



Internal EUROJUST Report

Terrorism Convictions Monitor

Issue 29 October 2017 5/L/2017

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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 Operations 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 29 of the TCM covers the period of **May – August 2017**. 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 judgement issued by the Higher Regional Court of Frankfurt in November 2016. The judgement concerns a returnee from Syria found guilty of membership in a terrorist organisation, war crimes and illicit possession of firearms. The Topic of Interest chapter presents some recent UN Security Council Resolutions in relation to the fight against terrorism, which may have an impact on the EU and the EU Member States' legislation and policies.

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.

I. Brief Summaries of Court Decisions

1. Terrorism Convictions/Acquittals per Member State

May - August 2017

Austria

May 2017

A 27-year old man, who holds a Palestinian passport but was born and raised in a refugee camp in Homs, Syria, was tried in Innsbruck in conformity with the **principle of universal jurisdiction**. The man had arrived in Austria in May 2015. At the refugee shelter, where he had been accommodated, he had boasted that he had belonged to the Faruq Brigade, a division of the Free Syrian Army (FSA), and fought against the Syrian government troops in 2013 and 2014. He had been charged with the **killing of 20 wounded Syrian government soldiers**. In the absence of witnesses to the killing, the eight member jury at the Innsbruck court relied on the man's statement in which he had confessed to the killings. During the trial, the defendant claimed to have been incorrectly interpreted during his interrogation. He claimed also that the Kalashnikov gun, which he had, had been given to him by the FSA for self-defence. The jury found the defendant guilty of **murder as a terrorist offence** and sentenced him to *life imprisonment*. The court referred to killing of wounded soldiers as violation of the Geneva Convention. Due to the current situation in Syria, the man will serve his prison sentence in Austria.

Source: *The Guardian*

The Higher Criminal Court of Innsbruck sentenced one individual to *two and a half years of imprisonment* after it found him guilty of **membership in a terrorist organisation** and of **having undergone terrorist training**. The 26-year old Russian national, who was born in Chechnya, supported ISIL and participated in a terrorist training in Syria.

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

June 2017

The Criminal Court of Vienna acquitted one person of **membership in a terrorist organisation** due to the lack of evidence. The 22-year old Russian national was also suspected of **supporting ISIL with propaganda material**.

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

July 2017

An Austrian court ordered the *life imprisonment* of a 27-year old Palestinian man found guilty of **membership in a terrorist organisation** and **inciting killings of Jews**. The court found that the man had belonged to the terrorist organisation **Hamas**. It heard also that he had **used social media to call on others** to kill Jews in Jerusalem. The man had already been convicted of terrorist offences in Israel and sentenced to nine years in prison. The decision of the court has been appealed by the defence.

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

The Higher Court of Innsbruck sentenced one individual to *28 months of imprisonment* because of **membership in a terrorist organisation**. The 22-year old was found guilty of **supporting ISIL**.

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

August 2017

The Higher Court of Graz sentenced an individual to *two years of imprisonment* after it found him guilty of **membership in a terrorist organisation**. The 20-year old person had travelled to Syria to support ISIL.

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

Belgium

May 2017

On 31 May 2017, the Criminal Court in Brussels sentenced a 21-year old Belgian man to *four years of suspended imprisonment* for his **participation in the activities of a terrorist group**. This was a heavier sentence than the 30 months requested by the Federal Public Prosecutor's Office. The man had been arrested in Turkey in August 2016, while **on his way to reach Syria** in order to join the terrorist organisation ISIL and had been subsequently extradited to Belgium. The police investigation had revealed that he had contact with terrorist groups in Iraq and Syria since 2015. He had also sought advice from several people, including a high-ranking jihadist fighter, about possible ways of crossing the Turkish-Syrian border.

Source: Het Laatste Nieuws

June 2017

A brother and sister, aged 21 and 19, appeared in court in Limburg charged with **helping a terrorist organisation**. They had contacts with the terrorist organisation ISIL and **translated articles for ISIL's jihadist propaganda magazine Dabiq**. In 2015, the young man was detained for acting suspiciously in a shopping street. When searching his phone, the police had discovered

a Telegram conversation revealing that his sister had translated articles from English to Serbo-Croatian for *Dabiq*; photos and films of ISIL had also been found, as well as a WhatsApp group called 'blood shed'. The investigation had further revealed other **propaganda materials**, including films about jihad and martyrdom made by the young woman. In her statements, she expressed her support for ISIL and considered the attacks in Europe as revenge for the suffering in Syria. The court pronounced guilty verdicts to both defendants and ordered prison terms of *three years*, one of which suspended. As part of their sentence, the court ordered also the enrolment in a *deradicalisation programme*.

Source: *Flanders News*

The Criminal Court in Liege found two Belgian men and a woman guilty of **joining a terrorist organisation** in Syria. After being radicalized in Belgium, the three had **travelled to Syria** in 2014, where they had joined the terrorist organisation ISIL. The three had also links with the Verviers terrorist cell. After several months of working at an ISIL-run prison, they had become disillusioned with the reality of life in Syria and returned to Belgium where they had declared their willingness to be reintegrated into Belgian society. When determining the sentence, the judge took into consideration the will of the three defendants to re-integrate, as well as the seriousness of their offences. It ordered suspended prison terms of *24 to 30 months and fines*.

Source: *Het Laatste Nieuws*

The Court of Appeal in Ghent ordered a longer prison sentence for the leader of a group of Chechen nationals from Oostende previously convicted of terrorist offences. He received *12 years* instead of the ten years ordered by the Court of First Instance in Bruges. The Court of Appeal found his first sentence too mild in light of the fact that the defendant himself **had taken part in the activities of a terrorist group** in Syria and subsequently **promoted jihad** and acted as the group's spiritual leader. The court emphasized the gravity of the crimes and the need to respond in the strongest possible manner. The sentences of three other group members remained the same – *five years, four years and 15 months respectively*, while the fourth one was ordered to serve *37 months* instead of four years.

Source: *Het Laatste Nieuws*

The daughter of local city councillor of Molenbeek was acquitted of **being part of a terrorist cell**, which had been active in the Charleroi neighbourhood of Jumet. The cell members have been accused of **planning to travel to Syria** and of maintaining contacts with radical terrorist groups. The young woman had a romantic relationship with one of the cell members but the court concluded that she was unaware of his activities and the plans to travel to Syria.

Source: *BRUZZ*



July 2017

A prison sentence of *four years*, two of which suspended, was handed to the brother of a foreign fighter in Syria. The man was found guilty of **participating in the activities of a terrorist group** (ISIL) after the court heard that he had tried to **recruit others** to join the fighting in Syria, regularly phoned his brother there and sent him EUR 2,750. The court heard also that he had created a Facebook profile, upon his brother's request, which he had used to attract potential jihadi fighters and get them watch ISIL videos. His brother had left for Syria in 2014 together with two other men, both believed to have died in the meantime. Wire-tapped telephone conversations of his brother referred to 'destroying people' in the centre of Bruges or taking police officers hostage.

Source: *De Redactie*

August 2017

The Court of First Instance of Bruges heard the case of 13 men of Chechen origin accused of **having recruited fighters to join the fighting in Syria**. The investigation had been launched in 2014, when one of them had returned wounded from Syria. It had revealed the existence of a **network sending fighters to Syria**. The network had used a safe house in Turkey for those en route to the conflict zone. The leader of the group and two other group members had also travelled to Syria to fight. The court heard that the men shared the Salafist ideology. They had often organised barbeques in their homes to preach and **collect funds**, which had allegedly reached ISIL. The court acquitted one person, as it did not consider it proven that he had been involved in the terrorist activities of the group. The remaining twelve defendants were found guilty and given sentences of between *ten years and 15 months*.

Source: *Het Laatste Nieuws*

Denmark

May 2017

The Court of Aarhus sentenced a Somali national to **six months** in prison and conditional deportation after it found him guilty of **making a bomb and possessing a bomb**. The court heard that the man had manufactured the explosive device in the basement of his apartment building. It consisted of explosive elements with a spark plug, a detonator and various other metal elements. The bomb had been found by a neighbour, as a result of which the neighbourhood had been evacuated. The accused, who had to be forcefully evacuated from the building, had been arrested by the police, as it had found his fingerprints and DNA trails on the device and the bag where it had been placed. The defence has submitted an appeal.

Source: *The Local*

The Holbæk Court found a 17-year old girl guilty of **planning to commit acts of terrorism in Denmark** and sentenced her to a prison term of *six years*. The girl, who had converted to Islam

in 2015, had been arrested in January 2016, at the age of 15, on suspicion she had been **planning to set explosives** on her former school in Fårvevejle and on a Jewish school in Copenhagen. In her possession, the police had also found chemicals that can be used to make explosives and manuals on how to make bombs and prepare explosives. The evidence used by the prosecution included, among others, social media messages, letters and other documents, as well as a text which she had written while in custody. It is reported that in the text, believed to be partly biographical and partly fictional, the girl had explained her views and imagined herself as a fully-fledged jihadi planning the attacks.

