

**NATIONAL SCHOOL OF POLITICAL AND ADMINISTRATIVE
STUDIES**

DOCTORAL SCHOOL

FIELD OF POLITICAL SCIENCE

ABSTRACT

DOCTORAL THESIS

**PERSPECTIVES ON STRENGTHENING
COUNTER-TERRORISM POLICY IN ROMANIA**

PhD SUPERVISOR:

PROF. IOAN MIRCEA PAȘCU, PhD

PhD STUDENT:

LUCIAN BUCIU

BUCHAREST

2022

ABSTRACT OF THE DOCTORAL THESIS

1. Argumentation of the chosen subject

Twenty-one years have passed between 9/11¹ and now, but the tragic events of that time seem more like a distant past, often described as very distant. From a security culture perspective, measures to prevent and combat terrorism are of the utmost necessity.

Although al-Qaeda reorganised its operational structures after the killing of its leader Osama bin Laden, there has been no shortage of terrorist attacks over the past few years. The terrorist attack on the Charlie Hebdo newsroom in 2015 demonstrates that terrorism can be pervasive, all the more so as innocent people, women, children and elderly persons have fallen victim to multiple actions during 2001, 2015, 2016, 2017 and 2020. In this regard, it should be noted that terrorist actions in the United States of America (USA), Paris, Brussels, Nice, Berlin, London, Barcelona, Vienna have been linked by a single thread - terrorism of Islamic fundamentalist origin (TIFO).

Without considering the Islamic faith as terrorism, 9/11 unfairly, perhaps, turned the world's attention to the Islamic religion, with aggression replacing good faith.

The "black swans"² of 2001 have been landing in Europe since 2015, and are seen as a new kind of threat: "unconventional, dynamic, sometimes even random and non-linear in incidence, without constraints or rules of engagement - in other words: asymmetric."³

In these circumstances, with a well-defined objective regarding the complexity of the language in which the counter-terrorist instrument is translated into policy, under the scientific coordination of Prof. Ioan Mircea Pașcu, we have set out, through the present doctoral approach, to contribute to solving the problem represented by the too great focus on the theoretical approach to the detriment of the pragmatic one. Through the sequence of events, we have been witnessing the development of a *modus operandi* of terrorist groups, the embedding of a counter-

¹ Throughout our doctoral work we have used 9/11 to refer to the terrorist attacks committed on 11 September 2001 in the USA.

² George Cristian Maior, Ionel Nițu, *Ars Analytica. Provocări și tendințe în analiza de intelligence*, Editura RAO, București, 2013, p. 81.

³ George Cristian Maior, *Un război al minții. Intelligence, servicii de informații și cunoaștere strategică în secolul XXI*, Editura RAO, București, 2010, p. 192.

terrorist policy in the realities of the field of counter-terrorism proving to have been essential, if not vital, as we have seen happen in the case of the USA and France.

From this point of view, taking into account the tragic experiences that the US and France have gone through as a result of major terrorist attacks on their territory, our concerns within the framework of our doctoral research have been focused, as a priority, on the US and France, in the light of what happened on 9/11 in the US and in 2015 and 2016 in France. From the perspective of the more elaborate counter-terrorism policies available to the US and France, particular attention has been paid to their analysis.

The terrorist attacks in Europe over the last 7 years have *de facto* reflected the perfectibility of the existing counter-terrorism policies and have demonstrated once again, even 21 years after 9/11, that the fight against terrorism of Islamic fundamentalist origin (TIFO) is far from being over.

Although there has been much talk about pragmatism in the prevention of and fight against terrorism of Islamic fundamentalist origin (TIFO), the consensus of actions to prevent and combat it has raised many questions, and it is obvious that there is a state of highly specialised language, but without concrete measures.

The events that occurred in the US on 11 September 2001, as well as the events of Charlie Hebdo in 2015, demonstrated that a highly technical language of counter-terrorism did not equate to a successful counter-terrorism policy, as there were obstacles to reconciling it with the realities of the battlefield against the practitioners of Islamic fundamentalist terrorism.

The shortcomings of American and French counter-terrorism, albeit from a logistical point of view, have forced the operational reorganisation of the special forces in charge of this field, with international cooperation being vital for the success of the missions.

In Romania, the Romanian Intelligence Service (SRI) is the national authority designated by the Supreme Council of National Defence (CSAT) in the field of preventing and combating terrorism. Although so far it is legitimate to speak of a success of Romanian counter-terrorism in general and of the RIS in particular, as technical coordinator of the National System for Preventing and Combating Terrorism (SNPCT), and considering the absence of a major terrorist attack on the Romanian territory, in the field of counter-terrorism there is always room for improvement in terms of performance and efficiency.

The National System for Preventing and Combating Terrorism (SNPCT) operates under Law no. 535 of 25 November 2004 on preventing and combating terrorism, as amended and supplemented, according to which the SRI has the role of technical coordination.

The toll of the 2015 and 2016 terrorist attacks in France reflected an insufficient degree of anticipation of the threat from the French analytical and operational level, although France at the time had a counter-terrorism policy that was considered infallible at EU level.

Although the Romanian counter-terrorism system is on a par with international counter-terrorism, as we have demonstrated in this doctoral research, we have been able to observe, following our reference to Law no. 535 of 25 November 2004 on preventing and combating terrorism, as amended and supplemented, that there is however an overload in terms of the duties incumbent on the SRI, as established by the CSAT.

Although there are several institutions that constitute the SNPCT, including all the institutions in the field of defence, public order and national security, counter-terrorism in Romania is rather perceived as the competence of only one institution, which is why the present doctoral work has focused on the operationalization of a balanced consolidated counter-terrorism system (BCCTS), leading the research towards a pragmatic approach to the fight against terrorism of Islamic fundamentalist origin (TIFO) and reflecting this aspect in the title of the present doctoral research: "Perspectives on strengthening counter-terrorism policy in Romania".

Although it may seem a cliché, the fight against terrorism of Islamic fundamentalist origin (TIFO) requires, if not a perfect counter-terrorism, at least a near-perfect one in terms of effectiveness.

At the same time, the time factor can prove unfavourable when there is a political delay in strengthening a counter-terrorism policy. And Romania currently has a window of opportunity, from the point of view of the time factor and the experience already accumulated and reflected by the 47 years of existence of Romanian counter-terrorism, which has been in a visible process of improvement since 1990 through the professionalism demonstrated by the Anti-Terrorist Brigade of the SRI, to be able to operationalize what we consider appropriate to call a balanced consolidated counter-terrorism system – BCCTS.

2. The doctoral research project. An approach from the realist school perspective.

In order to operationalise a Balanced Consolidated Counter-Terrorism System (BCCTS) in Romania, the present scientific approach focused on the interdependencies of three fields at the level of theoretical substantiation: political science, international relations and intelligence.

Thus, the BCCTS has resulted from a doctoral approach built around this trinomial: political science, international relations, intelligence.

From the perspective of operationalising the need for a balanced consolidated counter-terrorism system in Romania, the present doctoral approach is in line with the principles of the realist school.

Firstly, by bringing Romania's counter-terrorism policy in line with the latest developments in international counter-terrorism, the Romanian counter-terrorism policy has been reinforced with two key elements of the realist vision - "power and security"⁴.

The US and France, the two states whose counter-terrorism policies have been extensively analysed in this PhD research, as a result of strengthening their counter-terrorism instrumentation have generated security and, at the same time, asserted their power internationally and in Europe - if the US has established itself internationally as a power and a benchmark through its counter-terrorism policy which has been joined by states around the world united in what is now known as the Global Coalition to Fight ISIS, France has also exercised its power at the European level through its successful counter-terrorism policy, perceived especially after the 2015 Charlie Hebdo episode, going so far as to assume the consolidation of a "common strategic culture"⁵ materialized in the recently established European Intelligence College through which threats to the European security environment have found their reflection and response at the academic level of the European intelligence communities⁶.

Secondly, from the realist school's view, we have noted that the counter-terrorism policies of the US and France have paid particular attention to alliances, a point where we have noted the full functioning of the "balance of power"⁷. In the sense of what has been presented,

⁴ Ionel Nicu Sava, *Studii de securitate*, Editura Ziua, București, 2005, p. 56.

⁵ *Intelligence College in Europe*, available at <https://www.intelligence-college-europe.org/le-college-2/?lang=fr..>, accessed 12.08.2022.

⁶ *Intelligence College in Europe*, available at <https://www.intelligence-college-europe.org/le-college-2/?lang=fr..>, accessed 12.08.2022.

⁷ Radu-Sebastian Ungureanu, *Securitate, suveranitate și instituții internaționale*, Editura Polirom, București, 2010, p. 80.

"realists express confidence only in the balance of power, which often takes on a political-military organization in alliances."⁸

At the same time, with this PhD research we have aligned ourselves with the latest trends in counter-terrorism policy inspired by the US, given its strong profile within NATO, which plays a very important role in the international counter-terrorism effort.

