

# Senate Testimony

## **Terror in Europe: Safeguarding U.S. Citizens at Home and Abroad**

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Chairman Johnson, Ranking Member Carper, and distinguished members of the committee, on behalf of the Foundation for Defense of Democracies, it is an honor to appear before you to discuss the heinous terrorist attacks in Brussels, and their implications for U.S. security.

The Brussels attacks and their aftermath have exposed several key weaknesses in Europe's security infrastructure that leave the continent vulnerable to terrorism and inhibit European states' ability to effectively counter threats posed by the Islamic State (popularly known by the acronym ISIS) and al-Qaeda. These weaknesses also endanger our own homeland security and U.S. interests in Europe. Some of the most significant challenges facing Europe include:

- **European authorities' capacity to manage the dual challenges posed by migrant inflows and foreign fighters.** Europe's migrant crisis has overwhelmed European law enforcement and security agencies, which are struggling to police migrant communities, prevent and contain crime against migrants and other manifestations of a nativist backlash, and gather intelligence on incoming migrants. At the same time, thousands of European nationals have joined ISIS and other jihadist factions in Syria and Iraq, and dozens to hundreds of these foreign fighters have returned to Europe, with some infiltrating migrant inflows to gain entry to the continent. European security agencies are ill equipped to manage these dual challenges.
- **Security coordination in Europe.** Intelligence sharing between European countries continues to be inadequate, as bureaucratic obstacles and turf battles inhibit governments from sharing critical information with one another. Some European governments also struggle to share information even within their own intelligence community. These problems can be exacerbated by the lack of border controls within the Schengen Zone, which has helped jihadist operatives move between countries undetected.
- **Security at civilian nuclear facilities in Belgium.** Though the Belgian government has made progress in recent years in securing its nuclear facilities, concerns remain about the country's ability to protect its nuclear material, as well as personnel who work at these facilities. ISIS has demonstrated an interest in gaining access to Belgian nuclear facilities and acquiring nuclear material.
- **Threats to transportation infrastructure and soft targets.** ISIS has instructed its operatives to carry out mass casualty attacks against civilians in Europe, and the group has sought to cripple the European economy by striking tourist sites and transportation infrastructure.

European states will need to address these issues head-on in order to prevent large-scale attacks in the future. The U.S. government can play an important role in providing a

roadmap for European states to follow, supporting European security reforms, and bolstering European states' ability to combat jihadist threats.

### **Managing the Migrant Crisis and Foreign Fighter Returnees**

ISIS has intensified its operations in Europe at the same time that European law enforcement and intelligence agencies are coping with a different challenge, the migrant crisis. More than a million migrants from Syria, Iraq, Afghanistan, and other countries poured into Europe in 2015, the largest influx Europe has encountered since World War II.<sup>1</sup> The magnitude of the migrant crisis has overwhelmed European governments, and inhibited intelligence agencies from vetting incoming migrants for ties to violent extremists. One European diplomat explained of the lack of screening measures: "There are no real controls. [The authorities] take fingerprints, accept whatever identification they provide—if they have one—and send them on their way."<sup>2</sup>

As migrants began flooding into Europe in early 2015, it quickly became apparent that Europe's existing asylum mechanisms were inadequate to address the crisis. According to European Union (EU) law, asylum seekers are supposed to register in their country of entry as their asylum applications are processed.<sup>3</sup> But frontline countries such as Italy and Greece lacked the capacity to register all migrants as they arrived, and thousands moved on to wealthier countries such as Germany and Sweden to file for asylum.<sup>4</sup> Meanwhile, the reluctance of European states hesitant to accept migrants has impeded a relocation plan, adopted by the EU in September 2015 to ease the migrant burden borne by Greece and other frontline countries, from being implemented.<sup>5</sup> As the EU struggles to develop a coordinated response, individual states have adopted unilateral measures, including imposing border controls and building fences and barriers along their borders.

With the majority of resources devoted to registering and resettling migrants, efforts to screen migrants for security risks have been lacking, and in some places, non-existent. A report published by the House Homeland Security Committee in November 2015 concluded that European officials rarely cross-checked migrants' personal information against existing terrorism watchlists and databases.<sup>6</sup> Border police in one country visited by researchers explained that they did check suspicious individuals against databases, but by the time they received relevant intelligence information, the individuals in question had already moved

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<sup>1</sup> Patrick Kingsley, "Over a Million Migrants and Refugees Have Reached Europe This Year, Says IOM," *Guardian* (U.K.), December 22, 2015.

