

STATEMENT FOR THE RECORD

**AMBASSADOR DANIEL BENJAMIN
COORDINATOR FOR COUNTERTERRORISM**

**COUNTERTERRORISM COOPERATION WITH EUROPE AND
EURASIA**

**HOUSE FOREIGN AFFAIRS COMMITTEE
SUBCOMMITTEE ON EUROPE AND EURASIA**

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2:30 pm**

Chairman Burton, Ranking Member Meeks, and Distinguished Members of the Committee:

Thank you for the opportunity to appear before this Committee today. It is a pleasure to testify during a week when the United States has achieved a historic success against al-Qa'ida (AQ). This was an American operation, and those who performed it were Americans who deserve our greatest admiration for their bravery and their professionalism. Bin Laden's defeat is a victory for the United States and for all human beings who seek to live in peace, security, and dignity. He dedicated his life to destroying innocent lives and human progress. His demise will ultimately make the American people safer, and empower those around the world who seek to build- not destroy. As Secretary Clinton said, "History will record that bin Laden's death came at a time of great movements toward freedom and democracy, at a time when the people across the Middle East and North Africa are rejecting the extremist narratives and charting a path of peaceful progress based on universal rights and aspirations."

This is by no means the end of our effort against AQ. While we have dealt a blow to AQ's leadership, much of its activity has devolved to its affiliates and much more work remains to be done. But as we approach the tenth anniversary of the 9/11 attacks, we should recognize that one of the unsung success stories of the period since that dark day has been the creation of an extraordinary global alliance against terror – one that operates out of the headlines but reliably, closely, and effectively, to protect our citizens and innocents around the world. Cooperation around the world has been remarkable, particularly with our European partners, including NATO and the EU. In the critical areas of intelligence and law

enforcement, governments have joined together time and again and prevented real attacks – including ones planned against planes crossing the Atlantic and on public transport systems worldwide. When it comes to confronting terrorism in particular, we understand the centrality of our partnership with Europe, where we work with democratic allies who share our values and our interests.

We do so not just on the European continent, but in many areas of the globe. We work with our NATO partners in International Security Assistance Force stability operations in support of the Government of Afghanistan. These efforts help degrade the insurgency, build the capability of the Afghan National Security Forces, and facilitate improvements in governance and socio-economic development for sustainable stability. We have been working with our European allies and others in the Friends of Yemen process. And we are increasing our coordination with France and other European partners to constrain the environment in which al-Qa’ida in the Islamic Maghreb (AQIM) operates by strengthening governance in Northern Mali. Such work helps us deny safe havens to terrorists, which is vital.

The United States and EU are also committed to fostering information sharing and cooperation in the prevention, investigation, and prosecution of terrorism related offenses. European countries are making vital contributions in the effort to combat terrorism by sharing key information, arresting members of terrorist cells, interdicting terrorist financing and logistics, and contributing to efforts in Afghanistan and other key places around the world.

European nations are active participants in several multilateral organizations that have played an important role in countering terrorism, including NATO, the OSCE, the EU, and the G8. All of these organizations have worked with the United States to establish and implement counterterrorism best practices, build weak-but-willing states’ counterterrorism capabilities, and institutionalize counterterrorism measures globally.

The EU is increasingly emerging as a critical player in European counterterrorism policy and can do much to build capacity in Europe and elsewhere. For this reason, the United States encourages EU efforts to develop and implement effective laws to address militant radicals or terrorist associates who may be planning attacks to be carried out in other countries. We support the continuing development of best practices to improve the efficacy of counterterrorism efforts. We also look to cooperate with the EU on cybersecurity and combating violent extremism as agreed at the most recent U.S.-EU Summit.

One example of the U.S. commitment to build and deepen partnerships is the 2010 adoption by the United States and the European Union of a Declaration on Counterterrorism, in which the United States and the EU reiterated our joint commitment to forge a durable framework to counter terrorism within the rule of law. The 2010 Declaration, which Spain advocated for during its presidency, emphasized cooperation in border security, countering terrorist financing, enhancing the global non-proliferation regime, and promoting the counterterrorism work of the UN. The 2010 Declaration also stressed that an effective and comprehensive approach to diminish the longterm threat of violent extremism is a vital component of U.S. and EU efforts to combat terrorism. In this respect, the 2010 Declaration acknowledged the important role of civil society to help isolate terrorism, as well as the importance of addressing legitimate concerns of minorities and individuals regarding civil rights and civil liberties.