Following the analysis of the study conducted at The Washington Institute for Near East Policy entitled *Rethinking U.S. efforts on counterterrorism: toward a sustainable plan two decades after 9/11*, we have retained the "counterterrorism versus great powers"⁹ competition, with a purely realist approach to U.S. counter-terrorism policy emerging from the American academic community.

3. Operationalisation of a Balanced Consolidated Counter-Terrorism System (BCCTS) in Romania

In present day Romania, counter-terrorism, although effective, is rather perceived as being the competence of only one institution in terms of the overload of tasks that the SRI is responsible for according to Law no. 535 of 25 November 2004 on preventing and combating terrorism, as amended and supplemented, whereas all Romanian institutions in the field of defence, public order and national security are included in the SNPCT.

Therefore, we have identified the need to operationalise a Balanced Consolidated Counter-Terrorism System (BCCTS) in Romania.

In this respect, and against the background of no major terrorist attack on the national territory so far, it is the right moment for Romania to think, elaborate, publicly debate, politically assume and operationalise a balanced consolidated counter-terrorist system (BCCTS).

4. Research questions, objectives and hypotheses

The present PhD research focused on the thinking, development and operationalization of a Balanced Consolidated Counter-Terrorism System (BCCTS) in Romania. From this point of

⁸ *Ibidem*, p. 80.

⁹ Matthew Levitt, *Rethinking U.S. Efforts on Counterterrorism: Toward a Sustainable Plan Two Decades After 9/11*, available at <https://www.washingtoninstitute.org/policy-analysis/rethinking-us-efforts-counterterrorism-toward-sustainable-plan-two-decades-after>, 08.03.2021, accessed 12.08.2022.

view, the concern of our scientific approach was directed towards finding answers to the following questions:

- How beneficial was the Stellarwind program in strengthening US security after 9/11? How useful is the US Senate Intelligence Committee's approach to evaluating the CIA's enhanced interrogation techniques in the fight against terrorism, and how can these CIA techniques be evaluated in terms of their effectiveness? How effective is the current US counter-terrorism policy?
- What are the strengths and weaknesses of the French Republic's counter-terrorism policy?
- How can EU, NATO, UN and OSCE counter-terrorism policies be assessed in terms of their performance?
- How can Romania's current counter-terrorism policy be assessed?

The search for answers to the four questions mentioned above led to the fulfilment of the research objectives that this PhD aims to achieve:

- what terrorism of Islamic fundamentalist origin (TIFO) is and, especially, what it is not
- analysis of the evolution of terrorism of Islamic fundamentalist origin (TIFO)
- analysis of the *modus operandi* of al-Qaeda and DAESH with reference to the strategic and tactical instruments of the two terrorist organisations
- assessing the US counter-terrorism policy with reference to the Stellarwind programme and the findings of the US Senate Intelligence Committee on enhanced CIA interrogation techniques and new directions in US counter-terrorism
- the achievements and failures of the French Republic's counter-terrorism policy
- assessment of the performance of NATO, EU, UN and OSCE counter-terrorism policies
- assessment of the current counter-terrorism policy in Romania
- the operationalisation of a Balanced Consolidated Counter-Terrorism System (BCCTS)

In order to achieve its research goals, the present PhD aimed to validate the following three research hypotheses:

1. The more realistic counter-terrorism is, the greater its chances of success in the fight against terrorism of Islamic fundamentalist origin are.
2. The more inactive terrorist cells appear, the more vigilant counterterrorism needs to be.
3. The more consolidated and balanced counter-terrorism is at the level of the structures in charge, the more effective the fight against terrorism will be.

5. Methodological tools used

In our doctoral approach we opted for qualitative methods, as they are masterfully defined and exemplified by the emblematic figure of Romanian sociology represented by Septimiu Chelcea. We believe that in order to have a successful radiography of the mind of an extremely intelligent and also unpredictable adversary and to thwart his intentions, the established templates of quantitative methods are insufficient, if not outdated. In operationalising a balanced consolidated counter-terrorism system (BCCTS) that is even smarter than the adversary in front of us, and in meeting our research objectives, alongside literature review, official document analysis, comparative analysis, conceptual analysis and documentary analysis, this doctoral endeavour also made use of case studies.

6. Key elements of Chapter 1: From terrorism to terrorism of Islamic fundamentalist origin – general and particular aspects

We have noted that in the view of Randall D. Law, terrorism is not an ideology, the suffix -ism in the morpheme terrorism proving misleading in this respect.¹⁰

Rather, Law attempted to introduce the definition of the concept of terrorism in relation to society, with a certain cultural specificity and from a strongly constructivist perspective.

In Brian Jenkins we have noted that it is essential to exclude from the definition of terrorism the reference to the perpetrators of terrorist acts and the aims they pursue, proposing a grid of analysis of terrorism through the prism of the act itself. He associates terrorism with theatre, with a staging of violence and manipulation¹¹.

From Chaliand and Blin's analysis of what the concept of contemporary terrorism can encompass, we have retained four distinct dates, as follows: 1968 - Latin American and

¹⁰ Randall D. Law, *Istoria terorismului. De la asirieni la jihadiști*, Editura Corint, București, 2017, p. 12.

¹¹ Yves Bourdillon, *Terrorisme de l'Apocalypse. Enquête sur les idéologies de destruction massive*, Ellipses, Paris, 2007, p. 51.

Palestinian influences, 1979 - Iranian revolution and Soviet intervention in Afghanistan, 1991-1993 - consolidation of radical Islamism, and September 11, 2001 - classical terrorism in its final stage¹².

From Yves Bourdillon we have noted the perception of terrorism rather as a technique based on the use of violence and the induction of fear, the importance of the number of people in whom terrorism induces fear and last but not least the association of terrorism with an atypical war, without a front or rules¹³.

François Thuillier proposed a definition of terrorism from the perspective of the interaction of two actors, the victim and the perpetrator, and as far as the perpetrator is concerned, he is driven by three motivations: psychological, social and political¹⁴.

A comprehensive perspective on terrorism was offered by Willy Buiron from the Hexagon, who proposed an analysis of French counter-terrorism policy, taking 9/11 and the subsequent French political landscape in the field of counter-terrorism as a starting point. Buiron was highly critical of the French defence White Papers because the disproportionate relationship between terrorism as a "militarised and strategic threat"¹⁵ and the French Republic's "undersized"¹⁶ response is evident. The 9/11 episode also functioned in France not only as a t0 for the reinforcement of counter-terrorism, but also as a decisive moment for a more detailed approach to the definition of terrorism as a "major strategic and military threat"¹⁷, given that before 2001 both the 1994 White Paper and the Military Planning Act for 1997-2002 did not consider terrorism as a threat¹⁸.

The Canadian Maurice Cusson pointed out from the very beginning of his research on terrorism the tension between the need to know and the need to share as a possible drawback of pursuing an evolution of what has been said and what should be said in the sphere of academic

¹² Gerard Chaliand, Arnaud Blin, *Istoria terorismului. Din Antichitate până la DAESH*, Editura Polirom, București, 2018, p. 24.

¹³ Yves Bourdillon, *Terrorisme de l'Apocalypse. Enquête sur les idéologies de destruction massive*, Ellipses, Paris, 2007, p. 46.

¹⁴ François Thuillier, *La révolution antiterroriste*, Editions Temps Présent, Paris, 2019, p. 24.

¹⁵ Willy Buiron, *La politique française de lutte contre le terrorisme depuis le 11 septembre 2001*, L'Harmattan, Paris, 2021, p. 126.

¹⁶ *Ibidem*, p. 126.

¹⁷ *Ibidem*, p. 132.

¹⁸ *Ibidem*, p. 131.

knowledge of terrorism. Cusson identified political-religious motivations as the particularity of terrorism¹⁹.

At NATO level, terrorism is defined as "a direct threat to the security of citizens of NATO member states and to international stability and prosperity."²⁰ This is rather transnational terrorism, "a persistent global threat that knows no borders, no nationalities and no religions."²¹

The EU refers to terrorism as "a threat to our security, the values of our democratic societies and the rights and freedoms enjoyed by European citizens."²² The Commission's 2020 Communication specifically outlines the jihadist threat posed by DAESH, al-Qaeda and their affiliates.

With regard to the UN, the only document that gives us the framework of what we might consider more of a reference to terrorism is UNSC Resolution 1373 of 2001 according to which "(...) any act of international terrorism constitutes a threat to international peace and security."²³

The OSCE calls terrorism "one of the most serious threats to peace, security and stability as well as to the enjoyment of human rights and economic and social development in the OSCE area and beyond."²⁴

We consider it imperative for knowledge in the field of terrorism, especially in Romania, which is still at an early stage, to point out that our choice to use the concept of terrorism of Islamic fundamentalist origin (abbreviated TIFO) throughout our doctoral research was determined by the extremely pragmatic and documented observations of Anghel Andreescu and Nicolae Radu: "To judge terrorism as a product of Islam and Islam as a violent religion is more than a mistake"²⁵.

At the same time, we have noted and highlighted the realist perspective of some Romanian authors regarding the terminological mismatch between Islamic religion and terrorism: "It should be noted that, in essence, Islamic religion and terrorism are two terms that

¹⁹ Maurice Cusson, *L'antiterrorisme à l'âge du djihadisme*, L'Harmattan, Paris, 2018, p. 5.