<sup>2</sup> *Syrian Refugee Flows: Security Risks and Counterterrorism Challenges* (House Homeland Security Committee, November 2015).

<sup>3</sup> The "Dublin regulation," the law that stipulates that migrants must register in the first European country they arrive in, is currently being debated, as the European Commission seeks to implement reforms that will take pressure off of frontline countries such as Italy and Greece. See "Fresh Battle Awaits Cameron as EU Plans to Scrap 'Dublin Regulation,'" Press Association, January 20, 2016.

<sup>4</sup> Steve Scherer, "Migrants Race Through Italy to Dodge EU Asylum Rules," Reuters, June 10, 2015.

<sup>5</sup> "National Reluctance Sinks EU's Refugee Relocation Plan," Euractiv and Agence France Presse, February 9, 2016.

<sup>6</sup> *Syrian Refugee Flows: Security Risks and Counterterrorism Challenges* (House Homeland Security Committee, November 2015).

through the border crossing. Passport fraud has also been prevalent among migrants, as non-Syrians, assuming that they will have a better chance of acquiring asylum if they claim to be from Syria, pay forgers for Syrian passports. Though Germany and Sweden have mechanisms in place to verify passports, Frontex, the EU's border agency, acknowledged in November 2015 that it did not possess the capacity to vet the passports of all migrants arriving in Europe's frontline states.<sup>7</sup>

The chaos resulting from the migrant crisis has created a strategic opportunity for ISIS, which has exploited weak screening and vetting procedures by embedding militants within migrant populations heading for Europe. Phillip Breedlove, the commander of NATO, recently noted in Senate testimony that the migrant crisis is "masking the movement" of terrorists, and that ISIS is "spreading like cancer" within migrant communities.<sup>8</sup> British intelligence officials expressed similar concerns, asserting that jihadists were using fake Syrian and Iraqi passports to gain entry into Europe.<sup>9</sup> Several other countries, including Germany and Bulgaria, have arrested or investigated migrants with suspected links to jihadist groups.<sup>10</sup>

It is believed that at least one of the Paris attackers gained entry into Europe by pretending to be a refugee. Abdelhamid Abaaoud, the local ringleader of the attacks, also told his cousin that as many as 90 ISIS militants had infiltrated Europe through migrant populations.<sup>11</sup> Though Abaaoud may have been exaggerating, there should be no doubt at this point that ISIS has used the migrant crisis to its advantage.

ISIS's efforts to infiltrate via migrant populations are closely related to another challenge facing European governments, the foreign fighter phenomenon. As many as 6,000 residents of Europe have joined jihadist groups fighting in Syria and Iraq, a staggering number that has severely tested the limits and capabilities of European intelligence agencies. European governments openly acknowledge that they are not able to identify all citizens and residents who have become foreign fighters.

Compounding that problem is the fact that intelligence agencies are not capable of monitoring all known foreign fighters upon their return to Europe. Given the magnitude of the foreign fighter phenomenon, European intelligence agencies simply do not have the manpower and resources necessary to keep tabs on every returnee. Some returnees who pose a threat will likely slip under the radar of intelligence agencies, a worrying prospect considering foreign fighters' demonstrated capacity to carry out spectacular attacks. (Both the Brussels and Paris attacks involved foreign fighters, some of whom had received extensive battlefield training and experience in Syria.)

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<sup>7</sup> Fazel Hawramy et al., "How Easy is it to Buy a Fake Syrian Passport?" *Guardian* (U.K.), November 17, 2015.

<sup>8</sup> Alan Yuhas, "Nato Commander: ISIS 'Spreading Like Cancer' Among Refugees," *Guardian* (U.K.), March 1, 2016.

<sup>9</sup> Tom Whitehead and Con Coughlin "ISIL Exploiting Migrant Routes to Smuggle Jihadists Back to Britain Using Fake Documents," *Telegraph* (U.K.), January 6, 2016.

<sup>10</sup> *Syrian Refugee Flows: Security Risks and Counterterrorism Challenges* (House Homeland Security Committee, November 2015).

<sup>11</sup> Lori Hinnant, "Paris Attack Leader Said he Slipped in With 90 Extremists," Associated Press, February 4, 2016.