Source: *The Local*

France

June 2017

Five young men were found guilty of **criminal association with the purpose of committing a terrorist act**. Two of them, who had spent several months in Syria in 2013 and 2014, were sentenced to *six and eight years in prison*, respectively. Sentences of **four years**, two of which suspended, were ordered to two other defendants. The court heard that they had tried to travel to Syria to join the fighting there. The fifth man, who had helped a young woman prepare to leave for Syria, was given a sentence of **three years**, one of which suspended, and another one was acquitted. The court heard that the men had been recruited by a French national of Senegalese descent known for sending fighters to Syria. He is believed to have run a **well-organised recruitment network** in France and has been placed on the US global list of terrorists. He was believed to have died in Syria until he appeared in a Skype interview for a French TV channel in 2016.

Source: *The Local*

A French court sentenced 18 members of the Cannes-Torcy jihadist group to prison terms between *one and 28 years*. The group had carried out a **grenade attack** on a Jewish grocery store in Paris in 2012 and had plotted to commit other attacks. Group members had also been **planning to join jihadist groups fighting in Syria**. The group has been reported to be the 'missing link' between the terrorist, who attacked a Jewish school in Toulouse in 2012 and the Bataclan concert hall attackers. The group's leader had been killed in a police action in Strasbourg and was not part of the trial. The defendant, who had thrown the grenade into the store, was sentenced to *28 years in prison*. The man, who had driven the vehicle of the attack, received an *18-year prison term*, while some other group members, who had fought in Syria, were given sentences of *14 to 20 years*. One of them was suspected to have returned to France to commit a terrorist attack. Two co-defendants were acquitted as the court did not consider the charges against them proven.

Source: *France24*

August 2017

The Montpellier Criminal Court sentenced a 26-year old woman to a *three-year prison* sentence, one of which is suspended, after it found her guilty of **glorification of terrorism**. The young woman, who is a former beauty pageant contestant, had converted to Islam in 2016. In her possession the police had found photographs of attacks and beheadings of prisoners, as well as audio files of songs glorifying ISIL. She had intended to marry a man living in Tunisia before leaving for Syria, Iraq or Yemen. In a telephone conversation with him she had expressed strong views on the necessity to wage jihad and fight non-Muslims.

Source: *7sur7*

Germany

May 2017

A 23-year old Turkish/German man was sentenced by the Higher Regional Court of Dusseldorf to a *two-year suspended sentence* for **membership in a terrorist organisation abroad**. The man confessed to have **joined ISIL** in 2015. He had been deterred by its brutality and left the organisation after several months. Following his return from Syria, he had provided the German authorities with comprehensive details of an Islamist network operating in Germany. He had also **testified** in other terrorism cases and was put under a **witness protection programme**.

Source: Information submitted to Eurojust by virtue of Council Decision 2005/671/JHA, [wdr.de](#), [rp-online.de](#)

The 1st criminal division of the Higher Regional Court of Berlin convicted a 20-year old Syrian man of **supporting a terrorist organisation** in 150 instances, 149 of which were committed also in violation of the War Weapons Control Act, and sentenced him to *five years juvenile sentence*. Before moving to Germany in August 2015 and being recognised as a **refugee**, the defendant had been a member of ISIL in Syria. In 2013 he had participated in the **siege of an airport** and in the spring of 2014 in the **siege of a city** in eastern Syria. Some of his tasks with ISIL included supplying local troops with provisions. During that time the defendant had been in possession of a Kalashnikov automatic assault rifle. After arriving in Germany, he had maintained close contacts with ISIL members in Syria and had become a **contact person for the organisation in Germany**. He had provided them with information about public traffic in Berlin, including on Alexanderplatz, well aware that such information could be used to plan terrorist attacks. As most of the offences had been committed while the defendant was a minor, the court tried him applying provisions of the Juvenile Court Act. The court considered the fact that the defendant had not previously been convicted and that his confession contributed to his conviction as mitigating circumstances. However, it considered **providing ISIL with information about 'soft targets'** in Berlin as an aggravating factor when sentencing the defendant.

Source: Information submitted to Eurojust by virtue of Council Decision 2005/671/JHA, [Berlin.de](#)

A 19-year old German national was found guilty of **supporting a foreign terrorist organisation** and given a *three-year juvenile sentence*. During the trial, the Higher Regional Court of Düsseldorf heard that the youngster had **translated nine ISIL texts** in June and July 2016, instigated by a high-ranking ISIL member. The texts had been published on the internet, in particular in ISIL's online magazine *Dabiq*. The defendant had been arrested just before his **intended departure to Syria** in July 2016.

Source: Information submitted to Eurojust by virtue of Council Decision 2005/671/JHA, [Justiz-online](#)

June 2017

The Higher Regional Court of Koblenz sentenced a 21-year old Afghan national to a *three-year juvenile sentence* based on the provisions of the Juvenile Court Act, because of his young age at the time the offences were committed. The man was convicted of **membership in a terrorist organisation abroad**, in seven instances, six of which concurrent with **aiding and abetting attempted murder**. In 2014, the defendant had **joined the Taliban** and during a six-month period participated in six assaults, using an automatic assault rifle. When sentencing, the court considered the fact that the defendant had been under intense pressure to join the Taliban and that his participation in the operations had been of minor importance. The sentence was ordered with educational purposes and was intended to **facilitate his social reintegration**.

Source: Information submitted to Eurojust by virtue of Council Decision 2005/671/JHA, [olgko.justiz.rlp.de](#)

July 2017

At the Higher Regional Court of Düsseldorf a 26-year old Iraqi national admitted **travelling to Syria** in December 2013 to join the terrorist group Junud al-Sham. While in Syria, he had stayed together with other German-speaking fighters in the so-called 'German house' and had been trained to use weapons. He had returned to Europe via Brussels and had been arrested in Germany in February 2017. The court found him guilty of **membership in a terrorist organisation abroad** and sentenced him to serve *three years in prison*.

Source: [Justiz-online](#)

A prison term of *five years* was ordered by the Higher Regional Court of Düsseldorf in the case of a 31-year old Tajik national, who was found guilty of **membership in a terrorist organisation abroad**. The court heard that the man had travelled to Raqqa in Syria at the latest in February 2015 and **joined ISIL** there. He had followed some **religious and military training** and had then been assigned as a guard of ISIL controlled areas. The man had been injured in an air strike and had been re-located to execute **administrative tasks** for the terrorist organisation. He had been arrested in June 2016 and had later admitted the alleged offences.

Source: [Justiz-online](#)

The 1st criminal division of the Higher Regional Court of Berlin convicted two Turkish nationals residing in Germany to *six-year imprisonment* each. The court identified both men as adherents to a radical fundamentalist Islamist ideology, calling for the establishment of a *Sharia*-governed system, including by use of force. Under the leadership of one of them, they had formed an organisation called 'Jamaat' (brotherhood of faith) under the cover of the by now delegalised 'Fussilet 33 e.V.' registered association, which comprised of like-minded members. The association had **supported the terrorist organisation Junud al-Sham** in Syria by providing **funds, technical and organisational support**. In one instance, the prosecution was able to prove that in August 2013 the defendants had helped to **smuggle four foreign fighters** from the Caucasus to join ISIL in Syria. In three other instances, they had sent EUR 3,650 to intermediaries who had passed it on to Junud al-Sham in order to support its armed operations.

Source: *Berlin.de*

A German convert into Islam, who had become a **notorious extremist preacher**, was sentenced to serve *five years and six months in prison*. The court heard that he had **recruited** potential members of the al-Nusrah linked Jaish al-Muhajireen wal-Ansar (JMA), or 'Army of Emigrants and Supporters', a group established in Syria in 2012 and considered a terrorist organisation by Germany. The man had **travelled to Syria in 2013** and had supplied the terrorist group with some night vision devices. Despite the available photos in which he appeared on a tank holding an automated weapon, he had claimed that he had travelled to Syria for humanitarian purposes. The man had also become known for **forming a 'sharia police'** in Wuppertal, which had tried to stop people from drinking, gambling and listening to music.

Source: *The Local*

Italy

May 2017

The Court of Appeal of Trento confirmed the sentence issued in May 2016 by the Tribunal Trento against **four members of the terrorist group Rawti Shax**. Rawti Shax was a terrorist organisation operating through several cells in Europe and the Middle East (Finland, Germany, Greece, Italy, Norway, Sweden, Switzerland, the United Kingdom, Iraq, Iran and Syria). Its cells communicated and operated via the internet and had provided **logistical and financial support to recruiting foreign terrorist fighters** to be sent to Syria and Iraq. The investigation had been assisted by Eurojust, which had provided support in judicial cooperation matters. As a result of a joint action assisted by Eurojust via a coordination centre, searches had been carried out in Italy, Germany, Finland, Norway, Switzerland and the United Kingdom and 13 leaders/members of Rawti Shax had been arrested (*for further information on the common action day, please see the Eurojust [press release](#)*). Eurojust has explicitly been mentioned in the first instance judgement with a reference to the terrorist nature of Rawti Sax. The Court of Appeal confirmed the *six-year sentence* given to one of the group members and the *four-year sentences* given to the other three.

