

Toward A Major Strategic Shift?

AQI has exploited local conditions to transform Ninawa into one of its main strongholds. Yet this achievement could represent just one element of a broader strategic shift by AQI aimed at reversing the debacle it suffered during the last three years. In this regard, the creation of a solid base in the province and the completion of the Iraqification process of the group that started after al-Zarqawi's death has been coupled with a series of initiatives aimed at adapting the movement's strategy to local conditions and to exploit its traditional strengths.

The recent terrorist attacks that hit Baghdad indicate that AQI is increasing high-profile coordinated attacks against Iraqi political targets and institutions, in addition to continuing its campaign aimed at fostering sectarian divisions. The decision to focus on these types of attacks—widely recognized as an AQI trademark—could indicate a shift from the “ISI paradigm” of transforming areas under jihadist control into states or mini-states administrated according to Shari`a.²³ By concentrating on high-profile attacks, AQI could be moving toward a more traditional terrorism campaign, aimed at reasserting AQI's role in the country and limiting the huge losses experienced by the movement since 2006.

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²³ This strategy seems to be based on Abu Bakr Naji, an important jihadist ideologue who wrote *Idarat al-Tawabush* (Management of Savagery). In his book, Naji indicates a plan to re-establish the caliphate and, according to his program, under the “management of savagery” stage, the mujahidin should transform the areas under their control into states or semi-states which they should administrate according to Shari`a law.

The French Approach to Counterterrorism

By Charles Rault

IN THE LAST five years, a number of terrorist attacks have occurred in Western Europe. In March 2004, Islamist terrorists attacked Madrid's commuter train system, killing 191 people. On July 7, 2005, Islamist terrorists struck London's public transportation system, killing more than 50 people. A number of other plots in Western Europe have been disrupted. Since the 9/11 attacks on the United States, France has managed to escape a terrorist attack. Nevertheless, the threat to France remains high, and French authorities believe that it is only a matter of time before their country is targeted successfully, likely by militants associated with al-Qa`ida in the Islamic Maghreb (AQIM).¹

There are a number of reasons why France has not suffered a terrorist attack in more than a decade. One reason is due to the successes of the country's experienced and well-established counterterrorism apparatus. France's security apparatus was strengthened in the last two decades in response to multiple terrorist attacks that struck France in the 1990s—effectively foreshadowing today's threat of Islamist terrorism. It is useful to review France's domestic counterterrorism efforts to better understand how other governments have met this growing challenge. This article will provide background on previous terrorist attacks targeting France, the government's overall view toward counterterrorism, and finally the tactics it uses to combat the ongoing terrorism threat.

¹ According to French former counterterrorism judge Jean-Louis Bruguière, the current threat level is four, with five the highest. See “L'ancien juge Jean-Louis Bruguière évalue trente ans de terrorisme,” *La Voix du Nord*, November 7, 2009. As for the claim that the greatest terrorist threat to France is likely from AQIM militants, see personal interview, former DGSE intelligence officer, Paris, November 6, 2009. AQIM was formerly known as the Salafist Group for Preaching and Combat (GSPC). French sources argue that the GSPC's connection to al-Qa`ida is nominal, not operational.

History of Terrorist Violence in France

From the mid-1970s, France and other European countries faced threats from separatist or left-wing terrorists. In 1985, for example, General René Audran, the chief of arms sales for the French Ministry of Defense, was assassinated by the urban guerrilla group Action Directe.² In 1986, the same group was blamed for the murder of Georges Besse, the director of the French automotive company Renault.³

From 1982 to 1987, terrorist violence in France peaked after state-sponsored terrorist groups from the Middle East targeted French interests in the context of East-West tensions generated by the Cold War.⁴ Groups such as the Palestinian Abu Nidal Organization (ANO) and Lebanese Hizb Allah, in addition to Carlos “The Jackal,” were the most active. In 1988, the ANO executed four French citizens on a Greek tourist boat, the *City of Poros*. Hizb Allah conducted a campaign of 13 terrorist attacks beginning in 1985 that culminated with an attack against the store “Tati” at Rue de Rennes in Paris in 1986, killing seven people and wounding 66.⁵ Known for having planned the attack on the headquarters of the Organization of the Petroleum Exporting Countries (OPEC) in Vienna in 1975, Venezuelan terrorist Carlos “The Jackal” first joined the Palestinian cause as a member of the leftist Popular Front for the Liberation of Palestine (PFLP) before operating undercover for East Germany's Stasi and Romania's Securitate.⁶ In 1982, Carlos was

² Frederick Pajnton, William Dowell and William McWhirter, “Terrorism New Generation of Violence,” *Time Magazine*, February 11, 1985.

³ Action Directe denied any responsibility. In Dominique Lorentz's and David Carr-Brown's *La République atomique: France-Iran le pacte nucléaire* film documentary, the authors suggest that Besse might have been killed by Iranian operatives due to his previous involvement in the nuclear-related disagreements between France and Iran.