²⁰ NATO, *Countering terrorism*, available at https://www.nato.int/cps/en/natohq/topics_77646.htm, 03.08.2022, accessed 12.11.2021.

²¹ NATO, *Countering terrorism*, available at https://www.nato.int/cps/en/natohq/topics_77646.htm, 03.08.2022, accessed 12.11.2021.

²² Conseil européen, Conseil de l'Union européenne, *Action de l'UE face au terrorisme*, available at <https://www.consilium.europa.eu/fr/policies/fight-against-terrorism/>, accessed 12.11.2021.

²³ Conseil européen, Conseil de l'Union européenne, *Action de l'UE face au terrorisme*, available at <https://www.consilium.europa.eu/fr/policies/fight-against-terrorism/>, accessed 12.11.2021.

²⁴ United Nations Security Council, *Resolution 1373 (2001)*, available at https://www.unodc.org/pdf/crime/terrorism/res_1373_english.pdf, accessed 14.11.2021.

²⁵ Anghel Andreescu, Nicolae Radu, *Jihadul islamic*, Editura RAO, București, 2015, p. 20.

contradict each other. Islam condemns and rejects all forms of terror. Thus, it is not tenable to use certain terms such as Islamic terrorism. Attempts to equate the Islamic religion with terrorism are not only baseless and erroneous, but also purely propagandistic and malicious."²⁶

In Romania, the official document that defines terrorism is Law no. 535 of 25 November 2004 on preventing and combating terrorism, as subsequently amended and supplemented. According to Law no. 535 of 25 November 2004 on preventing and combating terrorism, "terrorism represents those actions, inactions, as well as threats thereof, which present public danger, affect the life, physical integrity or health of people, material factors, international relations of states, national or international security, are politically, religiously or ideologically motivated and are committed for one of the following purposes:

a) intimidation of the population or a segment thereof by causing a strong psychological impact; b) unlawful coercion of a public authority or international organisation to perform, not to perform or to refrain from performing a specific act; c) serious destabilisation or destruction of the fundamental political, constitutional, economic or social structures of a state or international organisation."²⁷

From a strictly etymological point of view, jihad comes from the Arabic verb *jihadar* which means "to make an effort, having for the vast majority of Muslims the meaning of self-effort, to become a better Muslim and then, as an ultimate duty, to defend the territories of Islam."²⁸ Jihadism institutes not only a deliberate politicization of jihad but also a new reality, both linguistic and politically-religiously motivated.

What will become known as jihadist Islamism is just another name for Islamism by the sword. We have therefore distinguished between jihad as the duty of every Muslim to surpass himself and jihadism as "the doctrine of violent action in the service of political Islamism, which may make use of terrorism."²⁹ Terrorist attacks will therefore be the *modus operandi* par excellence of jihadism.

Developed by the Frenchman Heisbourg, the concept of hyperterrorism could be understood as "potentially suicidal and destabilising operations, as opposed to the concept of

²⁶ Cristian Barna, Adrian Popa, *Forme de manifestare a terorismului în societatea contemporană*, Editura Top Form, București, 2021, p. 32.

²⁷ Art. 1 of Law no. 535 of 25 November 2004 on preventing and combating terrorism, as amended and supplemented, available at <https://legislatie.just.ro/Public/DetaliiDocument/57494>, accessed 29.03.2022.

²⁸ Jean-Luc Marret, *Les fabriques du jihad*, Presses Universitaires de France, Paris, 2005, p. 101.

²⁹ Willy Buiron, *La politique française de lutte contre le terrorisme depuis le 11 septembre 2001*, L'Harmattan, Paris, 2021, p. 25.

classical terrorism, which is reduced to smaller attacks with a few dozen victims."³⁰ The term hyperterrorism has most often been used in reference to Al Qaeda and its former leader Osama Bin Laden, with terrorism researchers and intelligence practitioners alike agreeing that a paradigm shift in terrorism occurred with 9/11. We thus saw that for the practitioners of Islamist jihadism, the number of victims, the sheer number of people killed as a result of the terrorist attack, was of great relevance in their strategic instrumentarium. Subsequently, the large number of victims also induced a general state of fear among the population, causing shock and chaos.

We have thus found that there is a clear lack of consensus regarding the adoption of an operational definition of terrorism both within the academic community and at NATO, UN, EU and OSCE level. From the evaluation of all the definitions analysed above, we have expressed our support for the views expressed by Yves Bourdillon in the sense of perceiving terrorism rather as a technique based on the use of violence and the induction of fear, the importance of the number of people in whom terrorism induces fear and, last but not least, the association of terrorism with an atypical war without front and without rules.

Therefore, in the first chapter of this doctoral research we achieved the first two PhD research objectives - what is and what is not terrorism of Islamic fundamentalist origin and the evolution of terrorism of Islamic fundamentalist origin.

7. Key elements of Chapter 2: Al-Qaeda and DAESH³¹ - examples of the *modus operandi* of the most representative terrorist organisations of Islamic fundamentalist origin

In the work of preventing and combating terrorism of Islamic fundamentalist origin and in the process of drafting counter-terrorism strategies adapted to the dynamic international security environment, an essential element is the detailed knowledge of the adversary. In the current situation, the adversary is complex, with actions that are increasingly difficult to predict, and a detailed knowledge and understanding of the strategies and tactics it uses is a starting point for preventing and combating terrorist attacks of Islamic fundamentalist origin.

³⁰ Yves Bourdillon, *Terrorisme de l'Apocalypse. Enquête sur les idéologies de destruction massive*, Ellipses, Paris, 2007, p. 9.

³¹ In our doctoral work we will refer to DAESH as the acronym for the Arabic name of the organization ad-Dawlat al-Islamiya fi'l-Irak wa'sh-Sham (according to <https://intelligence.sri.ro/daesh-organizatie-retea-sau-stat/>, accessed 15.11.2021).

In other words, if al-Qaeda and DAESH try to and succeed in deciphering the language of the West, it is imperative that the West, in turn, goes beyond the strictly military combative approach, which is otherwise useful and effective, and deciphers the cultural code of Islamic fundamentalist-inspired terrorists. Only in this way will the West succeed in preventing and completely annihilating terrorist attacks committed in the name of the Islamic fundamentalist discourse. The killing of bin Laden did not mean the death of Al-Qaeda, which has successfully reinvented itself and been subsumed into DAESH in various forms. Nor did the killing of Abu Bakr al-Baghdadi mean the death of DAESH because the terrorist organisation of Islamic fundamentalist inspiration immediately announced its new leader - Abi Ibrahim Al-Hashimi Al-Qurashi. Nor has the recent killing of Ayman al-Zawahiri in late July 2022³² meant the end of terrorism.

Thus, knowing the enemy's strategy and tactics, speaking the enemy's language, are essential elements leading to the development of effective and long-term counter-terrorism strategies.

In addition to the detailed knowledge of the strategy and tactics of Islamic fundamentalist terrorists, the materialization of the dialogue between the Islamic and the Western civilizations is a starting point for the complete annihilation of Islamic fundamentalist terrorism and implies the knowledge and respect of the cultural code on both sides. It is totally wrong to label all Muslims as terrorists just as it is totally wrong to label all Westerners as infidels. In order to combat terrorism of Islamic fundamentalist inspiration, we must first combat the causes of its emergence within the Muslim world.

In the light of the above, we conclude that, even in the case of the so-called apparently inactive terrorist cells, which are the result of a rethinking of the tactics specific to Al-Qaeda and subsequently taken over by DAESH, we consider that counter-terrorism should be vigilant. In the case of the balanced consolidated counter-terrorism that we propose in this doctoral research for operationalisation at the level of the Romanian defence, public order and national security system, we maintain the same observation - The more inactive terrorist cells appear, the more vigilant counter-terrorism must be.

³² BBC News, Robert Plummer & Matt Murphy, *Ayman al-Zawahiri: Al-Qaeda leader killed in US drone strike*, available at <https://www.bbc.com/news/world-asia-62387167>, accessed 10.08.2022.

Therefore, this chapter has achieved the third objective of the PhD research by demonstrating both the increasing sophistication of the *modus operandi* of the two terrorist groups representative of terrorism of Islamic fundamentalist origin, al-Qaeda and DAESH, and the undeniable complexity of al-Qaeda and DAESH's tactical and strategic instruments.

At the same time, this chapter has also validated the second PhD research hypothesis: the more inactive terrorist cells appear, the more vigilant counter-terrorism must be.