At the same time that we improve our collaboration with the EU, we also work bilaterally with key partners – from Russia in the East to the UK in the West; from Italy in the South to the Netherlands and the Scandinavian countries in the North – to build the capability of other nations around the world to take effective action against terrorists. In this regard, our European allies very much share our views on implementing strategic counterterrorism policies that focus on building the capacity of our foreign partners and countering radicalization that leads to violence and violent extremism to stem terrorist recruitment.

Of course, European countries remain a focus of terrorist plots. The past year was one marked by several attempted attacks by al-Qa‘ida and affiliated violent extremists in Denmark, a first-ever suicide bombing in Scandinavia, and separatist group bombings on the Moscow metro and in the Russian North Caucasus. A variety of groups inspired by numerous ideologies also remained active; anarchists in Greece struck repeatedly at government offices, foreign missions, and symbols of the state in both Greece and other European capitals. Long-active terrorist groups like the Kurdistan Workers Party in Turkey, and dissident Republican groups in Northern Ireland, continued their campaigns of violence, as did Basque Fatherland and Liberty (ETA), but we note continuing successes by the Government of Spain against ETA.

Concerns about potential terrorist activities prompted countries ranging from the UK to Germany to raise their terrorism threat alert levels at various times during the past year. The recent shooting of four U.S. airmen at the Frankfurt International Airport illustrates how serious the threat remains. For the most part,

however, the year was marked by counterterrorism successes. European countries from Spain to Sweden attempted to strengthen counterterrorism legislation by criminalizing training in terrorist camps and terrorist recruitment. The continuing effectiveness of European security services, close cooperation between and among European countries, and the sheer technical capabilities available to most partner countries enabled authorities to prevent any major terrorist plots from coming to fruition in 2010.

Sometimes less than strict immigration laws and very strong protections of privacy and civil liberties in some member states can complicate counterterrorism efforts. Differing perspectives on the dividing line between legitimate political or charitable activity and support for terrorist groups further clouds the picture. All of our nations put a high priority on our freedoms, so naturally we need to work carefully to bridge our differences when it comes to sensitive subjects in the realm of information sharing and terrorist finance. I am confident that with good will on both sides and a common sense of resolve, we can achieve the common goals we seek.

Information Sharing: U.S. Treasury's Terrorist Finance Tracking Program (TFTP) and the U.S. Department of Homeland Security's Passenger Name Records Program (PNR)

To deal with the terrorist threat and identify individuals who are preparing to commit violence, information sharing is not just helpful, it is essential. Two critically important tools that have proven instrumental in protecting the security of both Americans and Europeans are the U.S. Treasury's Terrorist Finance Tracking Program or TFTP, and the U.S. Department of Homeland Security's Passenger Name Record (PNR) program. We should be clear: Dangerous conspiracies aimed at the U.S. and Europe have been disrupted because of precisely this type of information sharing.

Leads generated by TFTP have aided numerous investigations, including many in Europe, by providing law enforcement and counterterrorism officials information that helps them follow the money to the violent extremists who are determined to do us harm. We are pleased that we were able to work with our partners in the EU to reach agreement on a new TFTP agreement last summer (2010) that enables this valuable program to continue.

As DHS can tell you in greater detail, the PNR Program has also played a critical role in a number of the most significant terrorist cases over the past several years,

including the investigation into David Headley, who pled guilty to charges of plotting an attack in Europe against the Mohammed cartoonist in Denmark. Headley, of course, also pled guilty to conducting surveillance for Lashkar-e Tayyiba in Mumbai, in advance of the devastating 2008 attacks in that city. PNR was also crucial in the case against Najibullah Zazi, who pled guilty to plotting to bomb New York subways – and in helping the USG apprehend Times Square bombing suspect Faisal Shahzad.

There have been some concerns raised in Europe about these programs, but it's important to emphasize that Europe and the United States have a longstanding partnership to protect both the security of our citizens and their privacy interests.

The United States is committed to ensuring that personal information shared for law enforcement and security purposes is given strong protections. The U.S. commitment to protect privacy and civil liberties, including within the context of law enforcement and security activities, is ingrained in American culture and legal tradition. So too is the proper use of personal information for effective public administration.