⁴ In this context, terrorist groups also targeted U.S. and Jewish interests.

⁵ There were a number of motives behind Hizb Allah's targeting of French interests. The group demanded the release of Lebanese militant Georges Ibrahim Abdallah, which France refused to do. Moreover, France was targeted due to its alleged support for the Christian Maronites. Iran was also not pleased with French support to Saddam Hussein's Iraq.

⁶ John Follain, *Jackal: The Complete Story of the Legendary Terrorist, Carlos the Jackal* (New York: Arcade Publish-

involved in supplying weapons in the failed rocket attack against the French nuclear power station Superphénix.⁷ In 1983, Carlos' group killed four people in a bombing against two TGV high-speed trains in France.⁸ Reportedly a convert to Islam, Carlos once preceded Usama bin Ladin as the most dangerous global terrorist.⁹ In 1994, Carlos was apprehended by French authorities, and is now serving a life sentence in a Paris prison for the 1975 murders of two French intelligence agents and one of their informants.

Beginning in the early 1990s, Islamist extremists recruited youth in the impoverished French suburbs and radicalized several of them to undertake terrorist operations. The Islamist terrorist threat grew dramatically when the Algerian government annulled the victory of the Islamic Salvation Front (FIS), the largest Algerian Islamic opposition party, in the first round of Algeria's legislative elections in 1991. The Armed Islamic Group (GIA) opted for violent tactics in 1992 and 1993 in response to the annulment, and it began to target those suspected of supporting the Algerian government. It also designated foreigners in Algeria and French people everywhere as priority targets.¹⁰ On the pretense that French authorities opposed the GIA by dismantling its logistical and funding networks in France, the group decided to strike France. In addition to assassinating French people in Algeria, the group took an Air France flight hostage on December 24, 1994.¹¹ In 1995, the GIA killed eight people

ing, 1998).

7 Mycle Schneider, "The Threat of Nuclear Terrorism," speech to the French National Assembly, December 10, 2001

8 "Suspected Terrorist 'Carlos the Jackal' to Face Trial," NewsMax, May 4, 2007.

9 David Yallop, *Tracking the Jackal: The Search for Carlos, the World's Most Wanted Man* (New York: Random House, 1993).

10 Gerard Chaliand and Arnaud Blin, *Histoire du terrorisme, De l'Antiquité à Al Qaïda* (Paris: Bayard, 2006).

11 The hostage-taking on Christmas Day in 1994 of Air France flight AF8969 and the successful neutralization of the four Algerian GIA terrorists by the National Gendarmerie Intervention Group (GIGN) task force made the French realize the danger of the threat. It also gave them confidence in the government's capacity to address it. The terrorists' final objective was to crash the plane into the Eiffel Tower, a tactic later used on 9/11.

during attacks against metro stations in Paris.¹²

Despite these attacks, French intelligence moved quickly to disrupt the GIA networks, and this caused the terrorist group to increasingly move its logistical, funding and propaganda activities to other European countries, especially to the United Kingdom. Over time, due to tensions between the GIA's core members on the extreme use of violence against civilians, Muslims included, and successful French counterterrorist efforts, the GIA's operations and influence faltered.

The terrorist incidents of the 1990s showed France the level of sophistication that terrorist groups could achieve. The GIA and other networks took advantage of European laws—such as a lack of extradition agreements—to build extended networks. This had ramifications throughout North Africa and Western Europe. Although it was on a smaller scale when compared to today, France nevertheless saw the 1990s as a period that foreshadowed the current fight against al-Qa`ida and related groups. Today's Islamist terrorist groups share a similar ideology that is hostile to democracy and that rejects social and political progress.¹³ Moreover, "homegrown" converts to Islam engaged in jihadist actions as early as 1996 in France, when the "gang de Roubaix"¹⁴ robbed banks and attempted to blow up a car with gas cylinders at a G7 meeting in Lille, France.¹⁵ The case demonstrated to French intelligence the danger posed by a few fanatic individuals and the interaction between violent crime and terrorism. Indeed, Islamist terrorism was already international, long before 9/11.

12 "Attentats de 1995: le procès tant attendu," RFI, September 30, 2002. In December 2005, Rachid Ramda, accused of organizing the 1995 metro bombings, was extradited to France from the United Kingdom. Ramda was convicted in 2007 for involvement in the GIA and the metro bombings. He received a life sentence.

13 Abdelhak Layada, one of the founders of the GIA, was quoted as saying "political pluralism is equivalent to sedition." See *Jeune Afrique*, January 27, 1994.

14 The Gang de Roubaix was run by two French converts to Islam, Christophe Caze and Lionel Dumont. It counted up to six members.