Several European states are demonstrably overwhelmed by the scope of threats they face. Limited intelligence resources were a factor, for example, in the January 2015 *Charlie Hebdo* attacks. Said and Chérif Kouachi, the two al-Qaeda-linked gunmen who carried out the massacre at the Paris newspaper, were monitored for years before France halted surveillance on them. Current and former French officials blame a lack of resources for the decision to suspend surveillance on the two attackers. As a former French counterterrorism chief put it: “We have to make choices.”<sup>12</sup> Following the November 2015 Paris attacks, France announced that it would spend millions of euros to hire new intelligence officers and to fund counterterrorism and counter-radicalization initiatives.<sup>13</sup>

Belgium’s capabilities gap is even more significant than France’s. It is believed that over 500 Belgians have gone to Syria and Iraq to join jihadist groups, making Belgium the largest per capita contributor of foreign fighters in Europe.<sup>14</sup> Of that number, it is believed that at least 75 Belgian foreign fighters have returned home.<sup>15</sup> Belgian security officials have stated that they are monitoring around 900 suspected jihadists.<sup>16</sup> The jihadist threat has consumed the full attention of Belgian law enforcement and intelligence agencies: Days before the Brussels attacks, a Belgian security official told *BuzzFeed* that almost every detective and intelligence officer in the country was focusing on investigations related to jihadist activity.<sup>17</sup>

But even with all hands on deck, Belgian security services have been overwhelmed. It is believed that the Belgian intelligence services employ between 500 to 1,500 personnel, though exact figures are not publicly available.<sup>18</sup> Since it takes 15 to 25 intelligence officers to conduct round-the-clock surveillance on a single suspect, Belgium simply doesn’t possess the manpower to track the majority of suspects it has identified.<sup>19</sup> This gap between needs and resources helps explain why the cell involved in the Brussels attacks went undetected for so long. As one Belgian intelligence official explained, “We just don’t have the people to watch anything else and, frankly, we don’t have the infrastructure to properly investigate or monitor hundreds of individuals suspected of terror links, as well as pursue the hundreds of open files and investigations we have. It’s literally an impossible situation and, honestly, it’s very grave.”<sup>20</sup>

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<sup>12</sup> Stacy Meichtry, Margaret Corker, and Julian Barnes, “Overburdened French Dropped Surveillance of Brothers,” *Wall Street Journal*, January 9, 2015.

<sup>13</sup> Liz Alderman, “Terror Threats Thaw Budgets Across Europe,” *New York Times*, January 31, 2016.

<sup>14</sup> Pieter Van Ostaeyen, “Belgian Fighters in Syria and Iraq—October 2015,” October 11, 2015, available at <https://pietervanostaeyen.wordpress.com/2015/10/11/belgian-fighters-in-syria-and-iraq-october-2015/>.

<sup>15</sup> Dan de Luce and Elias Groll, “In Brussels Attacks, Chronicle of a Disaster Foretold,” *Foreign Policy*, March 22, 2016.

<sup>16</sup> Philip Blenkinsop, “‘Weak Link’ Gets Tough: After Paris, Belgium Raises Spy Game,” Reuters, December 6, 2015.

<sup>17</sup> Mitch Prothero, “Belgian Authorities Overwhelmed by Terror Investigations,” *BuzzFeed*, March 22, 2016.

<sup>18</sup> Blenkinsop, “‘Weak Link’ Gets Tough”; Jamie Dettmer, “Belgian Security Measures Foreshadow New Normal for Europe,” Voice of America, November 24, 2015.

<sup>19</sup> Nic Robertson, “How ‘Glaring’ Intelligence Failures Allowed a Second Bout of Terror in Paris,” CNN, November 18, 2015.

<sup>20</sup> Prothero, “Belgian Authorities Overwhelmed by Terror Investigations.”

France and Belgium are not the only countries struggling to monitor foreign fighters and domestic cells. The U.K.'s former home secretary predicted after the Brussels attacks that jihadists would "get through" in his country as well, noting that ISIS's focus on soft targets made it difficult to prevent every attack.<sup>21</sup> German officials have said that the country's justice system is "at the limits of [its] capacity," as law enforcement officers struggle to monitor and investigate foreign fighter returnees.<sup>22</sup>

The dual challenges of the migrant crisis and the foreign fighter returnee threat have imposed unprecedented pressures on European governments and intelligence agencies. Neither challenge is likely to dissipate in the near future.