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

July 2017

The Court of Assize of Milan sentenced a Moroccan national to *four years* in prison after it found him guilty of **participation in a terrorist organisation** (ISIL). The man had been prosecuted for **planning to carry out an attack on a shopping mall** where he used to work. He had also **sent money in support of ISIL**. The man will be sent back to Morocco upon completion of his prison term. In its ruling, the judge **examined in detail the peculiarities of the so-called 'Islamic State' and concluded it is not a state according to international law**.

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

The Court of the Assize of Rome sentenced a Macedonian national to a prison term of *eight years*. The man, wanted in Macedonia for other offences, was found guilty of **membership in a terrorist organisation** (ISIL). The man had previously spent 15 years in prison for his involvement in robberies in Italy. Having become deeply radicalised, he had **planned to travel to Iraq to join the jihad** and commit terrorist attacks there. In its ruling, the judge described the **radicalisation process, which had occurred in the Italian prison** and which had triggered the participation in the terrorism organisation ISIL.

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

The Netherlands

May 2017

The District Court Midden-Nederland found a 27-year old man guilty of **preparation to take part in an organisation that had the objective to commit terrorist crimes** and sentenced him to *300 days of imprisonment*, of which 242 suspended, with a two-year probation period. The court found that the man had been **preparing to travel to Afghanistan and join ISIL**. He had been in contact with others, who had the same intention. He had also bought a plane ticket to Teheran and packed his suitcase ready to leave. He had also ensured he had a substantial amount of money at his disposal. The man had been arrested after his father contacted the authorities. After spending some time in custody, the man had been released under strict conditions awaiting his trial. The court did not consider it necessary to send the man back to prison. Instead, the court ordered several **specific conditions for the suspended sentence**, including a ban to approach airports or borders, which will be controlled by means of electronic supervision. The man is also to be treated for his personality disorder and to have regular discussions with an expert on Islam.

Source: Rechtspraak.nl

June 2017

Prison terms of *six years* were ordered to two Dutch foreign fighters tried *in absentia* at the District Court of The Hague. The men were found guilty of **participation in an organisation**

that had the objective to commit terrorist crimes, preparation to commit terrorist crimes and training for terrorist purposes. The court heard that they had radicalised and had left together for Syria in March 2013, with the intention to join another friend of theirs, who had already been in Syria for some time and who had been convicted of terrorist offences in May 2016. When already in Syria, they had **joined Jabhat al-Nusra**. The men had attended **terrorist training** at a training camp and had taken part in the **fighting**.

Source: Rechtspraak.nl/Rechtspraak.nl

A man suspected to have travelled to Syria or Iraq to join a terrorist group was tried at the District Court of The Hague. The court heard that he had **joined a training camp** in the Belgian Ardennes in October 2013 and then left for Syria. There, he had **joined ISIL** and taken part in the fighting in the ranks of the terrorist group. He had also used his **Facebook** page to post messages and images calling for the commission of terrorist acts. Those included, for example, images of dead people or prisoners of war lying on the side of the road, images depicting the jihad in Syria and/or Iraq, a video and some audio files. The court found him guilty of **preparation to commit terrorist crimes and incitement of others to commit terrorist crimes** and sentenced him to serve *six years* in prison.

Source: Rechtspraak.nl

July 2017

At the District Court of The Hague one defendant was found guilty of **participation in an organisation that had the objective to commit terrorist crimes and preparation to commit terrorist crimes** and sentenced to a prison term of *six years*. The man had travelled to Syria, where he had **joined ISIL**. He had followed **training in a terrorist training camp** and participated in the **armed jihad** there.

Source: Rechtspraak.nl

A returnee from Syria appeared at the District Court of The Hague charged with **attempted participation in an organisation that had the objective to commit terrorist crimes and preparation to commit terrorist crimes**. The court heard that he had left for Turkey on 29 October 2015, together with his brother and nephew. A few days later they had crossed the border with Syria. The defendant had returned to the Netherlands on 13 November 2015. The court did not accept the defence's arguments that the man had gone on holidays to Turkey. The court could not establish the reasons for his quick return; it considered it proven, however, that he had **intended to join ISIL**. Due to the fact that this intent had not materialised, the court acquitted the defendant of **attempted participation in an organisation that had the objective to commit terrorist crimes** and sentenced him to *18 months* for **preparation to commit terrorist crimes**. The court suspended six months of the sentence under some general and **specific conditions**, including reporting at the probation office, avoiding areas close to

airports or land borders, avoiding contacts with certain persons and participating in a behavioural treatment.

Source: Rechtspraak.nl

The Court of Appeal of Arnhem-Leeuwarden extended the sentence of a 19-year old man, who had tried to travel to Syria to join ISIL. The youngster had been sentenced to 12-month juvenile detention, of which eight conditional, and 120 hours community service at the District Court of Midden-Nederland in September 2016, for **attempted participation in an organisation that had the objective to commit terrorist crimes**. The District Court had acquitted him of **preparation to commit terrorist crimes** and **incitement to commit such crimes**, as it had considered the alleged prepared terrorist offence not concrete enough (*for further details, please see TCM, issue 27*). The Court of Appeal, however, reversed the acquittal of **preparation to commit terrorist crimes** and sentenced the man to *15 months* in prison, applying adult criminal law. Ten months of the sentence were suspended, with a probation period of three years, as the youngster had shown **signs of distancing himself from the jihadist ideology**. Some of the **specific conditions** for suspending part of the sentence included reporting at the probation office, avoiding contacts with certain persons, remaining in the Netherlands and avoiding areas close to airports or land borders.

Source: Rechtspraak.nl

The Court of Appeal of Amsterdam increased the sentence given by a lower court to a 23-year old man, who had **attempted to travel to Syria twice**. In May 2016, the District Court of Noord-Holland had sentenced him to imprisonment of 18 months, of which six suspended, and a probation period of two years after he had been found guilty of **preparation to commit terrorist crimes 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 Quran. Material seized from the defendant also proved that he wanted to go to Syria to take part in jihad (*for further details, see TCM, issue 26*). The Court of Appeal pronounced a *three-year prison sentence*, of which two suspended, with a probation period of three years. The **specific conditions for suspension** of the sentence included reporting at the probation office, participating in regular meetings with a religious expert and avoiding contacts with certain persons.

Source: Rechtspraak.nl



Spain

May 2017

The Audiencia Nacional acquitted one defendant charged with **terrorist offences**, as well as illicit use of a motor vehicle and removal of vehicle registration plates. The man, a notorious ETA member, had been part of its *Donosti* command in 1995. Together with some other persons, he had decided to **attack a local government building** in Guipuzcoa in July 1995. The group had a grenade launcher and two grenades hidden in a cache close by, which had been used for the attack. They had approached the location in a stolen vehicle with a removed registration plate in order to avoid identification. The attack had taken place in the middle of the night and caused serious material damage to the target, as well as to a surrounding building and the vehicle used for the attack. The court ruled that the defendant was no longer criminally liable for the alleged acts, due to the application of the **statute of limitations**.

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

Two young men – respectively 26 and 28 years old – were charged with **glorifying terrorism** and, more precisely, the terrorist group ETA. Following the arrest of an ETA leader in France, some unknown men had **spray-painted the emblem** of the terrorist organisation – an axe intertwined by a snake – and two related writings on the façade of a public building in Llodio. For their alleged involvement in the act, the prosecution pleaded for an imprisonment of one year and a fine. The court however acquitted both defendants of the charges. The decision of the court is final.

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

June 2017

A 53-year old man had been arrested after he had repeatedly shouted a popular ETA slogan addressing the *Ertzaintza* (the autonomous Basque police). The incident had taken place in San Sebastian during a manifestation of an association composed of family members of persons who have been imprisoned or exiled because of their involvement with the Movimiento de Liberación Nacional Vasco, supporting the terrorist organisation ETA. The man had later been charged with **glorification of terrorism**. Because of his **mental and general health conditions**, the man received a lesser penalty – *monitored freedom and medical control every five years* – instead of the 18 months of imprisonment initially sought by the prosecution. The decision of the court is final.

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

During 2013, a 45-year old man had used his **Facebook** account to **spread propaganda** in favour of several terrorist organisations, including ETA, GRAPO, Terra Lliure, and the Irish Republican Army (IRA). The man had been charged with **glorification of terrorism**, according to Article 578 of the Criminal Code. The court acquitted him of the charges but ordered him to

undergo a **psychiatric treatment** and be **placed under observation** for a period of three years. The decision of the court is final.