We know our two approaches to protecting privacy have more similarities than differences and we both share a strong commitment to protecting civil liberties. Our institutional arrangements for protecting privacy are different from Europe's, but they are comprehensive, provide ample means of redress, and there is an outstanding record of protecting data exchanged for law enforcement purposes. Continuing this cooperation is vital for all of our security.

Moving Forward on Homeland Security Presidential Directive 6 (HSPD-6) and Preventing and Combating Serious Crime (PCSC)

In addition to our extensive engagement with the EU to facilitate critically important terrorism-related information sharing, we are also continuing to work bilaterally with individual European member states on HSPD-6 and Preventing and Combating Serious Crime (PCSC) initiatives. The State Department and the Terrorist Screening Center have successfully concluded 15 HSPD-6 agreements with European governments; DHS and DOJ have now signed 17 PCSC agreements with European countries. Negotiations to develop additional information sharing relationships are ongoing with a number of other countries.

As background, Homeland Security Presidential Directive - 6 (HSPD-6), was issued in 2003, and directed the U.S. government to consolidate its approach to terrorism screening, and to enhance cooperation with foreign governments to establish appropriate access to terrorism screening information (TSI), beginning with countries in the Visa Waiver Program (VWP).

Through HSPD-6 initiatives, the U.S. government seeks to conclude agreements and arrangements with foreign governments for the reciprocal exchange of terrorism screening information (TSI - biographic identifiers) and the subsequent management of information sharing should a terrorist be encountered. These initiatives enhance bilateral relationships between law enforcement and public security agencies.

PCSC agreements, like HSPD-6, are designed to increase law enforcement cooperation between the USG and its foreign partners, and also authorize the spontaneous sharing of information for the purpose of detecting and preventing terrorist and criminal activity.

Aviation Security

While the PNR program and broader information sharing efforts with our European allies are critical to protecting civil aviation from terrorists, there are also many other steps we are taking in partnership with the Europeans to strengthen the security of global aviation. Given how committed terrorists remain to targeting international aviation and air cargo, we must do everything we can to prevent them from succeeding.

In addition to strengthening air passenger security, we also face the challenge of air cargo security, as demonstrated by the U.S.-bound package bombs from Yemen that were intercepted in the UK and the UAE last October. Since then, the State Department has been working closely with the Department of Homeland Security (DHS), including its components the Transportation Security Administration (TSA) and U.S. Customs and Border Protection, the U.S. Postal Service (USPS), and the air cargo industry to craft new air cargo security procedures that will ensure the security of aircraft and passengers and promote the free flow of international mail and commerce. As part of that process, the State Department, CBP, and TSA have also worked closely with the Universal Postal Union (UPU) in Bern, Switzerland, as well as several national postal services, to improve the security screening for international mail that is transported on airplanes. TSA Administrator Pistole and UPU Director General Edouard Dayan met in March to

discuss security measures for international mail destined for the United States. Representatives from DHS and TSA are joining officials from the USPS and State on the U.S. delegation to the UPU's Postal Operations Council, currently taking place in Bern.

We have also worked with our European and other international partners to update successfully the 1970 Hague Convention for the Suppression of Unlawful Seizure of Aircraft and the 1971 Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation to address new and emerging aviation security threats. The 2010 Beijing Convention and Protocol will significantly strengthen the existing international counterterrorism legal framework and facilitate the prosecution and extradition of those who seek to commit acts of terrorism. They will criminalize the use of civilian aircraft as a weapon. They will also criminalize efforts by terrorists and other criminals to use civil aviation to transport extraordinarily dangerous materials, such as biological, chemical, and nuclear weapons.

The United States was pleased to sign both instruments at the conclusion of the diplomatic conference last September in Beijing. The State Department intends to transmit both instruments to our Senate for advice and consent, as well as seek any necessary implementing legislation, with an aim of ratifying both instruments as expeditiously as possible.

Working to Block Hamas and Hizballah assets

While AQ and its affiliates are our highest priority in our diplomatic engagement on terrorism-related issues, Hamas and Hizballah remain a major focus as well. On terrorism finance, the EU and its member states need to take more aggressive action to crack down on Hamas and Hizballah fundraising and other activities taking place in their territory. Both are capable and dangerous terrorist organizations that continue to play destabilizing roles in the Middle East. Both are aggressively building their stockpile of weapons and these organizations are increasing their lethal capabilities, which pose a serious threat to broader regional stability.