### **Challenges in Intelligence Sharing and Security Coordination**

European governments' struggles to share intelligence, coordinate security operations, and secure open borders are among Europe's most glaring counterterrorism vulnerabilities. European governments have failed to establish the type of pan-European intelligence apparatus needed to effectively police the Schengen zone's open borders. Bureaucratic obstacles, provincialism, and lack of trust among agencies have resulted in stove-piping and missed opportunities to disrupt jihadist networks. Jihadist groups have exploited Europe's open borders, moving seamlessly between countries and evading detection.

Though Europe has established certain mechanisms for facilitating intelligence sharing and counterterrorism coordination, these mechanisms are often inadequate. For instance, following the 2004 Madrid train bombings, the European Union established the position of counterterrorism coordinator. However, the coordinator possesses few resources and maintains little control over individual countries' intelligence collection and sharing practices. As one former State Department official said, the coordinator "has a grand title and produces wonderful reports," but lacks authority.<sup>23</sup>

European states have also been reluctant to contribute to pan-European databases that are supposed to serve as clearinghouses for intelligence on terrorist groups and other transnational threats. In the last two years, EU states have begun inputting more data into the Schengen Information System (SIS), the primary EU-wide intelligence database, but because there are no requirements on what states must contribute, it is largely up to individual states to decide how much—if any—information they will share.<sup>24</sup> A report published by the French parliament in February 2016 noted that France is the only country that regularly contributes to the SIS database, and observed that the quality of information provided by other states was "very spotty." The report also found that the SIS database could

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<sup>21</sup> "Brussels Attacks: Terrorists 'Will Get Through' in UK," BBC, March 23, 2016.

<sup>22</sup> "Foreign Fighter Cases Stretch German Justice to the Limit—Prosecutor," *World Bulletin*, December 11, 2014.

<sup>23</sup> Dan De Luce and Elias Groll, "Can Europe Connect the ISIS Dots?" *Foreign Policy*, March 25, 2016.

<sup>24</sup> Michael Birnbaum, "A Terror Attack Exposed Belgium's Security Failings. Europe's Problem is Far Bigger," *Washington Post*, March 28, 2016.



not be used to spot-check individuals at borders within the Schengen zone, a restriction that fundamentally undermines the purpose of the database.<sup>25</sup>

The ongoing saga surrounding the establishment of a “passenger name record” (PNR) database is another example of how bureaucracy and disagreements among EU member states have inhibited intelligence sharing and cooperation. The PNR database records and stores information on air travelers flying through the EU, providing intelligence agencies a needed tool to monitor travel in the Schengen zone.<sup>26</sup> Despite a European Commission directive in December 2015 mandating that all EU member states begin sharing and retaining passenger information, several governments have resisted contributing to the PNR, citing concerns, echoed by the European Court of Human Rights, that the database would violate passengers’ privacy.<sup>27</sup> As a result, intelligence agencies have limited visibility on who is transiting through the Schengen zone.

Prior to the most recent attacks in Europe, European governments failed to act on intelligence provided by Turkey, which has collected significant information on European foreign fighters transiting to Syria and Iraq. The Turkish government reportedly provided information to France about Omar Ismail Mostefai almost a year before Mostefai participated in the Paris attacks.<sup>28</sup> Similarly, Belgium failed to act after Turkey notified Brussels in June 2015 that it was deporting Ibrahim El Bakraoui, one of the suicide bombers involved in the Brussels attacks, based on suspicions that Bakraoui was affiliated with jihadist groups.<sup>29</sup> Just three days after he arrived in Turkey, Bakraoui was arrested in Gaziantep, a city in southern Turkey that is a common stop for foreign fighters on the way to Syria.<sup>30</sup> The fact that Bakraoui was arrested in Gaziantep should have raised red flags for Belgian intelligence, yet he was able to slip under the radar before carrying out the Brussels attack.

Compounding the challenges of transnational coordination, some states have struggled to coordinate intelligence sharing and counterterrorism operations internally. Belgium is perhaps the most glaring example, with both local and national intelligence and law enforcement agencies plagued by infighting and stove piping. Belgium’s law enforcement community is deeply Balkanized, mirroring the decentralized nature of the Belgian state, with six separate local police forces and a federal police service sharing jurisdiction just in the city of Brussels.<sup>31</sup> Each local police force answers to a separate mayor, and intelligence sharing between agencies is often inadequate. Brussels is also home to both a civilian and military intelligence service, as well as a terrorism threat assessment unit, all

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<sup>25</sup> Allison Smale and Melissa Eddie, “As Terrorists Cross Borders, Europe Sees Anew That Its Intelligence Does Not,” *New York Times*, March 23, 2016.