8. Key elements of Chapter 3: Case Study - US counter-terrorism policy between NSA's Stellarwind programme and the US Senate Intelligence Committee Report on CIA enhanced interrogation techniques. Current perspectives on American counter-terrorism

The October 2018 *U.S. National Counterterrorism Strategy* of Donald Trump's administration focuses on six major goals designed to strengthen U.S. security and contribute effectively to the fight against terrorism: diminishing the ability of terrorists to commit attacks on U.S. soil and against vital U.S. interests; reducing the financial resources of terrorist groups; preventing radicalisation and recruitment of followers of terrorism of Islamic fundamentalist origin; securing borders and strengthening law enforcement cooperation; ensuring that terrorists have no opportunity to possess weapons of mass destruction; cooperation between the public and private sector and with external partners in combating terrorism.³³

A change of paradigm in US counter-terrorism was introduced in 2021 with the Biden administration's *National Strategy for Countering Domestic Terrorism*. The four pillars underpinning the strategy translate the new direction of U.S. counter-terrorism policy under the Biden administration: understanding and sharing intelligence on domestic terrorism; preventing recruitment to domestic terrorism and the mobilization of violence; disrupting and deterring domestic terrorism-related activities; and a long-term confrontation of contributors to domestic terrorism³⁴.

³³ *National Strategy for Counterterrorism of the United States of America*, available at https://www.dni.gov/files/NCTC/documents/news_documents/NSCT.pdf, october 2018, accessed 12.08.2022.

³⁴ *National Strategy for Countering Domestic Terrorism*, available at <https://www.whitehouse.gov/wp-content/uploads/2021/06/National-Strategy-for-Countering-Domestic-Terrorism.pdf>, june 2021, accessed 12.08.2022.

At the same time, we have noted a more evident concern from the American academic community to raise awareness of the importance of rethinking US counter-terrorism policy. US counter-terrorism policy is being placed under the banner of the realist school of thought, increasingly highlighting a competition between "counter-terrorism and the major powers"³⁵, which also indirectly translates the fact that the international security environment is not only increasingly unpredictable but also involves a struggle between the major powers to assert their own interests.

Furthermore, we have noted that the US academic community emphasizes a greater use of diplomacy³⁶ and a more accelerated integration of the diplomatic dimension into the US counter-terrorism instrumentarium. We have also highlighted the important role played by emerging technologies from the perspective of the US academic community in the current US counter-terrorism instrumentarium, with attention being directed towards the increasing use of drones: "As terrorists exploit emerging technologies, so must the counter-terrorism instrumentarium adapt."³⁷

Last but not least, we have also noted within the American academic community the new trend in counter-terrorism aimed at moving from a hard power paradigm represented by the military dimension to a soft power paradigm including three dimensions: intelligence, diplomacy and civilian capacity building.³⁸

Drawing on Kissinger's thoughts of evil as terrorism, the US fight against terrorism is proving to be and has been a long-running one and international cooperation on counter-terrorism is more essential than ever: "Not every evil can be fought by America, much less by America alone. But some monsters must be, if not killed, at least kept at bay. The greatest need is for selection criteria."³⁹

³⁵ Matthew Levitt, *Rethinking U.S. Efforts on Counterterrorism: Toward a Sustainable Plan Two Decades After 9/11*, available at <https://www.washingtoninstitute.org/policy-analysis/rethinking-us-efforts-counterterrorism-toward-sustainable-plan-two-decades-after>, 08.03.2021, accessed 12.08.2022.

³⁶ Matthew Levitt, *Rethinking U.S. Efforts on Counterterrorism: Toward a Sustainable Plan Two Decades After 9/11*, available at <https://www.washingtoninstitute.org/policy-analysis/rethinking-us-efforts-counterterrorism-toward-sustainable-plan-two-decades-after>, 08.03.2021, accessed 12.08.2022.

³⁷ Matthew Levitt, *Rethinking U.S. Efforts on Counterterrorism: Toward a Sustainable Plan Two Decades After 9/11*, available at <https://www.washingtoninstitute.org/policy-analysis/rethinking-us-efforts-counterterrorism-toward-sustainable-plan-two-decades-after>, 08.03.2021, accessed 12.08.2022.

³⁸ Matthew Levitt, *Rethinking U.S. Efforts on Counterterrorism: Toward a Sustainable Plan Two Decades After 9/11*, available at <https://www.washingtoninstitute.org/policy-analysis/rethinking-us-efforts-counterterrorism-toward-sustainable-plan-two-decades-after>, 08.03.2021, accessed 12.08.2022.

³⁹ Henry Kissinger, *Diplomația*, Editura All, București, 2018, p. 724.

In addition to the NSA's success through the Stellarwind program in strengthening US security by leveraging SIGINT in the fight against terrorism after 9/11, it should also be noted that the NSA fundamentally rethought its counter-terrorism in terms of effectiveness immediately after the tragic 9/11 terrorist attacks, prioritizing its tasks with surgical precision.

This chapter has therefore achieved the fourth doctoral research objective, namely the evaluation of US counter-terrorism policy with reference to the Stellarwind programme and the U.S. Senate Intelligence Committee Report on CIA enhanced interrogation techniques as well as with reference to new developments in counter-terrorism.

At the same time, concluding on the findings of the U.S. Senate Intelligence Committee Report on the CIA's enhanced interrogation techniques, we argued that implementing a counterterrorism policy in exceptional circumstances raises both the question of its legality and the denial of a high degree of political endorsement, in which sense our first research hypothesis has been validated: The more realistic counter-terrorism is, the more likely the fight against terrorism of Islamic fundamentalist origin is to succeed.

9. Key elements from Chapter 4: Case study - Counter-terrorism policy of the French Republic: achievements and failures

The 19 counter-terrorism laws adopted in the French Republic between 2001 and 2018 reflect an aspect already pointed out by US counter-terrorism experts and practitioners, namely that there is a tendency to legislate and strengthen counter-terrorism tools once a terrorist attack has taken place, with the emphasis shifting towards reaction rather than towards what could have been the prevention of the terrorist attack.

A common feature that emerges from the analysis of these 19 French counter-terrorism laws is the combination of civilian and military elements as constituent parts of the overall French counter-terrorism policy, including the two component pillars - domestic policy and foreign policy.

A new element resulting from the analysis of the 19 French counter-terrorism laws are the OPEX, external military operations against terrorism, which France will use for the first time in the wake of 9/11.

However, although France has succeeded in developing a high-performance counter-terrorism system adapted to the realities on the ground between 2001 and 2015, French counter-

terrorism experts believe that the Hexagon has focused more on the OPEX and has neglected its domestic counter-terrorism policy, which should have been rather preventative.

It is from this legal perspective of the criminal classification of terrorism that the French policy for the prevention of terrorism took shape, a policy which was consolidated around the "means of prevention aimed at common law offences."⁴⁰

A first specificity of the French counter-terrorism policy that emerges from the analysis of the French counter-terrorism legislation is the penal classification of terrorism as a crime. From this point, we have retained for the purpose of this case study Willy Buiron's categorisation, namely the presence of two essential elements of French counter-terrorism policy built around terrorism qualified by the Criminal Code as a crime: the succession of preventative administrative measures to the detriment of citizens' freedoms and the so-called preventative fights attached to the general fight against terrorism promoted by France.⁴¹

With regard to the French policy against radicalization, we have found that it was conceptually introduced rather late for a country that has already experienced a major terrorist attack on its territory in 2015. It was only in 2016 that the counter-terrorism plan (PLAT) initiated in 2014 was joined by the dimension of radicalisation prevention through the PART - Action Plan against Radicalisation and Terrorism. After the tragic episodes of Charlie Hebdo, Bataclan and Nice, we can see that the Hexagon is becoming increasingly concerned with this aspect of the fight against radicalisation, which was developed in extenso on 23 February 2018 by the new PNPR - National Plan for the Prevention of Radicalisation. However, just a few months later, on 23 July 2018, the dimension of radicalisation prevention will be conceptually confiscated by the introduction of the PACT - Action Plan against Terrorism.

If, in terms of fighting the financing of terrorism, we are justified in saying, as we have already pointed out, that France's counter-terrorism policy is a success, when it comes to preventing the spread of jihadist ideology, French policy fails. Paradoxically, the French Cartesian spirit fails completely in the spiritual, non-material dimension of the counter-terrorist policy - jihadist ideology.

From the analysis of the most relevant official documents of the French Republic in the field of counter-terrorism as well as the literature in the field of counter-terrorism, we have noted

⁴⁰ Willy Buiron, *La politique française de lutte contre le terrorisme depuis le 11 septembre 2001*, L'Harmattan, Paris, 2021, p. 36.

⁴¹ *Ibidem*, p. 36.

as a specificity of French counter-terrorism policy the existence of a "special criminal law of counter-terrorism"⁴² as well as a "specific legal approach to terrorism."⁴³ All these legislative provisions have been implemented in a context where, paradoxically, "the Islamist terrorist remains considered an offender and not an enemy."⁴⁴

As for the specificity of the legal approach to terrorism in France, it is reflected in the "growing strength of a parallel criminal procedure"⁴⁵ and appears as an immediate consequence of the fact that the French state has failed to anticipate the threat. It is also indirectly the failure of the French intelligence community which, similar to American intelligence, has not paid due attention to anticipatory analysis. As a result, the French state finds itself in the position of "legislating in response to a terrorism that makes the law in the country."⁴⁶ Thus, the chances of success of a counter-terrorism policy following a terrorist attack will never be maximised because the state will react each time only after the terrorist attack, while the prevention of radicalisation and of the spread of Islamist-jihadist ideology will be neglected.