In 2003, the EU designated Hamas as a terrorist organization, which obligated member states to take certain actions to crack down on Hamas activity in their territory. In spite of this designation, there are still a number of Hamas-affiliated NGOs operating in Europe where they are primarily engaged in fundraising activity. A number of these NGOs have been designated by the USG for their ties

to Hamas, but the EU and most European member states have not taken comparable action against these organizations. The EU and its member states could be more assertive in implementing the EU designation, which would cut off a source of funding for the group and send an important message that Hamas can no longer raise money in Europe with impunity.

Through bilateral channels, over the past year we have been pressing our European allies to crack down on Hamas fundraising, since Europe remains an important source of funds for the group. We've asked the Europeans to take action, particularly against Hamas fundraising fronts, at both the EU and member state levels. We will remain focused on this issue, and will continue to encourage the Europeans to take action against HAMAS as well as against Hizballah, which has not been subjected to uniform financial sanctions across the EU.

It should be noted that the EU and its member states' ability to designate terrorists – a key tool for governments in their efforts to crack down on terrorist financing – is under duress. The European General Court (EGC) recently ruled against the EU in the Yassin al Kadi case, whom the EU had designated after he was added to the UN's al-Qa'ida/Taliban sanctions list. If the European Court of Justice (ECJ) upholds the EGC's ruling on appeal, it would limit the ability of EU member states to implement the UN's al-Qa'ida/Taliban sanctions list and comply with their international obligations, and potentially undermine the viability of all UN smart sanctions regimes. The USG is extremely concerned about this situation, which could impact not only the Europeans' ability to crack down on terrorist financing, but their sanctions efforts targeting other national security threats as well. We have been in close and regular dialogue with our European partners about these issues, and know that they are working hard to determine what steps need to be taken to ensure that their sanctions regime remains strong and survives current and future legal scrutiny.

Kidnapping for Ransom

Another issue we have been discussing with our European allies is paying ransom to terrorists. In recent years the al-Qa'ida network has found new deep pockets, not among rich radical sheikhs in the Persian Gulf, but through the exploitation of wealthy Western countries and their allies. By turning the kidnapping of Europeans, East Asians, and North Americans into big business, these terrorist organizations have found a reliable funding stream that runs directly from the coffers of countries that are dedicated to defeating AQ. It is time to block this funding stream before it swells and strengthens AQ. Widespread adherence to a

no-concessions pledge alone will not eliminate the problem of kidnapping-for-ransom: private companies and NGOs will likely continue to pay ransoms to get their people back. But if at least governments stop paying, it would help undermine the operations of terrorist organizations that depend upon ransom revenues. Governments need to get out of the business of paying ransoms or they will face many more kidnappings, and this is a point that we stress in our consultations with European allies.

Countering Violent Extremism

Our work to Counter Violent Extremism (CVE) focuses on three main lines of effort that will reduce terrorist recruitment: delegitimizing the violent extremist narrative in order to diminish its “pull”; developing positive alternatives for youth who are targeted for radicalization to violence to diminish the “push” effect of grievances and unmet expectations; and building partner capacity to carry out these activities. The key goals of CVE programming are to diminish the drivers of radicalization that leads to violence and demonstrably reduce the effectiveness of terrorist propaganda, thus leading to lowered numbers in recruitment.

We are working closely with our European partners, notably the EU, on ways to coordinate outreach to diasporas targeted for terrorist recruitment across Europe. As in the United States, our European partners are concerned about radicalization to violence within Somali communities, for example, with new recruits returning to Somalia to join al-Shabaab. We have met with officials in London, the Hague, Brussels, Stockholm, Oslo, and Copenhagen over the last two years.

We have organized three international workshops on the topic of Countering Violent Extremism (CVE), the last of which – in November 2010 – was hosted by the Dutch. The participants included senior officials from more than a dozen countries – primarily NATO Allies – and several international organizations, and have laid the foundations for a CVE network. We are also in the process of forming a network to share best practices, and are working to translate some of the gains from these events into cooperative, on-the-ground-efforts with our European partners in places like Yemen, for example.