<sup>26</sup> Birnbaum, “A Terror Attack Exposed Belgium’s Security Failings.”

<sup>27</sup> Vivienne Walt, “European Officials Struggle With Red Tape and Rules to Protect Against Terrorism,” *Time*, March 22, 2016.

<sup>28</sup> Orhan Coskun and Humeyra Pamuk, “Turkey Says Notified France Twice About Paris Attacker: Senior Official,” Reuters, November 16, 2015.

<sup>29</sup> Jim Brunnsden, “Belgian Security Officials Accused of Bungling Key Intelligence,” *Financial Times*, March 25, 2016.

<sup>30</sup> Ragip Soylu, “Turkey Arrested Brussels Suicide Bomber in Border Town Gaziantep, Security Official Says,” *Daily Sabah*, March 23, 2016.

<sup>31</sup> Tim King, “Belgium is a Failed State,” *Politico Europe*, December 2, 2015.

of which are similarly reluctant to collaborate with one another.<sup>32</sup> As one former Belgian intelligence official noted: “Everything in Belgium is politicized; you cannot have an administrative function, particularly a senior one, if you don’t have a political affiliation.”<sup>33</sup>

The Brussels attacks laid bare the internal dysfunctions in Belgium’s intelligence services. According to a Belgian news outlet, local police in the town of Mechelen wrote an intelligence report in early December 2015 about Abid Aberkane, a jihadist who was believed to have been in contact with Salah Abdeslam, the lone surviving would-be Paris attacker. Belgian police later learned that Aberkane’s mother housed Abdeslam following his escape from Paris. But the intelligence report was never passed on to relevant officials at the regional level, and Belgian authorities only learned of Abdeslam’s whereabouts months later.<sup>34</sup> A law prohibiting Belgian police from conducting raids between the hours of 9 PM and 5 AM also inhibited the search for Abdeslam; just two days after the Paris attacks, Belgian security forces believed that they had identified the house where Abdeslam was staying, but they were forced to wait until the morning to conduct a raid. By that time, Abdeslam had fled, slipping into the Brussels neighborhood of Molenbeek.<sup>35</sup>

Excessive bureaucracy undermined intelligence collection and analysis at other stages of the investigation into the Brussels cell as well. According to Belgium’s interior minister, a Belgian liaison officer based in Istanbul failed to respond in a timely fashion to requests for information from Belgium’s “serious and organized crime” division concerning Belgian foreign fighters identified by Turkish intelligence.<sup>36</sup> And a *nom de guerre* used by a militant involved in the Brussels attacks was entered into several police databases, but was not incorporated into a central database used to monitor terrorism suspects.<sup>37</sup>

France suffers from similar challenges. The country’s eight intelligence services do not operate under a central coordinating entity, and often struggle to share information. As one analyst noted, “information collected overseas is not transmitted systematically and automatically to the DGSI,” France’s domestic intelligence agency.<sup>38</sup> After the Paris attacks, the French government committed to improving inter-agency coordination, but it remains unclear what tangible steps have been taken to eliminate bureaucratic obstacles.

Poor intelligence sharing in France and Belgium adds to the challenges of building an effective pan-European intelligence mechanism. The EU relies on individual states to collect and share intelligence. In such an interconnected and integrated system, weak links in the

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<sup>32</sup> Milan Schreuer, “Terrorism Response Puts Belgium in a Harsh Light,” *New York Times*, March 24, 2016.

<sup>33</sup> *Ibid.*

<sup>34</sup> “Politie van Mechelen Kende Schuiladres van Abdeslam al 4 Maanden,” *Knack* (Dutch), March 25, 2016.

<sup>35</sup> Henry Samuel and Justin Huggler, “Belgium ‘Bungled Abdeslam’s Arrest’ Two Days After Paris Attacks Due to Law Banning Overnight Raids,” *Telegraph* (U.K.), December 16, 2015.

<sup>36</sup> Jim Brunsten, “Belgian Security Officials Accused of Bungling Key Intelligence,” *Financial Times*, March 25, 2016.

<sup>37</sup> Ryan Heath, Zoya Sheftalovich and Chris Spillance, “Belgium’s 12 Worst Terror Misses, Mistakes and Misunderstandings,” *Politico*, March 29, 2016.