In our view, the involvement of the French army in the fight against terrorism would also represent an indirect recognition of the failure of the French state's counter-terrorism policy in terms of anticipating threat. The French army appears to be the last bastion in a fight against an as yet unnamed non-state actor. At the same time, the introduction of the military dimension in the French state's counter-terrorism policy reveals, *nolens volens*, the strategic failures of the French government, which is incapable of coherently managing the terrorist threat, even after France was shaken by the tragic episodes of Charlie Hebdo and the Bataclan.

The French state's approach to terrorism of Islamic fundamentalist origin remains reactive and, despite the force movements under Operation Sentinelle, it is rather undersized in the face of an increasingly sophisticated terrorist threat. France concentrates its institutional efforts on the use of the French army against the consequences of terrorism of Islamic fundamentalist origin, completely losing sight of the causes that lead to terrorist attacks, namely the inclusion and operationalisation of a dimension of radicalisation prevention in the counter-terrorism policy of the French state.

⁴² *Ibidem*, p. 81.

⁴³ *Ibidem*, p. 81.

⁴⁴ *Ibidem*, p. 81.

⁴⁵ *Ibidem*, p. 108.

⁴⁶ *Ibidem*, p. 115.

On the one hand, Operation Sentinelle reflected the growing political popularity of former President Hollande, who was only apparently involved in the hunt for terrorists. On the other hand, strictly in terms of evaluating the effectiveness of this so-called OPINT aimed at strengthening French counter-terrorism policy and guaranteeing the victory of the French state in the war against terrorism, we are witnessing, with the full knowledge of the French politicians, the highlighting of an ineffective and inadequate counter-terrorism policy in the face of a fundamentalist Islamic terrorism whose degree of sophistication is becoming increasingly complex and unpredictable. Although apparently militarily involved in the war against terrorism on the national territory, the French military of Operation Sentinelle are paradoxically completely demilitarised, as they are under civilian authority.

Although most of the discussion within the French academic community is directed towards the lack of morality of the homicide operations protected by Secret Défense, which are characterised only in terms of violations of fundamental human rights and freedoms, we believe that, if they are carried out in accordance with the French legislation in force and with the international provisions on the fight against terrorism, there is no justification for criticising the DGSE for producing violations of morality and human dignity.

From the perspective of former French intelligence officer Thuillier, the primary role of counter-terrorism policy is rather defined by a trinomial of «subject - motivation - modus operandi» type. Thuillier's originality can be seen in the fact that although counter-terrorism involves a strong, highly technical, arid dimension, with clear, almost mathematical procedures, he humanises it in that he also endows it with a discursive-pragmatic dimension: "It is a matter of developing a narrative to explain to ourselves, instead of the terrorist himself, who he is and why he acts."⁴⁷

With the surgical precision of the intelligence officer in search of the lost terrorist, we note that Thuillier draws us *da capo al fine* into his plea in a game of subtle wit, pragmatic intelligence and humanistic and humanized counter-terrorism which, in addition to intelligence, involves the cleverness of choosing the right words to defeat a complex adversary in the long run.

⁴⁷ François Thuillier, *La révolution antiterroriste*, Editions Temps Présent, Paris, 2019, p. 37.

The complexity of the VIGIPIRATE plan with its 300 measures applicable to 13 areas shows that French counter-terrorism is perfectible. Extending the fight against terrorism to several structures with responsibilities in this field and sharing the tasks of counter-terrorism between them maximises the chances of success of the French counter-terrorism policy dictated by the VIGIPIRATE plan.

In conclusion, between 2001 and 2015, France successfully developed a high-performance counter-terrorism system adapted to the realities on the ground. The downside would be that the French state focused more on the OPEX and neglected its domestic counter-terrorism policy, which should have been more preventative. If, as we have already pointed out, the fight against the financing of terrorism is a success of French anti-terrorist policy, the French policy fails in preventing the spread of jihadist ideology. There is therefore a tension between the successes and failures of French counter-terrorism policy, but the complexity and coherence of the VIGIPIRATE plan tips the balance towards assessing the French counter-terrorism policy as successful.

We have thus established that in the fight against terrorism, France attaches particular importance to intelligence, to specific measures to protect public places with terrorist potential and to the prevention of radicalisation.

Thus, in this chapter, we have succeeded in achieving our fifth doctoral research objective, focused on the achievements and failures of the counter-terrorism policy of the French Republic.

At the same time, following the analysis of the VIGIPIRATE plan, we have demonstrated the validity of the third hypothesis of our doctoral research: the more consolidated and balanced counter-terrorism is at the level of the structures in charge, the more effective the fight against terrorism of Islamic fundamentalist origin is.

10. Key elements of Chapter 5: Counter-terrorism policies at NATO, EU, UN and OSCE level. Case study - Counter-terrorism policy developments in Romania

NATO's counter-terrorism policy rests on three pillars: threat awareness, preparedness and response capabilities, and engagement in a dialogue with partner countries and other international actors.

In terms of collective defence, NATO achieved a first in the context of the tragic 9/11 episode in the US when Article 5 was activated for the first time since NATO was founded.

NATO's Terrorism Intelligence Cell reflects the importance the Alliance attaches to intelligence as an effective tool to prevent and combat terrorism. With regard to the Alliance's international counter-terrorism cooperation, it should be stressed that NATO is a member of the Global Coalition to Defeat ISIS and actively contributes to an effective dialogue with its Coalition partners to find the best ways to prevent and combat terrorism, adapted to the current sophistication of terrorism of Islamic fundamental origin.⁴⁸

Although the Alliance responded promptly to 9/11 in the US and was not caught off guard, it did not become dormant after 9/11 in its fight against terrorism, but rather has constantly sought to bring its counter-terrorism policy into line with the latest developments in counter-terrorism, triggered also by the increasingly dynamic sophistication of how terrorist organisations operate.

The NATO Summit held in Chicago on 20-21.05.2012 aimed to facilitate the fight against terrorism in which the Alliance is involved, by outlining the general framework of counter-terrorism promoted by NATO so that the Alliance's counter-terrorism policy would be pragmatic and highly successful. Among the most important counter-terrorism goals to emerge from the discussions at the NATO Summit in Chicago are the following: better knowledge of the threat, adequate counter-threat capabilities, engagement with partner countries and other relevant international actors in the fight against terrorism. At the same time, the Alliance does not lose sight of some key principles that it is committed to upholding in the fight against terrorism: respect for international law, NATO's support to allies, non-redundancy and complementarity.

From the Action Plan of the partnership against terrorism, we note as essential elements of the fight against terrorism the respect of the rules of international law. The counter-terrorism promoted by NATO must be carried out in full compliance with the United Nations Charter and UN Security Council Resolution 1373. We are thus witnessing the fostering of a counter-terrorism in which full respect for fundamental human rights and freedoms is an absolute priority for the Alliance as a whole.

⁴⁸ NATO, *Countering terrorism*, available at https://www.nato.int/cps/en/natohq/topics_77646.htm, 03.08.2022, accessed 31.05.2022.

If three decisive temporal milestones that have influenced the adoption of NATO's strategic concepts have so far been identified at the Alliance level, namely the Cold War, the post-Cold War period and the post-9/11 security environment, following a review of the French counter-terrorism literature, we consider it appropriate to introduce a fourth temporal milestone on the temporal axis of the Alliance's strategic concepts, namely the 2015 Charlie Hebdo episode. Indeed, the importance of the new strategic concept in NATO's politico-military sphere led to its inclusion on the NATO 2030 agenda, indirectly reflecting the fact that effective counter-terrorism must be able to assess and forecast the evolution of the terrorist threat, if not in the long term, at least in the short and medium term.

If counter-terrorism at EU level was not a major priority until 2015, the 2015 Charlie Hebdo episode can be seen as a milestone that reset the European Union's counter-terrorism policy and became a major objective that has been unanimously agreed by the EU Member States.

The informal meeting of Heads of State or Government on 12 February 2015 in Brussels was held in the wake of the Charlie Hebdo terrorist attacks on 7 January 2015. With European counter-terrorism being roused from dormancy on 12 February 2015 and resuscitated, EU Heads of State or Government agreed to strengthen the fight against terrorism by operationalising three strands: ensuring the security of citizens, preventing radicalisation and protecting values, and cooperating with partners at international level.

The waves of terrorist attacks committed in Europe in 2015, 2016, 2017, 2020 prompted the Interior Ministers of the EU Member States to present their Joint Declaration in November 2020, which was in fact the EU policy document that established the de facto European counter-terrorism framework. The office of the European Counter-Terrorism Coordinator is gaining relevance and highlights that EU counter-terrorism has finally been acknowledged and is being operationalised. In this respect, a number of EU directives and a regulation support the strengthening of EU counter-terrorism: Directive (EU) 2017/853 on control of the acquisition and possession of weapons, Directive (EU) 2018/1673 on combating money laundering by criminal law, Directive (EU) 2017/541 on combating terrorism and Regulation (EU) 2018/1805 on the mutual recognition of freezing orders and confiscation orders.

