasks with the terrorist organisation, mainly cooking and serving food, was not reliable. It was also noted that this statement had only been made at a very late stage during the main hearing of the case, when all other evidence had already been brought forward. Based on this and other evidence, the accused was held guilty of joining a terrorist organisation.

Ruling and sentence

The accused was convicted of charges 1, 2, 3, 5 and 8, and acquitted of charges 4, 6 and 7. The court sentenced the accused to seven years' imprisonment. In addition, the court discussed the question of deprivation of the nationality of the accused in great detail. Having considered the personal circumstances of the accused, including the fact that he was born and grew up in Denmark, the court held that the accused should not be deprived of his Danish nationality and, thus, should not be expelled.

V. The Way Ahead

Ongoing/Upcoming Trials

May - August 2016

The overview below includes a selection of ongoing and upcoming trials where decisions are expected within the next few months. Any further developments, resulting in convictions or acquittals, will be presented in the next issue(s) of the TCM.

Belgium

June 2016

Two suspects have been detained in Belgium – one in Verviers and the other in Tournai – following a counter-terrorist raid targeting individuals involved in an alleged attack on a Euro 2016 fan base. In a similar vein, three men have been charged with “attempted terrorist murder” following a plot to kill fans of the Euro 2016 national teams.

Source: The Independent

A suspect was arrested in a Brussels suburb on an accusation of participation in the activities of a terror group, terrorist murders and attempted terrorist murders in connection to the bomb attack in Brussels. The police action was orchestrated against the backdrop of an investigation into the links between the Paris and Brussels attacks.

Source: The Independent

A Belgian judge approved the extradition – based on European Arrest Warrants – of two suspects connected to the 13 November attacks on Paris. One of the suspects is believed to have rented the apartment where the suicide vests used in the attacks were made.

Source: The Independent

Czech Republic

August 2016

A man who attempted to travel to Syria was charged by the Czech authorities with attempted terrorism in what has been labelled by the authorities as the first case of this kind in the Czech

Republic. He was arrested in Turkey after being discovered to have possessed a plane ticket to a Turkish town close to the Syrian border. It is still disputed how the man had become radicalised.

Source: *The New York Times*

Finland

August 2016

The police have arrested an Iraqi in connection to a mass killing of Shi'ite Iraqi soldiers perpetrated by ISIL militants that took place at a former U.S. military base. It is alleged that as many as 1,700 Iraqi soldiers were executed after fleeing the base. The Finnish authorities allege that the suspect took part in the killings as part of either ISIL or another militant group.

Source: *Reuters*

France

August 2016

A 'highly radicalised' French youth from a Paris suburb was charged with terrorism offences, namely terrorist criminal conspiracy and inciting to commit terrorist acts through an online communication medium. The defendant is alleged to have run a chat group on the messaging app Telegram where she promoted the perpetration of terrorist acts. The prosecutor is currently investigating the chat room for more details on the other participants.

Source: *POLITICO Europe*

A refugee was detained by French authorities in Paris on suspicion of planning a terrorist attack. Prior to the arrest, the individual had been living in Paris for two months.

Source: *Sputnik News*

One man was placed under formal investigation after alleged links to the two individuals who interrupted a church service and killed a Roman Catholic priest. According to the authorities, this individual had spent time with the two terrorists before the attack. The investigation comes as part of an attempt by the authorities to establish whether the killers involved in the attack on the French church had any accomplices in France or real connections to ISIL.

Source: *The Local*

The authorities are seeking the extradition from Bulgaria through a European Arrest Warrant of one individual in connection with terrorism and participation in a criminal group for organising terrorist acts. The man – who is the relative of one of the Charlie Hebdo attackers – was briefly



detained pursuant to the plot but later released once suspicions against him subsided. Nevertheless, he later tried to join ISIL by travelling to Syria through Bulgaria and Turkey, only to be turned back by the Turkish authorities. The individual is currently in the custody of Bulgarian authorities pending a hearing before the Court in connection to the Warrant.

Source: Euronews

Germany

June 2016

Four Syrian suspects with alleged links to ISIL have been detained on suspicion of planning a suicide attack in Düsseldorf. Three of the defendants have apparently travelled to Europe following a refugee route and have subsequently convinced another to join their plot. It is believed that the directions to attack the German city were given by the terrorist group's senior command. The modus operandi of the attack appeared to be similar to the one employed in the November 2015 attacks on Paris.

Source: The Independent

August 2016

One man was arrested by German police after a raid to his house revealed a prepared nail bomb together with ISIL propaganda. The authorities believe that the man intended to attack Eisenhuettenstadt's city festival. The arrest comes against the backdrop of heightened security concerns ahead of the Oktoberfest festival in Munich.