<sup>38</sup> Matthew Dalton, “France Moves to Better Coordinate Its Antiterrorism Efforts,” *Wall Street Journal*, January 14, 2016.



chain can have an outsized impact on the whole system. As Guido Steinberg, a researcher at the German Institute for International and Security Affairs, remarked after the Brussels attacks: “The biggest problem lies in the different levels of professionalism among the security services in Europe.”<sup>39</sup> Even when intelligence is collected by individual states, there are few mechanisms in place to ensure that this information will be passed on to other states within the EU. Until these issues are resolved, and until European countries overcome their concerns about sharing information, jihadists and other malevolent actors will continue to exploit intelligence gaps and maintain freedom of movement throughout the continent.

### **ISIS’s European Strategy and Threats to Nuclear Infrastructure**

European authorities are overwhelmed and having trouble coordinating at a very dangerous time for the continent. In the last two years, ISIS has sought to strike a variety of targets inside Europe, including transportation infrastructure, tourist sites, and soft targets where large numbers of civilians congregate.

ISIS’s approach is intended to accomplish multiple objectives. For one, the group believes attacks in Europe will project an image of strength, diverting attention from the losses it is experiencing at the hands of the ongoing anti-ISIS military campaign in Syria and Iraq. In the longer term, this approach is intended to exhaust Europe in multiple ways, including economically, and weaken it to the point that it cannot effectively fight ISIS’s self-proclaimed caliphate.<sup>40</sup> The logic behind this approach was explained in *The Management of Savagery*, a book written in 2004 by Abu Bakr Naji, which stated that jihadists should carry out attacks in their adversaries’ home countries in order to exhaust “the forces of the enemy ... [disperse] their efforts, and to make them unable to catch their breath by means of operations in the regions of the choice states.”<sup>41</sup>

ISIS’s strategy has manifested itself in multiple ways in Europe. One way is target selection. ISIS has struck at transportation and conducted high-profile attacks that fuel the perception of insecurity and instability. The reason the jihadist group sees this approach as advantageous was spelled out in an infographic produced by ISIS after the November 2015 Paris attacks, stating that the attacks would create a “general state of unease” that would cost Europe “tens of billions of dollars due to the resulting decrease in tourism, delayed flights, and restrictions on freedom of movement.”<sup>42</sup> Further, in the March 2015 issue of *Dar al-Islam*, ISIS’s French-language online magazine, a French-born operative exhorted his

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<sup>39</sup> Allison Smale and Melissa Eddie, “As Terrorists Cross Borders, Europe Sees Anew That Its Intelligence Does Not,” *New York Times*, March 23, 2016.

<sup>40</sup> For a discussion of terrorist attacks and the jihadist economic strategy, see Daveed Gartenstein-Ross, “Operation Hemorrhage: The Terror Plans to Wreck the West’s Economy,” *Daily Beast*, March 24, 2016.

<sup>41</sup> Abu Bakr Naji, *The Management of Savagery*, trans. Will McCants (2006), available at <https://azelin.files.wordpress.com/2010/08/abu-bakr-naji-the-management-of-savagery-the-most-critical-stage-through-which-the-umma-will-pass.pdf>.

<sup>42</sup> The graphic was originally posted in the ISIS publication *Al-Naba* in December 2015. For the infographic, see tweets posted by Bridget Moreng (@BridgetMoreng), March 22, 2016.

compatriots in France to “kill anyone,” and to stop looking for specific (i.e., symbolic) targets, since “all infidels are targets for us.”<sup>43</sup>

ISIS is likely to continue to attempt to strike Europe’s transportation infrastructure, as the group did in the Brussels attacks and as an ISIS-affiliated foot soldier did in an August 2015 attempt, when a Moroccan-born gunman attempted to carry out an attack on a train traveling from Amsterdam to Paris. (The attack was thwarted when several passengers, including two American military personnel, charged and overpowered the gunman.) ISIS may also seek to strike soft targets where security is lacking, such as the restaurants the Paris attackers struck in November 2015. Given the challenges of protecting soft targets and transportation infrastructure, it is essential that European security authorities disrupt and detect plots before they become operational.

In addition to striking soft targets and transportation infrastructure, ISIS has demonstrated its interest in gaining access to nuclear material and facilities in Europe, and news that broke following the Brussels attacks reignited fears about the security of nuclear facilities in Belgium. U.S. officials have long expressed concerns about Belgium’s ability to secure its nuclear infrastructure and materials, and recent security breaches have amplified these concerns.