The Schengen area is back in the spotlight of European officials this time as well, and the interoperability of databases appears to be a decisive element in preventing and combating

Islamic fundamentalist terrorism. The Schengen Information System Recast and Interoperability become two essential elements of the strengthening of the EU fight against terrorism.

A pragmatic instrument to prevent radicalisation was operationalised on 29 April 2021 with the adoption of Regulation (EU) 2021/784 of the European Parliament and of the Council on addressing the dissemination of terrorist content online.

In the fight against terrorism at EU level, the COM 2020 Communication puts a very strong emphasis on two crucial documents in this respect: the Directive (EU) 2017/541 of 15 March 2017 on combating terrorism and the Directive (EU) 2018/843 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing.

Among the new warning flags in the alerts on persons that the Schengen Information System Recast brings, we particularly note the new category of data concerning persons involved in terrorism-related activities.

In terms of interoperability, we consider the Common Repository for Reporting and Statistics (CRRS) to be of paramount importance, as it will allow the production of summaries and statistics for relevant decision-makers. At the same time, the CRRS will facilitate and streamline the access of authorities in charge of preventing, detecting or investigating terrorist offences or other serious criminal offences to EU information systems, in accordance with the legal basis.

An analysis of the UN Global Counter-Terrorism Strategy in its 7th review version of 2021 (review carried out 21-22 June 2021 - also marking 20 years of UN counter-terrorism) shows the success of a comprehensive global counter-terrorism that encompasses three interrelated areas as promoted by the UN: intelligence - international relations - political science.

It should be noted that the countries participating in the Organisation for Security and Cooperation in Europe are very firm and categorically reject any association of terrorism with race, nationality or any religion.

The Organisation for Security and Cooperation in Europe supports the international counter-terrorism efforts of the United Nations through a cooperative and coordinated approach to the fight against terrorism at all levels. The efforts of the Organisation for Security and Cooperation in Europe are underpinned by the promotion of the UN Global Counter-Terrorism Strategy and relevant UN Security Council resolutions in this regard, in compliance with the OSCE's Enhanced Framework for Counter-Terrorism.

With the updated form of Law no. 535 of 25 November 2004 on preventing and combating terrorism, current counter-terrorism in Romania is further strengthened by defining and operationalising the following concepts as key elements of a Romanian counter-terrorism policy adapted to the latest trends in international counter-terrorism: anti-terrorist intervention, counter-terrorist intervention, armed escorts on board aircraft, anti-terrorist security screening, security interview, terrorist crisis, terrorist propaganda materials, profit of the terrorist entity.

Romania's counter-terrorism policy begins a broad process of post-9/11 consolidation. On 19 November 2001, the Supreme Council of National Defence designates the SRI as the national counter-terrorism authority. Subsequently, in April 2002, the Supreme Council of National Defence approves the National Strategy for the Prevention and Combating of Terrorism. Three months later, in July 2002, the National System for Preventing and Combating Terrorism, known as the SNPCT, is created. In 2004, Romanian counter-terrorism will be strengthened by the implementation of the National Anti-Terrorist Alert System, known as SNAT and functioning as an indicator of the level of the terrorist threat to Romania. Although originally there were five steps, in its updated form, the SNAT has four steps, as follows: green - low alert level, blue - cautious alert level, orange - high alert level and red - critical alert level.

In 2008, the Romanian anti-terrorism architecture underwent a structural change by transforming the Inspectorate for the Prevention and Countering of Terrorism into the General Directorate for the Prevention and Countering of Terrorism. Romanian counter-terrorism was further strengthened by a new responsibility that the SRI assumed with equal professionalism, namely ensuring the security of Romanian aircraft through the so-called IIBAs - Armed Aircraft Escorts. In this regard, in 2010, the SRI was designated by the CSAT as the national authority for the coordination of armed escorts on board aircraft. The IIBA will operate through the SRI's Anti-Terrorist Brigade. The first IIBA mission took place in 2011. By the CSAT Decision of 16 May 2008, the SRI was designated national authority in the field of cyberintelligence. With the year 2018 we are entitled to consider that Romanian counter-terrorism looks to the future. We are talking about the project "Canine unit specialized in detecting explosives on national civil

airports" developed by the SRI, whose aim is "to set up canine teams within the Romanian Intelligence Service, specialized in detecting explosive substances."⁴⁹

Concluding on the issues analysed in Chapter 5, we consider NATO's counter-terrorism policy to be the most successful, given that in the context of 9/11 the Alliance was not taken by surprise and the response was extremely quick and pragmatic, and here we refer also to the Global Coalition against ISIS. The big shortcoming of the UN counter-terrorism policy is the inability to find consensus on a unanimously accepted definition of terrorism, whereas the seventh version of the UN Global Counter-Terrorism Strategy is the big gain that the UN has brought to international counter-terrorism. At EU level, we are witnessing a post-Charlie Hebdo consolidation of counter-terrorism policy, indicating that counter-terrorism has been roused from its slumber and is being refined. The OSCE stands out for its cooperative and coordinated approach to the fight against terrorism.

As far as Romania is concerned, its current counter-terrorism policy is in the process of being consolidated but, if we were to also refer to the absence of a terrorist attack on the Romanian territory, especially in recent years when Europe has been hit by waves of terrorist attacks, we are deeply justified in affirming that Romanian counter-terrorism is effective and the SRI, as the national authority in preventing and combating terrorism, has fulfilled its duties at the highest level of professionalism: "Also, the working philosophy of the Service, focused on prevention and the early identification of manifestations of terrorism, has been operationalised with a lot of effort from the anonymous SRI professionals, to whom, to a large extent, we owe today the fact that Romania has not been hit by terrorist attacks."⁵⁰ Also, SRI podcasts, the Intelligence magazine, SRI press releases as well as SRI statements and press conferences are essential elements that contribute to strengthening the counter-terrorism culture in Romania.

Thus, in chapter 5 of the present doctoral research, we managed to achieve the sixth and seventh doctoral research objectives, i.e. to evaluate the performance of NATO, EU, UN and OSCE counter-terrorism policies and to evaluate the current counter-terrorism policy in Romania.

⁴⁹ SRI, *Canine unit specialized in detecting explosives on national civil airports*, available at https://www.sri.ro/assets/img/news/lansarea-proiectului-unitate-canina-specializata-in-detectarea-explozivilor-pe-aeroporturile-civile-nationale/Comunicat_presa_lansare_proiect_K9.pdf, accessed 31.05.2022.

⁵⁰ Florian Coldea, *Despre serviciile de intelligence. Gânduri, perspective, opinii*, Editura RAO, București, 2018, p. 157.

11. Conclusions

Having achieved all seven PhD research objectives and validated the three PhD research hypotheses, we have reached the final point of our doctoral approach, at which we are entitled to propose the operationalization of a balanced consolidated counter-terrorism system (BCCTS) in Romania in order to maximize the performance of the current Romanian counter-terrorism policy.

First of all, at the level of the National System for Preventing and Combating Terrorism, we propose that a CSAT Decision should assign the role of technical coordination to the Guard and Protection Service (SPP) and Ministry of Internal Affairs (MAI), alongside SRI, considering the specialized structures of the SPP and MAI in terms of counter-terrorism. Thus, in the event of a terrorist attack on the Romanian territory, the overload in terms of technical coordination that would fall to the SRI alone would be avoided by balancing the tasks assigned to the SPP and MAI, with the trinomial SRI - SPP - MAI being operationalised for this purpose.

Secondly, given that the draft Law on ensuring the national framework for interoperability between the European Union's information systems in the areas of borders and visas, police and judicial cooperation and asylum and migration is in the decision-making transparency, we propose that access to the multiple identity detector be extended to the SRI and SPP so as to streamline joint efforts to identify potential terrorists hiding under multiple identities as quickly as possible.

Therefore, we strongly assert that the operationalization of a Balanced Consolidated Counter-Terrorism System (BCCTS) in Romania through the implementation of the above mentioned will maximize the performance of the current Romanian counter-terrorism policy, considering also that during our PhD research we have demonstrated the validity of the three research hypotheses:

1. The more realistic counter-terrorism is, the greater the chances of success in the fight against Islamic fundamentalist terrorism will be.
2. The more inactive terrorist cells appear, the more vigilant counter-terrorism needs to be.
3. The more consolidated and balanced counter-terrorism is within the structures in charge, the more effective the fight against terrorism of Islamic fundamentalist origin will be.

At the same time, as a result of our doctoral research, we propose a list of 10

recommendations to make Romania's counter-terrorism policy more effective and strengthen it, addressing them both to the Romanian academic community of political science, intelligence and international relations as well as to practitioners in Romania's national defence, public order and national security system:

1. In a successful counter-terrorism policy, HUMINT should not exclude SIGINT any more than SIGINT should exclude HUMINT. There must be an interdependent relationship between the two INTs.

2. An effective counter-terrorism policy must consider four dimensions (the first three proposed by Hayden and the fourth proposed by the author of this PhD research): technological feasibility, operational relevance, legality and public debate.