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

July 2017

Six men had been accused of **membership in a terrorist organisation** under Article 571 of the Criminal Code and were sentenced to *six years* of imprisonment each after the Audiencia Nacional found them guilty as charged. The six had managed different activities **supporting Muslim radical extremism**, aiming to **recruit fighters for Al Qaida** in order to carry out attacks in the Maghreb or in the West. They had used several networks, such as Blogger, Youtube, Facebook, Google+, Paltalk, Twitter, Tlickr, Contactime, Issuu, and Scribd, to spread propaganda, share their strong disapproval of Western society, distribute combat manuals to train their followers for potential missions, and organise personal meetings. One of the men had established the Spanish branch of the global Sharia4 movement, **Sharia4Spain**. The group had also established an **independent system for financing** its activities and had showed a particular **interest in the development of biological or chemical weapons**. The activity of the group had been detected in 2005 around the As Salam Mosque in Melilla. The group had been active until May 2014, when most of its members had been arrested. The decision of the court is final.

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

A 26-year old Spanish man had publicly supported Muslim radical extremist ideas and terrorist groups, such as ETA and GRAPO on his **Twitter account**, from 31 May 2013 until 7 January 2015. The prosecution had charged him with **glorification of terrorism** and, alternatively, with **terrorist propaganda**, provided for and punishable under Articles 578 and 579.1(2) of the Criminal Code, respectively. The man was sentenced to *one year* in prison.

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

A 42-year old man appeared before the Audiencia Nacional charged **with glorification of terrorism** and **humiliation of the victims of terrorism**, under Article 578 (1) and (2) of the Criminal Code. He had used his **Facebook** account and a **YouTube** channel to belittle and ridicule a victim of the terrorist organisation ETA, as well as to show his support to both ETA and ISIL. The court found him guilty and sentenced him to serve *two years in prison*.

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

From 2013 to December 2015, a 38-year old Spanish national had used social platforms to spread the words and symbols of the terrorist organisation ISIL and to **recruit adolescent women** to travel to the ISIL-controlled areas in Syria and Iraq and **marry fighters** there. He had contacted the women at the **Islamic Cultural Centre** of Ceuta, which offers various courses and

assists minors between five and 16 years of age. There he had approached **vulnerable girls, aged 13 to 15 years** with the intention to indoctrinate them and offer them the possibility to travel to Syria and join ISIL. The prosecution pressed charges of **glorification of terrorism** and **collaboration with a terrorist organisation**, under Articles 578 and 576.3 of the Criminal Code. The Audiencia Nacional found the man guilty and sentenced him to *five years* in prison.

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

United Kingdom

May 2017

At the Old Bailey, a 20-year old student was sentenced to *15 years in a young offenders' institution* and five years on licence after he was found guilty of **possession of an explosive substance with intent**. He had **made a bomb** using a clock and following the instructions in an Al-Qaida online article. In October 2016 he had left the device in a backpack on a Tube train. The device, assessed later by experts as completely viable, had not exploded. According to the judge, the young man had a history of preoccupation with weapons and bombs, but was **not motivated by terrorism**.

Source: BBC

A 34-year old IT specialist was sentenced to serve *eight years in prison* after he admitted five charges, including **membership in a terrorist organisation, terrorist training, preparing terrorist acts** and **possessing articles for terrorist purposes**. The man will remain on licence for further five years following his release from prison. The man is reported to have set up a **large scale self-help library** with terrorism-related information. He had also explored ways to create a copy of his blog on a platform in a manner making it impossible for authorities to close down or delete. The man had been arrested after UK authorities received from the FBI **intelligence information** transmitted by the Kenyan authorities. In his possession, the police had found a USB cufflink with an operating system to conceal his blog, as well as other extremist material. In addition to the five offences, the prosecution had considered charging him with directing terrorism, which the court decided to keep on his file.

Source: BBC

A British man pleaded guilty to two offences of **possessing terrorist publications, bomb making manuals** and of **encouraging terrorism**. The man had converted to Islam in prison while serving a term for an earlier conviction. He had been known to the authorities for his support to ISIL. Despite his enrolment in the UK **anti-radicalisation programme Prevent**, his beliefs had remained strong. The court heard that he had **researched the internet for bomb-making and other extremist material** and travelling to Afghanistan and Pakistan. He had also collected information on army barracks and other military sites, as well as on the security of the prime minister's office. He had told his wife, who worked at an army barracks, that he **wanted to kill a soldier** with a car and **bomb an air force base**. He had also used YouTube and social

media to indoctrinate and encourage others to join the jihad. The court sentenced him to *five years and four months* in prison.

Source: *BBC*

June 2017

A 24-year old man pleaded guilty to **engaging in conduct in preparation of terrorist acts** and was sentenced to serve *six years* in prison. The court heard that in 2014 the defendant had sent the UK Prime Minister's office an email mentioning Israel and the intention to wage jihad. Later, he had sent **threatening emails** to others as well. In January 2015, just a few days after the attack on the *Charlie Hebdo* magazine in France, he had threatened to blow up a French bookstore selling the magazine and kill its staff. The court heard also that in 2014 he had bought an ISIL flag and some camouflage gear. In January 2016 he had **tried to reach Syria** to join ISIL but had been stopped before crossing the Turkish-Syrian border and returned to the UK.

Source: *Telegraph*

At the Old Bailey a radicalised 26-year old Muslim convert was sentenced to *five years and four months* in prison for five counts of **possessing information** which may be useful to someone who commits or prepares acts of terrorism and for **dissemination of a terrorist publication**. The man, who had earlier been hospitalised for attacking his mother with a knife in her sleep, used to live in a mental health patients' residential home. In his mobile phone the police had found **extremist material**, including copies of ISIL's magazine *Rumiyah*, the *Anarchist Cookbook*, other bomb-making and 'lone wolf' attack manuals.

Source: *BBC*

A prison term of *28 months* was handed down to Welsh man who pleaded guilty to five counts of **possessing a record of information likely to be useful to a person committing or preparing an act of terrorism**. The court found that he had downloaded terrorist materials with **instructions on carrying out 'lone wolf' attacks** and making **improvised explosive devices**. He had also researched the internet for information on knives and the manufacture of incendiary devices.

Source: *BBC*

July 2017

A judge at the Old Bailey ordered an *18-year prison sentence* with further five years on licence upon release to a **former marine officer**. The man, who had joined the Royal Marines in 2010, had been prosecuted **for making bombs for dissident republicans**. The court heard that four of those had been used in attacks in Northern Ireland. Following his arrest in 2016, the authorities had discovered 43 weapons hides. Among the items found in the hides there were anti-personnel mines, mortars and ammunition. In February 2017 the man had pleaded guilty to

several terrorism charges, including **collecting information on the manufacture of explosive substances, the construction of explosive devices and tactics used by terrorist organisations, purchasing chemicals and components to be used in the manufacture of explosive substances, constructing explosive devices, and keeping hides to store weapons, explosive substances and devices.** The man was also convicted of possession of cannabis and a fraud offence. In his defence, the former marine claimed that he had been suffering from a post-traumatic stress disorder caused by a childhood trauma and faked his support to dissident republicans for fear for his family's and his own health.

Source: BBC

August 2017

A group of three men, who called themselves the 'Three Musketeers', were given *life sentences*, with a minimum of 20 years to be served. A fourth co-defendant, who joined the group just before their arrest, was also jailed for life and will serve a minimum of 15 years. The court heard that the men had been **plotting a mass casualty attack** inspired by ISIL. At the time of their arrest in August 2016, the police had found weapons, including a meat cleaver, a partially constructed pipe bomb, a samurai-style sword, ammunition, latex gloves and industrial tape. The arrest was part of an **undercover police operation**. According to the prosecution, the men had **planned to attack** a police or military target. They had consulted violent material on the internet and joined extremist social media groups. They had also used Telegram to communicate with one another using a Disney cartoon three musketeers image. The 'Three Musketeers' had **previously been convicted of terrorist offences**. Two of them had travelled to Pakistan in 2011 in an attempt to join a terrorist training camp there. They had been arrested upon return to the UK and imprisoned for engaging in conduct in preparation of terrorist acts. In prison, they had met the third one, who had been serving a term for possessing a terrorist publication.

Source: BBC

An Italian national of Pakistani origin was sentenced to *18 years* in prison, with additional five years on licence, at the Manchester Crown Court. The man had tried to board a Ryanair flight to Bergamo, Italy, **carrying a crude explosive device**. The device had been made from batteries, tape, a marker pen and pins. According to the airport security the device was not dangerous, as they had found no traces of explosives on it. The man had left for Italy a few days later. In his absence the device had been re-examined and assessed as viable by a bomb squad. The man had been arrested upon his return to the UK shortly after. In the **absence of evidence of motivation**, the judge believed he was not in a position to determine a terrorist purpose and to conclude it was an offence with a terrorist connection.