In 2004, the United States, which ships highly-enriched uranium to Belgium for the processing of medical isotopes, stopped providing nuclear material until Belgium improved security measures at nuclear facilities.<sup>44</sup> It took Belgium several years to implement needed reforms. Only in 2013, for example, did the Belgian government tighten its laws related to the improper handling of nuclear material. In 2014, the Belgian government added new layers of security at nuclear facilities, installing more surveillance cameras, improving cyber defenses, and establishing new personnel security measures.<sup>45</sup> But vulnerabilities remain. For example, Belgian law still prohibits guards at nuclear facilities from carrying weapons, meaning facilities may be vulnerable to a coordinated armed attack.

Several incidents that have occurred in the past five years have prompted renewed fears about security at Belgian nuclear facilities. In 2012, Belgian officials discovered that Ilyass Boughalab, who had worked as a technician at the Doel nuclear power plant from 2009 to 2012 and had access to sensitive areas of the Doel 4 reactor, had left for Syria to join jihadist groups as a fighter.<sup>46</sup> Boughalab, who died in Syria in 2014, was also believed to have been a member of Sharia4Belgium, a salafi jihadist group that helped send dozens of individuals to fight with ISIS in Syria. Though it is not clear when Boughalab joined Sharia4Belgium, his case underscored the seriousness of insider threats, and prompted concerns about the rigor of vetting and background checks.

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<sup>43</sup> “Djihâd en Tunisie: Interview du Frère Abou Mouqâtil At-Tounsî,” *Dar al-Islam*, Issue 3, March 2015, available at <https://azelin.files.wordpress.com/2015/06/the-islamic-state-22dc481r-al-isl481m-magazine-322.pdf>.

<sup>44</sup> Patrick Malone and R. Jeffrey Smith, “The Islamic State’s Plot to Build a Radioactive ‘Dirty Bomb,’” *Foreign Policy*, February 29, 2016.

<sup>45</sup> Steven Mufson, “Brussels Attacks Stoke Fears about Security of Belgian Nuclear Facilities,” *Washington Post*, March 25, 2016.

<sup>46</sup> *Ibid.*

Other incidents have raised questions about the physical security of facilities where nuclear material and weapons are stored. In 2010, peace activists gained access to the Kleine Brogel air base, a facility in northeastern Belgium that is believed to house 10 to 20 U.S. tactical nuclear weapons, and took videos of the base that were later posted online.<sup>47</sup> This raised obvious concerns that other hostile groups may be able to gain access to such areas. In August 2014, in an incident still being investigated, an unidentified employee accessed the Doel-4 nuclear reactor and drained 65,000 liters of oil used to lubricate the reactor turbine. The incident caused \$100 to \$200 million in damage, and forced the reactor to shut down for over a year.<sup>48</sup>

Issues surrounding insider threats and the physical security of Belgian nuclear facilities appear all the more acute in light of recent revelations about ISIS operatives' surveillance of personnel. In November 2015, Belgian officials discovered that individuals linked to ISIS had been conducting surveillance on a Belgian nuclear researcher, placing a camera in bushes outside the researcher's home and collecting ten hours of video footage on the researcher and his family's comings and goings. The tapes were discovered at the home of Mohammed Bakkali, who was arrested and charged with helping to arrange logistics for the November 2015 Paris attacks. Belgian officials also believe that Ibrahim and Khalid el-Bakraoui, the two brothers who carried out the March suicide bombings in Brussels, were involved in the surveillance of the nuclear researcher.<sup>49</sup>

Two days after the Brussels attacks, a security officer at a Belgian nuclear facility was murdered, with some reports indicating that the officer's security pass to the facility was stolen.<sup>50</sup> Though Belgian authorities have said publicly that they do not think the incident was linked to terrorism, the timing of the incident has fueled fears, and added to the perception that nuclear facilities and personnel are vulnerable.

The discovery of the ISIS-linked surveillance plot reinforces the urgency and importance of strengthening security at nuclear facilities in Belgium and across Europe, and raises the worrying possibility that ISIS may have begun putting in place plans to obtain nuclear material. In November 2015, news outlets revealed that ISIS, which has used chemical weapons on multiple occasions against adversaries in Syria and Iraq, has established a unit dedicated to producing chemical weapons.<sup>51</sup> ISIS's efforts to scale up its weapons of mass destruction (WMD) capabilities underscore both the need for increased international coordination and cooperation relating to securing sensitive materials and also for depriving ISIS of the territory that it controls in Iraq and Syria.

