

« Violent Islamist Extremism : The European Experience »

**Committee on Homeland Security and Government Affairs
U.S. Senate
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Oral summary of statement of Jean-Louis Bruguiere

Mr. Chairman, Senator Collins, members of the committee,

Thank you very much for inviting me to be here today. I will provide a brief summary of my statement, but would ask that my entire statement be included in the hearing record.

At the judicial level in France, I have been responsible for the fight against terrorism since 1991. In France -- unlike in the U.S. -- criminal investigations are conducted by judges, who have sweeping judicial capabilities, such as issuing on their own search warrants, seizures of evidence, intrusive measures, including wiretapping, and cooperating with other countries in the fight against terrorism.

I do not need to convince you, Mr. Chairman and members of the committee, in a country that has so heavily suffered from terrorism, culminating on September 11, 2001, of the gravity and the severity of the terrorist phenomenon, a phenomenon that is at the heart of the concerns of the United States today.

Terrorism of Islamist origin, the one conveyed by Al Qaeda is a deadly poison for our democracies that we must fight adamantly without second thought.

France and the United States are particularly mobilized in this fight against terrorism.

In this fight, we must stand together. France has always stood by the United States. I have personally stood by the United States in my duties under all circumstances.

Terrorism is a strategic menace, a global menace of a new, atypical and asymmetrical genre.

It demands recourse to all the state's means.

Obviously, a counterattack strategy against Terrorism entails the use of military means, when and where necessary, specifically in Afghanistan and in Iraq.

But, the specifics of this threat requires other resources.

Recourse to military means must not be exclusive to the use of other tools in the field of intelligence or of law enforcement.

This panoply of tools and measures must serve as a real operational strategy, anticipatory and flexible, adapting to the contours of the threat and aimed at preventing the occurrence of terrorist actions and to stay a step ahead of terrorist organizations.

The system we have implemented in France, since the beginning of the 1990s has allowed us to effectively counter all terrorist activity aimed at our soil to date.

But before outlining the main components of our strategy to fight terrorism, I will present the evolution of the islamist terrorist threat over the last 20 years.

1- the emergence of Islamist terrorism took place in the beginning of the 1990s

In Europe and, more specifically, in France, the first manifestations of the terrorist threat of Islamist origin dates back to 1993.

After the interruption of the electoral process in Algeria and the banning of the F.I.S (or Islamic Salvation Front), a radical Salafist movement (the G.I.A, or Armed Islamic Group) emerged.

This situation has caused, in Europe but, especially in France, the creation of clandestine structures of logistic support to guerillas in Algeria. These networks were activated in 1995 by the G.I.A. for its operations on French soil.

So the G.I.A, a Salafist organization, evolved beyond the Franco-Algerian framework. This new strategy was a precursor to that of Al Qaeda.

This global strategy led the G.I.A. to hijack an Air France aircraft in 1994, in order to crash it over Paris, and, six months later, to perpetrate a series of attacks in France. This was the first time an airplane was designed to be used as a weapon of mass destruction.

The decline of the G.I.A in 1996 should have been accompanied by the displacement of the epicenter of terrorist activism towards the Pakistani-Afghan zone.

It is in this context that we have detected since 1996, through an investigation, the "Ressam" network (the Millennium Bomber). This was Al Qaeda's first attempt to strike the US on its homeland.

September 11, 2001 was the result of this continuing trend. It was neither an unforeseeable occurrence nor an historical accident.

2-After September 11 and the current situation

The period after September 11, 2001 has shown that the danger has not disappeared and has always a worldwide dimension. The Al Qaeda network, although deprived of their sanctuary in Afghanistan has demonstrated that it is still active.

The European Islamist movement, composed principally of Maghrebins, has always been active and presents the characteristic of being constituted by a network of dispersed, polymorphic and mutating cells.

In addition, during this period, other lands of Jihad appeared to be active : Pakistan and the Caucasus.

But it is Iraq that has been the most powerful driver of terrorist activity, having a greater force of attraction than previous lands of Jihad, especially in regard to radical European Islamist movement.

Several phases must be distinguished.

From 2003 to 2004 the European mujahideen left for Iraq without thinking of returning, but to die there as martyrs.

After 2004, because of the influence from Abou Moussab El Zaarkaoui and these moujahiddin were mostly trained to commit attacks in Europe.

3- Current situation and foreseeable development of the menace

The current situation is characterized by the permanence of the menace, the increased globalization of Islamist networks and the search for new strategies to validate the Terrorist message.

The terrorist menace is reoriented on two fronts the first in the North the second in the South, in the Maghreb area.

In 2006 the G.S.P.C (or Salafist Group for Preaching and Fighting) rejoined Al Qaeda after having made an operational alliance two years earlier with the Abou Moussab El Zarkaoui network operating in Iraq.

This development marked the appearance of a new terrorist entity called "Al Qaeda of the Maghreb Countries" significantly increasing the terrorist threat in Europe and over France.

4- Response Procedures in the Fight Against Terrorism

A strategy in the fight against terrorism must meet a certain number of conditions to be effective. Especially, even when there are no attacks, the powers of intelligence services must be strengthened, a criminal legal system with the appropriate legislative tools must be implemented, and international cooperation must be reinforced.

In this regard, the French system for fighting terrorism has proved its effectiveness.

Over the years, this system intentionally consistent with the law, without relying upon special legislation, has demonstrated that it is unrivaled in effectiveness and legality.

France has a long experience of fighting terrorism which goes back to the early 1970s.

Thus, France has developed a complete legal doctrine for fighting terrorism which is considered to be a strategic threat. This doctrine led to the publication of a White Paper in 2006 (that I will submit for the record).

The White Paper describes several changes to the legal system, with respect to laws as well as implementing procedures.

With respect to laws, the French Parliament has given the French system for fighting terrorism an arsenal of laws designed for this purpose.

The criminal charge of terrorist conspiracy is unquestionably the most effective legal weapon against terrorist networks. It makes it possible to fight the threat at the top, by attacking the logistical and financial support for the networks. There is no need to prove that the network in question is linked to an organization or even to a specific plan. It is sufficient that the network was likely to give any assistance in a terrorist context to activists, even when the activists are unidentified.

In addition, there are procedural laws.

The cornerstone of our system is the centralization in Paris of prosecution, investigation and trials.

It enables us to better understand the terrorist phenomenon which is becoming more widespread, polymorphous, and changing.

In addition, on this subject, the investigating judges may use intrusive measures, such as telephone wiretaps and audio surveillance of private places.

However, to be effective, this legislative arsenal must be implemented as a part of a real operational strategy.

From this point of view, the participants in the fight against terrorism have developed a proactive methodology in France that is directed to preventing the threat.

This risk prevention strategy brings together, in a real operational synergy, intelligence agencies, law-enforcement authorities, and the Judiciary.

In addition, France has significantly increased international cooperation, especially with the United States, for the sole purpose of neutralizing terrorist networks where they are operating.

This legal system, which is flexible and centralized at the same time, has enabled us to anticipate terrorist acts for more than ten years, and to contain the terrorist threat and stop attacks on our soil and even outside of our borders, specifically in Australia.

Thank you for your attention. I would be happy to answer any questions you might have.