Source: The Guardian

2. Other Court Decisions of Interest

May - August 2017

Germany

July 2017

The German Constitutional Court dismissed the application of an Algerian national against his **deportation order** issued by the Senator of Interior of the city of Bremen on **suspicion of involvement in terrorist activities**. The man had been arrested together with a German-born Nigerian national, whose deportation was ordered in April 2017. The applicant challenged the legality of Article 58a of the Act on the Residence, Economic Activity and Integration of Foreigners in the Federal Territory Residence Act (*Gesetz über den Aufenthalt, die Erwerbstätigkeit und die Integration von Ausländern im Bundesgebiet*). The Article stipulates that the supreme Land authority may issue a deportation order for a foreigner without a prior expulsion order, in order to avert a special danger to the security of the Federal Republic of Germany or a terrorist threat. The deportation order shall be immediately enforceable; no notice of intention to deport shall be necessary. Article 58a has been used to issue deportation order for terrorist suspects, even if no terrorist attack has been committed.

The applicant claimed that Article 58a violated the German Constitution, challenging the actions and steps taken during the legislative process. The court ruled, however, that the involved bodies did not go beyond their competencies. It held further that the Article was intended to provide measures applicable to cases of suspicion of terrorism and was compatible with the Constitution's requirement for legal acts to be sufficiently defined to allow those involved to assess their own conduct. In the case of the applicant, the court found the terrorist threat was sufficiently determinable, as the authorities could assess that the complainant was ready to use violence to pursue his religiously motivated goals.

In view of the applicant's claim that his deportation could only be carried out after obtaining guarantees from the Algerian government that his human rights will not be violated, the court found that guarantees included conditions of his possible detention, in particular unhindered access to legal counsel. The court held that the deportee must be able to review the assurances before his deportation and where appropriate seek legal protection.

Source: *Bundesverfassungsgericht/Press release*

Switzerland

August 2017

A prison term of six months and a *two-year suspended prison sentence* were ordered by the Federal Criminal Court of Ticino's capital of Bellinzona in the case of a former private security guard found guilty of violating Switzerland's federal anti-terrorism law. The man had been

arrested in February 2017 on suspicion to have '**motivated nine men and one woman to support his radical Islamic agenda**'. He had also used social media to spread propaganda and proselytise and helped two others to join ISIL in Syria.

Source: *Swissinfo*

Turkey

August 2017

A Belgian resident, who is believed to have been involved in the organisation of the **Paris attacks of November 2015**, was sentenced by a Turkish court to *ten years and nine months* in prison. The man had been arrested in the Turkish city of Antalya in the immediate aftermath of the attacks. The authorities believed he may have been on his way to Syria. According to the Turkish court, he had been **planning to commit an attack against the G20 meeting** held in Turkey on 15 and 16 November 2015. The man, who may face **trial in Belgium** upon his release from the Turkish prison, was convicted together with two Syrian men sentenced to five and ten years in prison, respectively.

Source: *BRUZZ*

European Court of Human Rights

June 2017

On 27 June 2017 the European Court of Human Rights (ECtHR) announced its decision to dismiss the application by **the former leader and spokesperson of the terrorist group Sharia4Belgium** claiming the breach of his right to **freedom of speech**, as guaranteed by Article 10 of the European Convention on Human Rights (ECHR) (Application no. 34367/14).

In 2012, the applicant was sentenced to a two-year prison term and a fine by the Antwerp Criminal Court for posting YouTube video inciting to violence against non-Muslims, promoting jihad and Sharia law. After the applicant appealed, the court of second instance confirmed the custodial sentence but suspended its enforcement for five years. Following further appeal, the Antwerp Court of Appeal in 2013 reduced his sentence to 18 months, emphasising however, that the facts of the case clearly demonstrated that his videos constituted hate speech. Finally, the Court of Cassation dismissed the last appeal and confirmed the judgements of lower courts, stating that the applicant not simply expressed his views, but knowingly and intentionally incited others to discrimination, segregation, hatred and violence towards non-Muslims, based on faith.

The application to the ECtHR was lodged on 29 April 2014. The applicant submitted that he never intended to incite others to violence, discrimination or hatred but only wanted to express his opinions and ideas. He further argued that his freedom of expression and religion had been violated by his conviction for inciting hatred and that his remarks did not constitute a threat to public order.

The ECtHR noted in its judgement that in his videos the applicant called on his viewers to overpower non-Muslims in order to teach them a lesson and to fight them in jihad. The court held that these **videos sought to stir up hatred, discrimination and violence towards non-Muslims**. The court further noted that such content was incompatible with the values of social peace, tolerance and non-discrimination, which are the underlying values of the ECHR.

The court recalled its previous rulings, where it stated that defending Sharia while inciting to violence to establish it could be regarded as **“hate speech”** and that each State could take measures to oppose political movements based on religious fundamentalism calling to establish Sharia regime. Furthermore, the court stated that the applicant wanted to abuse his right to freedom of expression for ends, which were contrary to the spirit of the ECHR, therefore according to Article 17 of the ECHR the applicant could not rely on the protection guaranteed by Article 10, which protects the freedom of expression.

Source: ECtHR

II. Amendments in Legislation

May - August 2017

1. EU

European Commission

May 2017

Commission Implementing Regulation (EU) 2017/778 of 4 May 2017 amending for the 267th 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 three entries under the heading 'Natural persons'.

Source: Official Journal of the European Union

June 2017

Commission Implementing Regulation (EU) 2017/998 of 12 June 2017 amending for the 268th 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 amending the identifying data for one entry under the heading 'Legal persons, groups and entities'.

Source: Official Journal of the European Union

Commission Implementing Regulation (EU) 2017/1094 of 20 June 2017 amending for the 269th 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 amending the identifying data for one entry under the heading 'Natural persons'.

Source: Official Journal of the European Union

July 2017

Commission Implementing Regulation (EU) 2017/1094 of 6 July 2017 amending for the 270th 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 amending the identifying data for one entry under the heading 'Natural persons'.

Source: Official Journal of the European Union

Commission Implementing Regulation (EU) 2017/1094 of 11 July 2017 amending for the 271st 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 amending the identifying data for one entry under the heading 'Legal persons, groups and entities'.

Source: Official Journal of the European Union

Commission Implementing Regulation (EU) 2017/1094 of 26 July 2017 amending for the 272nd 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 amending the identifying data for one entry under the heading 'Natural persons'.

Source: Official Journal of the European Union

August 2017

Commission Implementing Regulation (EU) 2017/1411 of 2 August 2017 amending for the 273rd 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'.

Source: Official Journal of the European Union

Commission Implementing Regulation (EU) 2017/1488 of 18 August 2017 amending for the 274th 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 amending the identifying data for one entry under the heading 'Natural persons'.

Source: Official Journal of the European Union

Commission Implementing Regulation (EU) 2017/1500 of 23 August 2017 amending for the 275th 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 adding one entry under the heading 'Natural persons'.

Source: Official Journal of the European Union

2. Relevant Non-legislative Acts

June 2017

At its meeting of 8 and 9 June 2017, the Justice and Home Affairs Council adopted the Revised Guidelines for the EU Strategy for Combating Radicalisation and Recruitment to Terrorism ([doc.9646/17](#)). The Revised Guidelines build on the achievements, develop further concrete and tangible actions and readjust priorities.

The revised Guidelines refer to Eurojust under action 14 *Detect and address content promoting radicalization and recruitment to terrorism*, as well as action 20 *Develop policy framework for preventing radicalisation into violent extremism and terrorism within prisons*. With regard to the latter, the Revised Guidelines specify, as follows: *'In line with the Conclusions of the Council of November 2015, Eurojust to continue to monitor trends and developments of the applicable legal framework and relevant jurisprudence in the Member States, including the use of alternatives to prosecution and detention in terrorism cases. The Eurojust tactical meetings on terrorism to foster the exchange of existing national practices and the lessons learnt thereof. The Eurojust's Terrorism Convictions Monitors and the Eurojust's Foreign Terrorist Fighters' Reports to presenting the findings and recommendations in the area of de-radicalisation to inform policy makers and contribute to the further development of criminal policy with regard to foreign terrorist fighters.'*

Source: [Council of the European Union](#)

July 2017

The European Parliament set up a special committee to address the practical and legislative deficiencies in the fight against terrorism across the EU. The committee shall be operational for 12 months and is charged with examining and evaluating the extent of the terrorist threat the EU, and identifying 'potential faults and malfunctions that have allowed recent terrorist attacks in Member States to occur'. The committee shall analyse also deficiencies in sharing judicial, law enforcement and intelligence information among Member States. Among others, it is to examine *'the alleged failure of Member States to comply with the obligation imposed by Article 2(3) of Council Decision 2005/671/JHA ensuring that at least the information referred to in paragraphs 4 and 5 of that Article gathered by the relevant authority is transmitted to Europol and Eurojust'*, *'the deficiencies in the judiciary systems and judicial cooperation at EU level, as well as cooperation on cross border investigations, notably through Eurojust, the European Judicial Network, Joint investigation teams, and the European Arrest Warrant (EAW), and the European Investigation Order'*.