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<sup>47</sup> Malone and Smith, "The Islamic State's Plot to Build a Radioactive 'Dirty Bomb.'"

<sup>48</sup> "Belgium's Neighbours Fret Over Reboot of Ageing Nuclear Reactors," *France 24*, January 28, 2016.

<sup>49</sup> Alissa J. Rubin and Milan Schreuer, "Belgium Fears Nuclear Plants Are Vulnerable," *New York Times*, March 25, 2016.

<sup>50</sup> Brianna Provenzano, "Security Guard at Belgian Nuclear Plant Found Dead With Pass Stolen," *Mic*, March 26, 2016.

<sup>51</sup> "ISIS Pursuing Production of Chemical Weapons, Officials Say," CBS and Associated Press, November 19, 2015.

## Conclusion

The Brussels attacks provided the starkest example yet of the significant security and intelligence challenges facing Europe, as it was the first time that a cell had succeeded in carrying out two major attacks in Europe. The migrant crisis and the foreign fighter phenomenon have overwhelmed European governments' capabilities, and exposed glaring vulnerabilities. The U.S. government can play a critical role in supporting intelligence and counterterrorism operations, and in helping to address security gaps in Europe. The measures that the U.S. can take include:

- *Supporting pan-EU intelligence coordination.* The U.S. can help support and encourage greater intelligence sharing and counterterrorism coordination between and within EU member states. Drawing on lessons learned from post-9/11 intelligence reforms, U.S. officials can provide guidance to EU members states and EU-wide organizations on eliminating bureaucratic and systemic obstacles to intelligence sharing.
- *Encouraging European states to adopt a more disruptive policing model.* As European security services are massively overstretched, they need to adopt a policing model that can deal with the current elevated threat. The impetus for change should not be delayed until dozens or hundreds more are killed. As I noted in a recent column, the policing model that snared America's first celebrity criminal, Al Capone, is applicable here.<sup>52</sup> Capone was convicted not for murder, bribery, or bootlegging, but income tax evasion. This anti-mob model—prosecuting mobsters for any violations of the law, and not just mob-related activities—was adopted by the U.S. government for a time after the 9/11 attacks, as it was trying to get a handle on the scale of the threat and ensure that other catastrophic acts of terrorism did not claim American lives. Application of the “Al Capone” model could have made a difference in past European plots. The ringleader of the bombers who struck London in July 2005, Mohammed Sidique Khan, had been caught on tape discussing his plans to obtain terrorist training in Pakistan. Authorities seemingly had a way to disrupt his activities at the time by charging him with fraud. Had they done so, 52 innocent lives may have been saved. Adopting the Al Capone anti-terrorism policing model may be a way to tilt the balance in authorities' favor.
- *Enhancing nuclear security in Belgium.* The U.S. government has extensive experience in helping other states secure their nuclear facilities and materiel. The U.S. should draw on that expertise to assist Belgium in improving the security of its nuclear infrastructure. Additionally, as the U.S. improves its ability to identify insider threats—including, for example, through adoption of cutting-edge personality profiling or big data techniques—it should share tools with EU member states to ensure that background checks and security vetting can identify potential threats.

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<sup>52</sup> See Daveed Gartenstein-Ross, “Brussels and the Al Capone Model,” *Mint* (India), March 31, 2016.

- *Examining the strengths and weaknesses of the Schengen agreement:* The foreign fighter and migrant crises have called into question the feasibility of the Schengen Agreement. The U.S. has the opportunity to push for Schengen reform in areas where security is particularly impeded. This topic could be further discussed in hearings, and may be an area for Congressional investigation.

Finally, the United States should continue to work with EU states to reverse ISIS's gains in Iraq and Syria. ISIS has staked its legitimacy to its ability to control territory, with Raqqa and Mosul serving as the group's de facto capitals. By taking back critical areas and containing ISIS's growth (both in Syria/Iraq and globally), the U.S. and its European partners can weaken ISIS militarily and erode its legitimacy. While denying ISIS the ability to hold territory will reduce the group's ability to plan major external operations in the long run, in the short term, it is possible that ISIS will further intensify its efforts to strike at the West as it loses ground in Syria and Iraq. Thus, it is imperative that the U.S. continue to support counterterrorism efforts in Europe as it aggressively pursues ISIS in Syria and Iraq.