3. The operationalization and promotion of the concept of counter-terrorism diplomacy (proposed by the author of this PhD research), already successfully practiced by Romania through its participation in the Global Anti-ISIS/DAESH Coalition and its three-decade long tradition of intelligence education, would contribute to a more active assertion of Romania's current counter-terrorism policy performance.

4. The more realistic counter-terrorism is, the more successful the fight against terrorism of Islamic fundamentalist origin will be.

5. The more inactive terrorist cells appear, the more vigilant counter-terrorism must be.

6. The more strengthened and balanced counter-terrorism structures are, the more effective the fight against Islamic fundamentalist terrorism will be.

7. Additional protection measures for public transport, particularly in Bucharest and in large and medium-sized cities in Romania, would be useful in preventing possible terrorist attacks similar to those in France. More visible protection measures should also be put in place for the Romanian rail network.

8. Places of worship in Romania must be better protected.

9. We propose the concept of ATINT (AT-antiterrorism, IT-intelligence) which can be legitimately operationalised given that the activity of preventing and combating terrorism generates *de facto* intelligence.

10. Romania's current counter-terrorism policy needs to pay more attention to the prevention of radicalisation.

BIBLIOGRAPHY

I. Specialized works

1. ALEXE, Eva, *Terorismul fundamentalist prin prisma relației dintre Islam și islamism*, Editura Militară, București, 2019
2. ANDREESCU, Anghel, RADU, Nicolae, *Jihadul islamic*, Editura RAO, București, 2015
3. AUSTIN, John Langshaw, *Quand dire, c'est faire*, Points, Paris, 1991
4. BARNA, Cristian, *Terorismul, ultima soluție?*, Editura Top Form, București, 2005
5. BARNA, Cristian, *Cruciada Islamului*, Editura Top Form, București, 2007
6. BARNA, Cristian, *Al-Qaida vs. restul lumii: după 10 ani*, Editura Top Form, București, 2011
7. BARNA, Cristian, POPA, Adrian, *Forme de manifestare a terorismului în societatea contemporană*, Editura Top Form, București, 2021
8. BĂDESCU, Paraschiva, *Spațiul euro-atlantic post Război Rece: studii și articole*, Editura Institutului de Științe Politice și Relații Internaționale „Ion I. C. Brătianu”, București, 2016
9. BIGO, Didier, BONELLI, Laurent, DELTOMBE, Thomas, *Au nom du 11 septembre. Les démocraties à l'épreuve de l'antiterrorisme*, La Découverte, Paris, 2008
10. BOTESCU, George Mircea, *Prevention of the juvenile delinquency*, Cartea Universitară, București, 2004
11. BOURDILLON, Yves, *Terrorisme de l'Apocalypse. Enquête sur les idéologies de destruction massive*, Ellipses, Paris, 2007
12. BRUGUIÈRE, Jean-Louis, *Ceea ce n-am putut spune: 30 de ani de luptă împotriva terorismului*, Editura RAO, București, 2012
13. BRET, Cyrille, *Dix attentats qui ont changé le monde*, Armand Colin, Paris, 2020
14. BUIRON, Willy, *La politique française de lutte contre le terrorisme depuis le 11 septembre 2001*, L'Harmattan, Paris, 2021
15. CHALIAND, Gerard, BLIN, Arnaud, *Istoria terorismului. Din Antichitate până la DAESH*, Editura Polirom, București, 2018

16. CHELCEA, Septimiu, *Metodologia cercetării sociologice: metode cantitative și calitative*, Editura Economică, București, 2001
17. CIOCULESCU, Șerban F., MANEA, Octavian, PETRE, Silviu, *Fața întunecată a globalizării*, Editura Rao, București, 2016
18. COLDEA, Florian, *Despre serviciile de intelligence. Gânduri, perspective, opinii*, Editura RAO, București, 2018
19. CUSSON, Maurice, *L'antiterrorisme à l'âge du djihadisme*, L'Harmattan, Paris, 2018
20. DUMITRU, Dana, *Revizuirea regulilor războiului: de la intervenția umanitară la atacul preventiv*, Editura Institutului de Științe Politice și Relații Internaționale „Ion I. C. Brătianu”, București, 2016
21. DUNGACIU, Dan, IVAN, Cristina, CRISTEA, Darie, *Doctrine de securitate*, Editura Institutului de Științe Politice și Relații Internaționale „Ion I. C. Brătianu”, București, 2016
22. ENCEL, Frédéric, *Géopolitique de l'apocalypse. La démocratie à l'épreuve de l'islamisme*, Flammarion, Paris, 2002
23. FERJANI, Mohamed-Chérif, *Le politique et le religieux dans le champ islamique*, Fayard, Paris, 2005
24. GUNARATNA, Rohan, *Al-Qaida. Au cœur du premier réseau terroriste mondial*, Éditions Autrement, Paris, 2002
25. GUȚU, Gheorghe, *Dicționar latin-român*, Editura Humanitas, București, 2007
26. HAYDEN, Michael V., *Pe muchie de cuțit*, Editura Meteor Press, București, 2018
27. HEISBOURG, François, *Hyperterrorisme: la nouvelle guerre*, Odile Jacob, Paris, 2003
28. HUGHES-WILSON, John, *Serviciile secrete*, Editura Meteor Press, București, 2017
29. LAW, Randall D., *Istoria terorismului. De la asirieni la jihadiști*, Editura Corint, București, 2017
30. MACARTHUR John R., HORTON, Scott, *La CIA et la torture*, les arènes, Paris, 2015
31. MAIOR, George Cristian, *Un război al minții. Intelligence, servicii de informații și cunoaștere strategică în secolul XXI*, Editura RAO, București, 2010
32. MAIOR, George Cristian, NIȚU, Ionel, *Ars Analytica. Provocări și tendințe în analiza de intelligence*, Editura RAO, București, 2013

33. MARRET, Jean-Luc, *Les fabriques du jihad*, Presses Universitaires de France, Paris, 2005
34. MAYAUD, Yves, *Prévention du terrorisme*, Éditions Dalloz, Paris, 2020
35. MELEȘCANU, Teodor, *Renașterea diplomației românești: 1994-1996*, Editura Dacia, Cluj-Napoca, 2002
36. MUNTEANU, Miruna, ALEXE, Vladimir, *Misterele din 11 septembrie și noua ordine mondială*, Editura Ziua, București, 2002
37. NIȚU, Ionel, *Analiza de intelligence*, Editura RAO, București, 2018
38. PASCALLON, Pierre, *Rendre le renseignement plus efficace dans la lutte contre le terrorisme*, L'Harmattan, Paris, 2018
39. PAȘCU, Ioan Mircea, *Bătălia pentru NATO. Raport personal*, Editura RAO, București, 2013
40. PIVARIU, Corneliu, *Lumea secretelor*, Editura Pastel, Brașov, 2007,
41. RAETȚCHI, Ovidiu, *Avangarda Califatului: O istorie intelectuală a jihadismului*, Editura Litera, București, 2019
42. RODIER, Alain, *Al-Qaida. Les connexions mondiales du terrorisme*, Ellipses, Paris, 2006
43. RODRIGUEZ JR, Jose A., *Măsuri extreme*, Editura RAO, București, 2014
44. SANDLER, Todd, *Terrorism*, Oxford University Press, 2018
45. SAVA, Ionel Nicu, *Studii de securitate*, Editura Ziua, București, 2005
46. SERVICIUL ROMÂN DE INFORMAȚII, *Monografia SRI. 1990-2015*, Editura RAO, București, 2015
47. SIMILEANU, Vasile, *Radiografia terorismului*, Editura Top Form, București, 2004
48. THUILLIER, François, *La révolution antiterroriste*, Editions Temps Présent, Paris, 2019
49. TZU, Sun, *Arta războiului*, Editura Litera, București, 2009
50. UNGUREANU, Radu-Sebastian, *Securitate, suveranitate și instituții internaționale*, Editura Polirom, București, 2010
51. WRIGHT-NEVILLE, David, *Dictionary of terrorism*, Polity Press, UK, 2010
52. ZARTMAN, William, *Negotiating with Terrorists*, Martinus Nijhoff Publishers, Olanda, 2003