Furthermore, the committee shall assess the implementation of external border control measures and instruments; the interoperability of European information-sharing databases; the impact of EU anti-terrorism legislation on fundamental human rights; the effectiveness of de-radicalisation programmes; the impact of money laundering and terrorism financing, including possible links to organised crime; best practice in ensuring soft target and critical infrastructure security.

Source: [European Parliament](#)

III. Legal Analysis

The analysis below has been produced in an attempt to provide an insight into a judgement concerning a returnee from Syria, who was prosecuted for terrorist offences and war crimes. The analysis focuses on selected aspects of the judgement, rather than covering all issues and arguments considered by the court. It is intended to help practitioners by highlighting several issues that are of relevance in the context of the judicial response to the foreign terrorist fighter phenomenon.

Procedure: 5th Criminal Division with the Higher Regional Court (OLG) Frankfurt, case number: 5 - 3 StE 4/16 - 4 - 3/16¹

Date of decision: 8 November 2016; judgement not final yet, appeal of the defendant

Brief description of the facts

The defendant in this case is a German national, born in 1985 to immigrant parents. In 2006 he refused to do military service in the German Army as a conscientious objector. He became radicalised in 2012 and joined the Salafist movement, the ultra-conservative branch of Islam. He manifested this fact, among others, by changing the way he dressed and by wearing a full beard. He became involved in the Salafist circles in Frankfurt and expressed interest in jihad and the terrorist organisation Jabhat an-Nusra li-Ahl ash-Sham ("Jabhat an-Nusra").

On 15 September 2013 he travelled to Istanbul and two days later reached Syria where he joined ISIL. On 20 September 2013 the defendant obtained a Kalashnikov AK 47 machine gun in order to take part in the military operations of ISIL that took place on 10 October 2013, as well as on 6, 7 and 8 November 2013.

During the military operations against the Syrian army east of Aleppo in November 2013, his unit came upon the body of a fallen Syrian soldier or a militia member. The unit, consisting of at least five persons, decided to desecrate his body by cutting off his ears and nose, by kicking his face and shooting his head with a firearm. Those acts were filmed with a cell phone. The defendant sent the recordings to his brother in Germany.

The defendant was arrested upon his return to Turkey on 10 February 2014 and ultimately deported to Germany on 25 February 2015, where he stood trial.

¹ The Operations Unit would like to thank the National Desk of Germany at Eurojust for kindly providing a copy of the judgement.

Applicable law

[Section 7](#) paragraph (2) 1 of the German Criminal Code (*Strafgesetzbuch*) stipulates that German criminal law shall apply to offences committed abroad if the act is a criminal offence at the locality of its commission or if that locality is not subject to any criminal law jurisdiction, and if the offender:

(1) was German at the time of the offence or became German after the commission;
or

(2) was a foreigner at the time of the offence, is discovered in Germany and, although the Extradition Act would permit extradition for such an offence, is not extradited because a request for extradition within a reasonable period of time is not made, is rejected, or the extradition is not feasible.

In conformity with this provision, the court ruled that the German Criminal Code could be applied to the offences committed by the defendant. The court justified its ruling with the military conflict in Syria, the inability of the Syrian government to control the provinces of Latakia, Idlib and Aleppo and to exercise state authority at the time the offences were committed, and the fact that the legal system no longer functioned in this area. Therefore, the court applied [Section 129a](#) and [Section 129b](#) of the German Criminal Code in relation to the alleged membership in a terrorist organisation, as well as [Section 22a](#) of the War Weapons Control Act (*Kriegswaffenkontrollgesetz*) in relation to the alleged unauthorised use of weapons.

Furthermore, the court applied the Code of Crimes against International Law (*Völkerstrafgesetzbuch*), which was adopted to bring German law in accordance with the Rome Statute establishing the International Criminal Court. In its [Section 8](#) paragraph (1) 9 the Code stipulates that whoever, in connection with an international armed conflict or with an armed conflict not of an international character, treats a person who is to be protected under international humanitarian law in a gravely humiliating or degrading manner shall be punished with imprisonment for not less than one year.

This provision was interpreted in a decision of the German Federal Court of Justice (*Bundesgerichtshof*) concerning the appeal submitted by the defendant against his pre-trial detention (*BGH 3. Strafsenat, 8 September 2016, StB 27/16*). In its ruling, the Federal Court of Justice held that the dignity of a person continues beyond the moment of their death. The Federal Court declared further that the body of a deceased person is protected under international humanitarian law.

The charges

According to the prosecution, the defendant violated provisions of several acts:

- (1) *Section 129a Forming terrorist organisations* paragraphs (1) 1 and (2) ² of the German Criminal Code;
- (2) *Section 129b Criminal and Terrorist Organisations Abroad; Extended Confiscation and Deprivation* paragraph 1 (1) and (2)³ of the German Criminal Code;
- (3) *Section 22a Other Penal Provisions* paragraph 1(6)⁴ of the War Weapons Control Act;
- (4) *Section 8 War Crimes against Persons* paragraph (1) ⁵ of the Code of Crimes against International Law.

² The relevant paragraphs of Section 129a (translation in English available at https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p1217) read as follows:

“(1) Whosoever forms an organisation whose aims or activities are directed at the commission of

1. murder under specific aggravating circumstances (section 211), murder (section 212) or genocide (section 6 of the Code of International Criminal Law) or a crime against humanity (section 7 of the Code of International Criminal Law) or a war crime (section 8, section 9, section 10, section 11 or section 12 of the Code of International Criminal Law);

...
or whosoever participates in such a group as a member shall be liable to imprisonment from one to ten years.

(2) The same penalty shall be incurred by any person who forms an organisation whose aims or activities are directed at

...
2. committing offences under section 303b, section 305, section 305a or offences endangering the general public under sections 306 to 306c or section 307(1) to (3), section 308(1) to (4), section 309(1) to (5), section 313, section 314 or section 315(1), (3) or (4), section 316b(1) or (3) or section 316c (1) to (3) or section 317(1),

...
or by any person who participates in such a group as a member, if one of the offences stipulated in Nos 1 to 5 is intended to seriously intimidate the population, to unlawfully coerce a public authority or an international organisation through the use of force or the threat of the use of force, or to significantly impair or destroy the fundamental political, constitutional, economic or social structures of a state or an international organisation, and which, given the nature or consequences of such offences, may seriously damage a state or an international organisation...”

³ Section 129b (translation in English available at https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p1217) reads as follows:

“(1) Section 129 and section 129a shall apply to organisations abroad. If the offence relates to an organisation outside the member states of the European Union, this shall not apply unless the offence was committed by way of an activity exercised within the Federal Republic of Germany or if the offender or the victim is a German or is found within Germany. In cases which fall under the 2nd sentence above the offence shall only be prosecuted on authorisation by the Federal Ministry of Justice. Authorisation may be granted for an individual case or in general for the prosecution of future offences relating to a specific organisation. When deciding whether to give authorisation, the Federal Ministry of Justice shall take into account whether the aims of the organisation are directed against the fundamental values of a state order which respects human dignity or against the peaceful coexistence of nations and which appear reprehensible when weighing all the circumstances of the case.

(2) Section 73d and section 74a shall apply to cases under section 129 and section 129a, in each case also in conjunction with subsection (1) above.”

⁴ The relevant paragraph of Section 22a (translation in English available at <https://germanlawarchive.iuscomp.org/?p=741>) reads as follows:

“(1) A prison sentence of one year up to five years shall be imposed on anyone who

...
6. otherwise exercises actual control over war weapons without
a) the acquisition of actual control being based on a licence under this Act or
b) notification having been given under section 12 (6), item 1, or section 26a of this Act, unless the provisions of the Weapons Act are applicable to portable firearms under section 6 (3) of that act...”

⁵ The relevant paragraph of Section 8 (translation in English available at <http://www.iuscomp.org/wordpress/wp-content/uploads/2014/03/voestgb.pdf>) reads as follows:

“(1) Whoever in connection with an international armed conflict or with an armed conflict not of an international character

...
9. treats a persons who is protected under international humanitarian law in a gravely humiliating or degrading manner shall be punished ... in the cases referred to under number 9, with imprisonment for not less than one year...”

As mentioned above, in conformity with Section 7 paragraph (2) 1 of the German Criminal Code, German criminal law applies to offences committed abroad if the act is a criminal offence at the locality of its commission or if that locality is not subject to any criminal law jurisdiction, and if the offender was a German national at the time the offence was committed. In the present case both conditions set out in the provisions were met.