Source: The Daily Mail

Italy

May 2016

Three suspects are held over alleged terror plots in Italy and the UK. Even though the preliminary evidence indicated that the cell was not planning an imminent attack, it is apparent that the latter had been surveilling potential targets. Among them, the cell appeared to have been documenting on airports, ports, police vehicles, as well as hotels. The investigation was triggered after a police patrol noted that four Afghans – two residents and two asylum seekers – were photographing a shopping centre.

Source: The Guardian

August 2016

The Public Prosecution Office (PPO) of Milan, Italy is currently investigating several terrorist suspects of Albanian, Italian and Moroccan nationality, believed to be associated with cells of the ISIL/DAESH operating in the Italian territory.

The investigations were particularly complex, and heavily relied upon the interceptions of communications via viruses activated remotely into electronic devices. This special investigative technique permits to intercept conversations held in private places through a virus that – like a so called “Trojan Horse” – can be activated remotely into a smartphone or other portable device (that is in possession of one of the suspects). Under the Italian law, the use of such investigative technique is conditioned upon a favourable decision by the competent pre-trial judge, upon request of the public prosecutor. In addition, the Italian Supreme Court (*Corte di Cassazione*) has recently held that the evidence obtained via “Trojan horses - like” viruses can be only used in proceedings concerning organized crime and terrorism.

In the instant cases, the investigations revealed a wide spectrum of conduct that – in various forms and to different degrees – aided and abetted ISIL/DAESH. Some suspects were found to have travelled to Syria, by car through a land route across Central European Member States (e.g. Hungary) or by flight (via Rome-Instanbul-Gaziantep), in order to receive military training and later actively participate in terrorist activities. A few others were found to have supported those suspects who travelled to Syria, by organizing or financing their trips. Interestingly, two suspects were also accused of having arranged a marriage of convenience in order to facilitate their travels to Syria, as well that of their close relatives. The investigations further found evidence that other suspects had been involved in the radicalization and recruitment of new ISIL/DAESH operatives, in Syria and Italy or via internet.

All suspects were charged with the crime of international terrorism provided under article 270*bis* of the Italian criminal code. Most of them were placed in pre-trial custody or under house arrest pursuant to a decision of the Pre-Trial Judge in Milan. Four of the suspects were convicted in first instance and sentenced to terms of imprisonment ranging from 30 months to five years and four months. The judicial proceedings concerning the other suspects are still on-going.

Source: Information provided by the Italian authorities and the National Desk Italy at Eurojust

One man was arrested in Italy on terrorism charges after attempting to join the terrorist organisation Jabhat al-Nusra in Syria. Furthermore, evidence indicates that he was associated with the planning of terrorist attacks in Italy.

Source: Reuters



Netherlands

August 2016

A Dutch woman who fled ISIL after joining the organisation together with her husband and children was arrested upon arrival at Schiphol airport. She is being suspected by the Dutch authorities for participating in a terrorist organisation in Syria or Iraq between 1 September 2015 and 12 July 2016. No formal charges have yet been brought.

Source: NL Times

One man was arrested in Eindhoven on suspicion of planning a terrorist attack. After raiding the suspect's home, police found ISIL propaganda alongside a knife and seized electronic equipment. The man has been remanded in custody for two weeks.

Source: DutchNews.nl

United Kingdom

June 2016

A man was arrested at Heathrow Airport on suspicion of possessing information relevant to a person intending to commit or prepare an act of terrorism. Pursuant to the arrest, a house search was conducted and several portable electronic devices were seized.

Source: The Independent

The parents of a Muslim convert have been released on bail in expectation of their trial where they stand accused of funding terrorism. They are accused of having sent money to their son who is believed to have joined the fight in Syria with ISIL. The couple are believed to have channelled money to their son in their conviction that he is in danger with the intention to alleviate or rescue him from the situation.

Source: The Independent

August 2016

One teenager was arrested on murder charges after attempting to stab multiple persons in London, and eventually killing an American tourist. Currently, it remains unclear whether the murder and attempted murders should be treated as a terrorist event despite its evident hallmarks. This is so since evidence is currently debated concerning the defendant's mental health.

Source: The Daily Mail

Two females, of which one underage, were arrested on suspicion of preparation of terrorist acts due to their attempt to join a terrorist organisation in Syria. The arrests come against the background of a record number of females being detained in connection to counter-terrorism investigations.

Source: The Daily Mail

A member of the Armed Forces was arrested on suspicion of terrorism offences related to Northern Ireland. As part of the investigation, a house was searched by the police.

Source: Sputnik News





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