Furthermore, my office is working closely with the Dutch government and the Dutch NGO the International Center for Counterterrorism to undertake a project focusing on terrorist rehabilitation and disengagement. The project will be launched in May and will be based at the UN’s Interregional Crime and Justice Research Institute (UNICRI) in Italy, on a one-year pilot basis. The aim is to

provide a multilateral platform for policymakers and practitioners from countries that have created - or are considering developing – rehabilitation or disengagement programs for violent extremists to compare lessons learned and best practices.

Given the large ambit of your committee, I'd like to end by addressing our counterterrorism work in both Russia and Central Asia.

Russia

Counterterrorism is one of the enduring strong points of the Russia-U.S. bilateral relationship and one the United States believes is important to continue to improve on. The Russia-U.S. relationship has had many twists and turns and many ups and downs, but one constant has been our counterterrorism cooperation. The main vehicle for our dialogue is the Counterterrorism Working Group (CTWG), which I co-chair with my Russian counterpart, Presidential Representative Anatoliy Safonov.

Recent activities of the CTWG include coordinating U.S., UK and Russian investigations of the financial infrastructure that supports drug trafficking from Afghanistan, and support of the Global Initiative to Combat Nuclear Terrorism. The Global Initiative was announced by Russia and the United States in 2006 and now includes 75 partner nations that cooperate in a variety of ways, including safeguarding radioactive and nuclear materials, preventing nuclear smuggling, and sharing information.

A highlight of the U.S.-Russian CT partnership last year included the issuance of a U.S.-Russia Joint Statement on Counterterrorism Cooperation at last year's U.S.-Russia Summit; which notably included a reference to the Secretary of State's designation of Caucasus Emirates leader Doku Umarov under Executive Order 13224. Working together with Russia we were also able to internationalize this designation by adding Umarov to the United Nations' 1267 al-Qa'ida and Taliban Sanctions Committee Consolidated List. We also work closely with Russia on CT issues in other multilateral and regional fora such as the G8 Roma-Lyon Group, OSCE, and the Asia Pacific Economic Cooperation (APEC) Forum.

We plan to take further steps to enhance transportation security and, in partnership with DHS, we hope to conclude several arrangements with Russia concerning cooperation in the areas of aviation and multi-modal transportation security.

Central Asia

Central Asia is also a critical counterterrorism nexus, particularly important for its support of supply routes to Afghanistan – both via the Manas Transit Center in Kyrgyzstan, and via the Northern Distribution Network that runs through the region. Their support for our efforts in Afghanistan could increase the risk of terrorist attacks against them. Central Asia has bred a number of terrorist groups, including the Islamic Jihad Union and the Islamic Movement of Uzbekistan, which are actively fighting against U.S. forces in Afghanistan. We are concerned that fighters returning to their home countries could expand the terrorist threat to Central Asia. We are also mindful of the potential terrorist threat to the emerging energy infrastructure around the Caspian Sea.

Our Anti-Terrorism Assistance Program is active in the region, mostly in Kyrgyzstan and Tajikistan, with Kazakhstan not far behind. Through our Regional Strategic Initiative grant program, we seek to build partner countries' ability to rapidly detect, respond, and repel potential incursions by terrorist groups and to enhance the capabilities of local law-enforcement bodies to detect, deter, respond to, and investigate terrorist threats, in a manner that is respectful of human rights and civil liberties. In partnership with the Central Asian countries, our programs have addressed issues of border control, crisis management, fraudulent document detection, terrorist finance, and general forensics, which will make it more difficult for terrorists to travel and carry out terrorist acts in these countries.

We have other partners with whom we are working in Central Asia, including the OSCE and the UN, to build Central Asian counterterrorism capacity. Working through these organizations, we can also assist the Central Asian nations with regard to best practices to counter violent extremism, thereby drying up the pool of future recruits into terrorist organizations.

Conclusion

The magnitude and breadth of the terrorist challenge makes clear that no one country or organization can defeat it alone: The global threat we face requires a global strategy and a global response and must impel us to devise collaborative strategies, action plans, and policy recommendations that use all the tools of statecraft, nationally, bilaterally, regionally and multilaterally. We have no alternative.

We have come a long way since 2001. Together, we have moved, and are moving, to overcome some of the impediments to pursuing terrorists that existed before

9/11. And the United States will – we must – continue to work closely with our partners around the world, especially our capable and willing European allies to identify areas where further work remains to be done and how we can further collaborate even more effectively. Only through such cooperation can we succeed.

Thank you for the opportunity to share these ideas and thoughts with you.