The prosecution identified two distinct punishable acts:

- (1) Membership in a terrorist organisation, in combination with the unauthorised possession of weapons between 20 September 2013 and 6 November 2013, and
- (2) Membership in a terrorist organisation, in combination with the unauthorised possession of weapons and war crimes against persons from 7 November 2013 till 8 February 2014.

Those two were regarded as different punishable acts, in conformity with [Section 53 Multiple offences committed by multiple acts \(*Tatmehrheit*\)](#)⁶ of the German Criminal Code. On this matter the court referred to a judgement of the German Federal Court of 9 July 2015, in which the Federal Court ruled that not all offences committed by a person resulting from a membership in a terrorist organisation should automatically be considered one and the same punishable act.⁷ Based on this judgement, in the context of the present case the Higher Regional Court of Frankfurt held that despite the fact that all offences had been committed in the course of activities of the same terrorist organisation, they should not automatically be considered as one punishable act. According to the court, the desecration of the body of a deceased person, which constitutes a war crime, as provided for in Section 8 paragraph (1) 9 of the Code of Crimes against International Law, created a disruption in the continuity of the criminal conduct and established two separate punishable acts.

Each of the punishable acts (1) and (2) constituted one act violating multiple laws or the same law more than once, as stipulated by [Section 52 \(*Tateinheit*\)](#)⁸ of the German Criminal Code, e.g.

⁶ Section 53 (translation in English available at https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p0284) reads as follows:

“(1) If a person has committed more than one offence, all of which are to be adjudicated at the same time, and incurred more than one sentence of imprisonment or more than one fine, an aggregate sentence shall be imposed.

(2) If a term of imprisonment concurs with a fine, an aggregate sentence shall be imposed. The court may impose a separate fine; if fines are to be imposed for more than one offence, an aggregate fine shall to that extent be imposed.

(3) If the offender, pursuant to a law according to which section 43a is applicable or under the terms of section 52(4), has as one of the individual sentences incurred imprisonment for life or a fixed term of more than two years, the court may impose a confiscatory expropriation order in addition to the aggregate sentence formed pursuant to subsections (1) or (2) above; if in such cases a confiscatory expropriation order is to be imposed for more than one offence, an aggregate expropriation order shall to that extent be imposed. Section 43a(3) shall apply mutatis mutandis.

(4) Section 52(3) and (4) 2nd sentence shall apply mutatis mutandis.”

⁷ A copy of the judgement is available at

<https://www.juris.de/jportal/portal/t/s36/page/homerl.psm1?cmsuri=/juris/de/startseite/dokvorschauseite.jsp&oc.id=KORE300052016&userHasToLogin=true&docpreview=true&showdoccase=1&metainfo=2>

⁸ Section 52 (translation in English available at https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p0284) reads as follows:

“(1) If the same act violates more than one law or the same law more than once, only one sentence shall be imposed.

(2) If more than one law has been violated the sentence shall be determined according to the law that provides for the most severe sentence. The sentence may not be more lenient than the other applicable laws permit.

(3) The court may impose an additional fine to any term of imprisonment under the provisions of section 41.

the German Criminal Code and the War Weapons Control Act, on the one hand, and the German Criminal Code, the War Weapons Control Act and the Code of Crimes against International Law, on the other.

With regard to the role the defendant had played in the events of 7 November 2013, the court held that even acts not directly carried out by the defendant, such as the desecration of the corpse, by cutting off the nose and ears, by kicking of the corpse, and shooting the head, were attributed to him on account of his belonging to the group whose members had taken a joint decision to commit those offences. Therefore, the members of the group were to be considered as jointly liable, in conformity with [Section 25 Principals](#) paragraph (2) (*Täterschaft*)⁹ of the German Criminal Code.

The evidence

The evidence of the defendant committing the offences consisted mainly of photographs, video recordings depicting the treatment of the body of the fallen Syrian soldier, records of Skype chat conversation between the defendant and his brother, etc.

The evidence included also an ISIL registration form, which recorded the defendant's joining of ISIL. The form was part of a bundle of ISIL registration forms made available to the German authorities by an informant, who initially provided print-outs of 50 individual registration forms and later between 4,000 and 5,000 such registration forms saved in a PowerPoint format. The forms contained, *inter alia*, personal information such as name, nationality, level of religious knowledge, address, profession, previously visited countries, date and place of entry into Syria, etc.

The court recognised the reliability of the registration form concerning the defendant. In doing so, the court relied on expert witness' testimonies, verifying various visual characteristics of the form, such as the logo of the ISIL, containing the declaration of Islamic faith. The court relied also on the translation of the form's content to verify the information pertaining to the defendant.

The registration form was also regarded as evidence of the defendant's willingness to submit himself to the authority of ISIL as a jihadist fighter. This was further documented by photographs, found on defendant's and his brother's mobile phone. Those included, for example, a photograph depicting him in paramilitary garb with ISIL emblems, holding an AK Kalashnikov rifle, which according to the meta-data, was taken on 20 September 2013.

(4) If one of the applicable laws allows for the imposition of a confiscatory expropriation order the court may impose it in addition to imprisonment for life or a fixed term of more than two years. In addition, ancillary penalties and measures (section 11(1) No 8) must or may be imposed if one of the applicable laws so requires or allows."

⁹ Section 25 paragraph 2 (translation in English available at https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p0284) reads as follows:

"...

(2) If more than one person commit the offence jointly, each shall be liable as a principal (joint principals)."

Furthermore, other photographs verifying the defendant's readiness to participate in military operations of ISIL, dated 2 October 2013, were found on his mobile phone and his tablet. Those photographs depicted the defendant in a rural setting, holding a military rifle.

In addition, video recordings were made available to the court by the Turkish authorities. The recordings, found on the defendant's phone following his arrest, depicted the desecration of the body of the fallen Syrian soldier, at a location near Aleppo. The verification of the authenticity and source of the video recording was made by an expert witness who testified that the video recordings were made using the phone in the possession of the defendant. The corresponding meta-data allowed the investigators to date the footage as having been taken on 7 November 2013.

With regard to the travels of the defendant, the court relied on the passenger record provided by the Turkish authorities to confirm the defendant's date of arrival in Turkey on 15 September 2013. His entry into Syria on 17 September 2013 was documented in the aforementioned ISIL registration form.

The defence case

The defendant denied his involvement with ISIL and explained that he had travelled to Turkey on behalf of a relief and fundraising organisation, *Shatha Al Iman-Wohltätigkeitsverein*. The court, however, identified the relief organisation as having links with the Salafist movement in Frankfurt. The organisation functioned as a cover for people, similar to the defendant, who travel to Syria in order to participate in military operations.

The penalty

The court found the defendant guilty as charged. As mentioned above, each of the punishable acts (1) and (2) constituted one act violating multiple laws or the same law more than once, as stipulated by Section 52 (*Tateinheit*) of the German Criminal Code. In such cases the law determines that only one sentence shall be imposed.

In the case of the defendant, punishable act (1), consisting of membership in a terrorist organisation and unauthorised possession of weapons, carried a maximum sentence of imprisonment of ten years, while punishable act (2), consisting of war crimes, membership in a terrorist organisation and unauthorised possession of weapons, was punishable with up to fifteen years of imprisonment. The court ordered a six year prison term for punishable act (1) and the same prison term for punishable act (2).

In accordance with Section 53 (*Tatmehrheit*) of the German Criminal Code an aggregate sentence shall be imposed if a person has committed more than one offence, all of which are to be adjudicated at the same time, and incurred more than one sentence of imprisonment or more than one fine. The severity of the aggregate sentence was determined based on Section 54 (*Bildung der Gesamtstrafe*) of the German Criminal Code, which stipulates that the aggregate sentence shall be fixed by increasing the most severe individual sentence incurred and, in the case of different kinds of penalties, by increasing the sentence that is most severe in nature.

Taking this into consideration, the court fixed the final aggregate sentence to eight years and six months of imprisonment. The defendant was also deprived of his cell phone used to record the treatment of the fallen Syrian soldier, in conformity with [Section 74 Conditions of deprivation](#)¹⁰ of the German Criminal Code.

¹⁰ Translation in English is available at https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p0284

IV. Topic of Interest

Recent UN Security Council Resolutions in relation to the fight against terrorism

The present chapter provides some insight into recent UN Security Council Resolutions in relation to the fight against terrorism. The resolutions have been selected in view of their possible impact on the EU and the EU Member States' legislation and policies.

UN Security Council Resolution 2354 (2017)

Security Council Resolution 2354 (2017) on Comprehensive International Framework to Counter Terrorist Narratives was adopted by the UN Security Council (SC) on 24 May 2017 and features a new framework developed by the SC Counter-Terrorism Committee. It is based on a series of previous SC resolutions and provides concrete recommended guidelines and good practices. It aims at countering distorted narratives based on the misinterpretation and misrepresentation of religion, because these are used by terrorist groups as means to justify violence utilised to recruit supporters and foreign terrorist fighters, mobilise resources, and garner support from sympathisers.