II. Legislation

53. *Legea nr. 535 din 25 noiembrie 2004 privind prevenirea și combaterea terorismului, cu modificările și completările ulterioare*
54. *Legea nr. 68 din 23.03.2022 privind ratificarea Protocolului, încheiat la Montreal la 4 aprilie 2014 și semnat de România la 13 decembrie 2019, pentru amendarea Convenției referitoare la infracțiuni și la anumite alte acte săvârșite la bordul aeronavelor, încheiată la Tokyo la 14.09.1963*
55. *Legea nr. 14 din 24 februarie 1992 privind organizarea și funcționarea Serviciului Român de Informații, cu modificările și completările ulterioare*
56. *Legea nr. 191 din 19 octombrie 1998 privind organizarea și funcționarea Serviciului de Protecție și Pază*
57. *Ordonanța de urgență nr. 30 din 25 aprilie 2007 privind organizarea și funcționarea Ministerului Afacerilor Interne*
58. *Strategia Națională de Apărare a Țării pentru perioada 2020-2024, București*
59. *Carta Albă a Apărării 2021, București*
60. *Convenția din 7 decembrie 1944 privind aviația civilă internațională, semnată la Chicago la 7 decembrie 1944, cu unele amendamente aduse ulterior acestei convenții*
61. *National Strategy for Counterterrorism of the United States of America, October 2018*
62. *National Strategy for Countering Domestic Terrorism, National Security Council, June 2021*
63. *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001*
64. *The Intelligence Reform and Terrorism Prevention Act of 2004, USA*
65. *Constitution de la République française*
66. *Code pénal, République française*
67. *Loi n° 2014-1353 du 13 novembre 2014 renforçant les dispositions relatives à la lutte contre le terrorisme*
68. *Loi n° 2016-731 du 3 juin 2016 renforçant la lutte contre le crime organisé, le terrorisme et leur financement, et améliorant l'efficacité et les garanties de la procédure pénale*

69. *Loi n° 2013-1168 du 18 décembre 2013 relative à la programmation militaire pour les années 2014 à 2019 et portant diverses dispositions concernant la défense et la sécurité nationale*
70. *Loi n° 2001-1062 du 15 novembre 2001 relative à la sécurité quotidienne*
71. *Loi n° 2017-1510 du 30 octobre 2017 renforçant la sécurité intérieure et la lutte contre le terrorisme*
72. *Revue stratégique de Défense et de Sécurité nationale 2017*
73. *Livre blanc sur la défense et la sécurité nationale 2013*
74. *Loi n° 2015-912 du 24 juillet 2015 relative au renseignement*
75. *Directiva (UE) 2017/541 din 15 martie 2017 privind combaterea terorismului*
76. *Directiva (UE) 2018/843 privind prevenirea utilizării sistemului financiar în scopul spălării banilor sau finanțării terorismului*
77. *Directiva (UE) 2017/853 a Parlamentului European și a Consiliului din 17 mai 2017 de modificare a Directivei 91/477/CEE a Consiliului privind controlul achiziționării și deținerii de arme*
78. *Directiva (UE) 2018/1673 a Parlamentului European și a Consiliului din 23 octombrie 2018 privind combaterea prin măsuri de drept penal a spălării banilor*
79. *Regulamentul (UE) 2021/784 al Parlamentului European și al Consiliului privind prevenirea diseminării conținutului online cu caracter terorist*
80. *Regulamentul (UE) 2018/1860 al Parlamentului European și al Consiliului din 28 noiembrie 2018 privind utilizarea Sistemului de informații Schengen pentru returnarea resortisanților țărilor terțe aflați în situație de ședere ilegală*
81. *Regulamentul (UE) 2018/1861 al Parlamentului European și al Consiliului din 28 noiembrie 2018 privind instituirea, funcționarea și utilizarea Sistemului de informații Schengen (SIS) în domeniul verificărilor la frontiere, de modificare a Convenției de punere în aplicare a Acordului Schengen și de modificare și abrogare a Regulamentului (CE) nr. 1987/2006*
82. *Regulamentul (UE) 2018/1862 al Parlamentului European și al Consiliului din 28 noiembrie 2018 privind instituirea, funcționarea și utilizarea Sistemului de informații Schengen (SIS) în domeniul cooperării polițienești și al cooperării judiciare în materie penală, de modificare și de abrogare a Deciziei 2007/533/JAI a Consiliului și de*

- abrogare a Regulamentului (CE) nr. 1986/2006 al Parlamentului European și al Consiliului și a Deciziei 2010/261/UE a Comisiei*
83. *Regulamentul (UE) 2019/817 al Parlamentului European și al Consiliului din 20 mai 2019 privind instituirea unui cadru pentru interoperabilitatea dintre sistemele de informații ale UE în domeniul frontierelor și al vizelor și de modificare a Regulamentelor (CE) nr. 767/2008, (UE) 2016/399, (UE) 2017/2226, (UE) 2018/1240, (UE) 2018/1726 și (UE) 2018/1861 ale Parlamentului European și ale Consiliului și a Deciziilor 2004/512/CE și 2008/633/JAI ale Consiliului*
84. *Regulamentul (UE) 2019/818 al Parlamentului European și al Consiliului din 20 mai 2019 privind instituirea unui cadru pentru interoperabilitatea dintre sistemele de informații ale UE în domeniul cooperării polițienești și judiciare, al azilului și al migrației și de modificare a Regulamentelor (UE) 2018/1726, (UE) 2018/1862 și (UE) 2019/816*
85. *Rezoluția ONU nr. 1386 din 20 decembrie 2001*
86. *Rezoluția 2309 a Consiliului de Securitate ONU din data de 22.09.2016 privind rolul determinant al dispozitivelor de securitate eficiente pentru protecția aviației civile*
87. *Regulamentul (CE) Nr. 2580/2001 al Consiliului din 27 decembrie 2001 privind măsuri restrictive specifice îndreptate împotriva anumitor persoane și entități în vederea combaterii terorismului*
88. *Poziția comună a Consiliului din 27 decembrie 2001 privind aplicarea de măsuri specifice pentru combaterea terorismului (2001/931/PESC)*
89. *Carta OSCE privind prevenirea și lupta împotriva terorismului*
90. *Carta Națiunilor Unite din 26 iunie 1945*
91. *Tratatul Nord-Atlantic, Washington DC, 4 aprilie 1949*
92. *Tratatul privind funcționarea Uniunii Europene*
93. *Tratatul privind Uniunea Europeană*
94. *Comunicare a Comisiei către Parlamentul European, Consiliul European, Consiliu, Comitetul Economic și Social European și Comitetul Regiunilor. Agenda UE privind combaterea terorismului: anticipare, prevenire, protejare și răspuns, COM (2020) 795 final*

95. *Rezoluția Consiliului de Securitate al ONU 2178/2014 referitoare la amenințările la adresa păcii și securității internaționale provocate de acțiuni de terorism*

III. Webography

96. <https://www.sri.ro/prevenirea-si-combaterea-terorismului>
97. <https://www.spp.ro/#/structura>
98. https://www.nato.int/cps/fr/natohq/topics_77646.htm
99. <https://www.un.org/counterterrorism/>
100. <https://www.consilium.europa.eu/fr/policies/fight-against-terrorism/>
101. https://ec.europa.eu/home-affairs/counter-terrorism-and-radicalisation_en
102. <https://www.osce.org/secretariat/terrorism>
103. <https://www.mai.gov.ro/sistemul-de-informatii-schengen-sis/>
104. <https://intelligence.sri.ro/categorie/focus/antiterorism/>
105. <https://www.cia.gov/>
106. <https://www.nsa.gov/About/Strategic-Environment/>
107. https://www.unodc.org/pdf/crime/terrorism/res_1373_english.pdf
108. <https://legislatie.just.ro/Public/DetaliiDocument/57494>
109. <https://www.consilium.europa.eu/fr/policies/fight-against-terrorism/>
110. <https://www.dw.com/ro/%C3%AEntreb%C4%83ri-f%C4%83r%C4%83r%C4%83spuns-la-un-an-de-la-atentatul-din-nisa/a-39688745>
111. <https://www.nytimes.com/2005/12/16/politics/bush-lets-us-spy-on-callers-without-courts.html>
112. <https://www.washingtoninstitute.org/policy-analysis/rethinking-us-efforts-counterterrorism-toward-sustainable-plan-two-decades-after>
113. <https://www.elysee.fr/front/pdf/elysee-module-13527-fr.pdf>
114. <https://www.defense.gouv.fr/operations/territoire-national/france-metropolitaine/operation-sentinelles>
115. https://www.liberation.fr/societe/2009/09/12/des-gens-qui-s-entraiment-a-tuer_581141/
116. <http://www.sgdsn.gouv.fr/uploads/2017/01/plan-vigipirate-gp-bd.pdf>

117. https://webapp.mai.gov.ro/frontend/documente_transparenta/449_1649261336_Expunere%20de%20motive.pdf
118. <https://www.sri.ro/articole/exercitiul-antiterorist-gebelezis17>
119. https://www.sri.ro/assets/files/publicatii/calendar_CT_2015.pdf
120. <https://www.sri.ro/assets/files/publicatii/ghid-conduita-antitero-2021.pdf>
121. <http://www.jandarmeriaromana.ro/atlas>
122. https://www.sri.ro/assets/img/news/lansarea-proiectului-unitate-canina-specializata-in-detectarea-explozivilor-pe-aeroporturile-civile-nationale/Comunicat_presa_lansare_proiect_K9.pdf
123. <https://www.sri.ro/articole/aniversarea-a-20-de-ani-de-prevenire-prin-cooperare.html>
124. <https://www.animv.ro/30-de-ani-de-la-infiintarea-scolii-romanesti-de-intelligence-comunicat-de-presa/>
125. <https://www.sri.ro/podcast/>
126. <https://www.mae.ro/node/58589>