The SC urges Member States to follow a number of concrete guidelines aiming to counter the narratives. According to Article 2(b) of the Resolution, Member States themselves have as primary responsibility countering terrorism and terrorism-related acts and practices. However, on the one hand, SC encourages greater coordination and coherence of the relevant UN entities with donors and recipients of counter-terrorism capacity-building (Article 2(c)). On the other hand, the Resolution calls for engagement with a wide range of actors (civil society, groups' leaders, youth etc.), aiming to enhance dialogue among societies (Article 2(e)(h)).

SC highlights the need to design counter-narrative measures in proportion with specific circumstances, contexts, and levels (Article 2(d)) as well as to raise public awareness on the issue, amplifying, in this way, the efforts and positive results of counter-narratives and research (Article 2(g)(j)(l)).

Member States are required to follow the SC recommendations and to ensure the coherence between the national measures taken to fight terrorism and the international ones, in particular in the fields of international human rights law, refugee law, and humanitarian law (Article 2(e)). The suggested recommendations or guidelines, in fact, represent the principles of the United Nations Charter, including respect for the sovereignty, territorial integrity and political independence of all States.

In any case, the Member States commitment to tackle terrorism and terrorism-related phenomena is highly recognised and encouraged by the Council, which mainly asks for a better coordination and coherence between national and European measures.

Concluding, in agreement with the Resolution's terms, the Council requested the Counter-Terrorism Committee to make an inventory of relevant national, regional, and global initiatives, in order to support and enhance sharing of information. Moreover, the Counter-Terrorism Committee, supported by the United Nations Counter-Terrorism Committee Executive Directorate, presents an annual review meeting on the topic.

UN Security Council Resolution 2368 (2017)

[Security Council Resolution 2368 \(2017\)](#) was adopted by the UN SC on 20 July 2017. It concerns assets freeze, travel ban, and arms embargo, affecting individuals and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List. Assets freeze requirements are defined in relation to financial transactions involving any type of fund, economic resource or income-generating activity supporting individuals, groups, entities and/or single actions affiliated with ISIL (Da'esh) and Al-Qaida.

The Resolution sets the following requirements to the Member States:

- To develop the capability to process and properly manage Passenger Name Records data;
- To improve Member States' cooperation to face the problem of foreign terrorist fighters moving within EU territories; and
- To submit an updated report on their implementation of the Committee's measures within 120 days from the adoption of the Resolution.

Eventually, the Resolution extends the mandates of the Monitoring Team and of the Office of the Ombudsperson to December 2021. It subordinates the names specified in Annex III of the Resolution to the same parameters declared in the paragraph 1 of the same Resolution, adding them to the ISIL (Da'esh) & Al-Qaida Sanctions List.

UN Security Council Resolution 2370 (2017)

[Security Council Resolution 2370 \(2017\)](#) was unanimously adopted on 2 August 2017. It calls for measures to be taken by the Member States to prevent the acquisition of weapons by terrorists and to address threats caused by improvised explosive devices. Consequently, it requires Member States to take the following actions:

- To reaffirm their commitment in tackling terrorism, starting from cutting down any form of financial support to terrorists, including weapons' availability;
- To strengthen and valorize arms embargoes' monitoring mechanisms;



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- To take legal action against those who provide weapons to terrorists as well as improve the “Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects” and the International Tracing Instrument, which regulate and limit the traffic of small arms and light weapons; and
- To improve their resources in preventing and countering improvised explosive devices.

In conformity with these requirements, the Council directed the Counter-Terrorism Committee with the support of the Counter-Terrorism Executive Directorate (CTED) to monitor Member States’ commitment and efforts to eliminate the supply of weapons to terrorists.

Concluding, the Council also directed the 1267/1989/2253 ISIL (also known as Da’esh) and Al-Qaida Sanctions Committee and the Analytical Support and Sanctions Monitoring Team to keep focus on the threat of supplying weapons to individual terrorists and terrorist groups.

V. The Way Ahead

Ongoing/Upcoming Trials

May - August 2017

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

A man believed to have played a major role in the **terrorist attacks in Paris on 13 November 2015** has been charged with attempted murder of several police officers and carrying banned weapons, both in a terrorist context. The charges relate to a **shootout with police** in Vorst, a few days before his arrest in the Molenbeek neighbourhood of Brussels in March 2016. The man is to be tried at the Brussels Criminal Court together with an alleged accomplice. He is still in France, surrendered to the French authorities on charges related to his alleged involvement in the Paris terrorist attacks.

Source: 24 Matins

A cousin of two of the Brussels suicide bombers has been charged with **terrorist murders and participation in the activities of a terrorist group as a leader**, in the framework of the investigation of the **Paris terrorist attacks of 13 November 2015**. He was arrested in March 2017, together with two other men, already convicted for providing weapons and munitions to the Brussels attackers. He was mentioned in the will one of them left on a laptop found by the police in a garbage bin. The authorities believed he may have been planning another attack. The man, whose brother is considered the mastermind or at least the inspirer of the Brussels attacks, had also a key of the building with the apartment where the Paris attacks suicide belts were made and where other terrorist suspects were hiding. He travelled also to Spain and had links with terrorist suspects who had travelled to Marseille, Tanger, Rome, Fès en Nimes.

Source: Het Laatste Nieuws

Twelve members of the group La Cavale are suspected of **participation in the activities of a terrorist group**, three of them as leaders. The group is believed to hold **anarchist views** and is allegedly responsible for some 150 acts, including vandalism, robberies, arson, attacks on police, etc. In 2008, the police started a terrorist investigation into a group of persons calling itself La Cavale. Following some house searches in 2013 the investigation seemed not to progress until some new information was recently revealed.

Source: Het Laatste Nieuws

France

A former soldier has been investigated for having **allegedly planned to carry out a terrorist act** and attempted to breach a **military base**. He was detained near the base, which is used to host transport planes for the French army, the official plane of the French president and planes of the French intelligence service. At the time of the arrest, the police found ISIL flags, a USB stick with a pledge of alliance to ISIL and a copy of the Quran on him; close-by they found also a shotgun, two revolvers and some ammunition. The man, who admitted to intending to commit a terrorist act, left the army in 2013, converted to Islam and was placed on an extremist watchlist in 2014 over suspicions of radicalisation.

Source: DW

Germany

An alleged former member of the **Provisional IRA** has been charged with attempted murder in relation to an **attack on a British base in Germany** in June 1996. The man, who was surrendered to Germany by the Irish authorities, has admitted he helped install a mortar launcher used in the attack. The attack was carried out by a group of five and did not cause any injuries. In his words, it was intended to kill but to show British soldiers they were not safe even outside of the UK.

Source: The Local

Five men have been charged with membership in or support to a foreign terrorist organisation following an investigation into an alleged **recruitment network sending fighters to join ISIL**. One of the men, a 33-year old Iraqi national, is described as ISIL's 'ambassador' in Germany and is claimed to have had direct contact with ISIL leaders. The network is believed to have been built around the mosque in Hildesheim where the Iraqi preached. He is also said to have travelled across Germany to spread his radical views and to have had contacts with the man who committed the attack on the Berlin Christmas market in December 2016. Two of the fighters believed to have been recruited by the network are known to have committed suicide attacks in Iraq.

Source: The Local

Italy

A 29-year-old Iraqi **asylum seeker** has been arrested following a court order on suspicion of **conspiring to commit international terrorism** and inciting others to violate the law. According to the police, he possessed ISIL-related materials and tried to convince asylum seekers to commit violent acts. He also praised the recent terrorist attack in Manchester and made radical statements.

Source: Reuters

Netherlands

A former member of the terrorist organisation Hofstad group has been accused of **spreading jihadist propaganda** among young people in Amsterdam. The man, who had served a sentence for preparing a terrorist attack, was believed to be de-radicalised and was employed as a **youth worker at Amsterdam's radicalisation and polarisation department**. The man was supposed to identify potential radicalisation and prevent young people from embracing the jihad. It has been reported that the municipality had been warned by experts that the man was still radicalised.

Source: *NL Times*

Sweden

Three Swedish men, believed to have been linked with the Swedish white supremacist organisation Nordic Resistance Movement, have been charged with **attempted murder and endangering the public**. They are suspected to have been involved in **bomb attacks** against a left-wing bookstore and an asylum centre, and in one attempted bombing in 2016 and 2017. Two of them are believed to have received paramilitary training in Russia prior to the attacks.

Source: *Euronews*

United Kingdom

Three women have appeared at the Westminster Magistrates Court charged with **preparing a terrorist act and conspiracy to murder**. The three, believed to have been part of Britain's **first all-female terrorist plot**, are accused of having been planning a random knife attack on strangers near the Parliament building.

Source: *Fox News*



Eurojust
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