15 Mary Dejevsky, "Islamic Terror Link to French Siege," *Independent*, April 2, 1996.

Today, France remains a priority target for al-Qa`ida and its affiliates.¹⁶ In December 2008, for example, the counterterrorist section of the French criminal investigation department and the domestic intelligence organization, the Central Directorate of Interior Intelligence (DCRI), detained several people for questioning who had suspected ties to Afghan networks.¹⁷ The suspects planned to attack the newly-built headquarters of the DCRI in Levallois-Perret with a car bomb.¹⁸ More recently, in October 2009 Adlene Hicheur, a 32-year-old French nuclear physicist of Algerian origin, discussed possible terrorist attacks targeting French businesses and military

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barracks.¹⁹ He allegedly exchanged e-mails with members of AQIM in North Africa. Although he never reached the operational stage, Hicheur is now being held under "provisional detention" with no time limit. What raised concern in the intelligence community is that he was working on the Large Hadron Collider (LHC), a unique scientific project led by the Switzerland-based European Organization for Nuclear Research (CERN) and that uses state-of-the-art nuclear-related technology.

16 "Al Qaeda Threatens France for Perceived Anti-Burqa Stance," CNN, June 30, 2009.

17 "Comment on traque les terroristes," *Le Point*, March 12, 2009.

18 Ibid.

19 "Suspect Physicist Discussed Attacks on French Army," Associated Press, November 17, 2009.

The French Government's View on Counterterrorism

Led by judges from the counterterrorism section of the public prosecutor's office, counterterrorism investigations—whether domestic or foreign—are conducted in the same manner as a criminal investigation. Terrorists are treated as any other dangerous criminal to delegitimize their “cause.” From the French viewpoint, the special jurisdiction for enemy combatants at Guantanamo Bay is counterproductive because it elevates terrorists to a higher level of importance, bolstering their narrative. Moreover, the French government views the threat of terrorism differently from the United States. Although France considers Islamist terrorism a major threat, it does not view terrorist actions as an “act of war” against France or against the West as a whole.²⁰ France defines terrorism as the violent expression of extremism, which is sometimes motivated by religion and other times motivated by different factors.

This definition was borne out of France's extensive history of dealing with guerrilla and terrorist tactics. In the Algerian War,²¹ for example, France learned that military victory on the ground did not guarantee an end to terrorist attacks. Moreover, it realized that the “hearts and minds” of a population could not be won through military action alone. Indeed, as it faced growing resilience from National Liberation Front (FLN)²² networks, the French military increasingly used harsher measures to the detriment of conventional military procedures. Although these harsher tactics were more successful in gathering intelligence, it turned a large part of the local Arab population in Algeria against

²⁰ This is a marked difference to the former U.S. administration of George W. Bush, which declared a “global war on terrorism.”

²¹ The Algerian War began on November 1, 1954 and ended on March 19, 1962. Although the French led a successful counterinsurgency strategy and achieved military victory, Algeria gained independence. The memory of this conflict still hampers good relations between the two countries.

²² The National Liberation Front is a socialist political party in Algeria. It was established on November 1, 1954 from a merger of smaller groups, with the objective of obtaining Algerian independence from France.

the French.²³ Algeria eventually gained independence.

French Counterterrorism Tactics

France pursues a number of strategies to counter terrorist groups. France's intelligence agencies emphasize international cooperation, human sources and the training of counterterrorist operatives. It addresses the psychological dimension of the mission by following a strict three-tier approach that combines compliance, coherence and convergence.²⁴ This means that to reach optimal efficiency, counterterrorism must be inventive

“In basic terms, French law authorizes the arrest and prosecution of any individual who played a role, however minimal and remote, in connection with a terrorist plot, or ‘enterprise.’”

and flexible while remaining within the confines of the law. Renouncing democratic principles to further a counterterrorism mission will only help terrorists spread their ideology and bolster their “martyr” narrative.

The main tool in the French counterterrorist arsenal is a unique and far-reaching law that makes “an intention to commit a crime a crime itself.” By accusing an individual of “association with wrong-doers involved in a terrorist enterprise,” the French judiciary can arrest and detain any suspect for any crime that could have ultimately assisted terrorist activity. In basic terms, French law authorizes the arrest and prosecution of any individual who played a role, however

²³ For details on the war, see: Lt.-Col. James D. Campbell, “French Algeria and British Northern Ireland: Legitimacy and the Rule of Law in Low-Intensity Conflict,” *Military Review*, March-April 2005; David Galula, *Counterinsurgency Warfare: Theory and Practice* (Santa Barbara, CA: Praeger, 2006); Alistair Horne, *A Savage War of Peace: Algeria 1954-1962* (New York: NYRB, 2006).

²⁴ Personal interview, André Tarrat, former DST senior intelligence officer, Paris, November 7, 2009.

minimal and remote, in connection with a terrorist plot, or “enterprise.”²⁵ This law can be somewhat compared to the U.S. Federal Racketeer Influenced and Corrupt Organizations Act (RICO) that stipulates

it shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt.²⁶

Another tactic used by French law enforcement to prevent terrorist attacks is to “incite” one or several suspects to break the law, often through the use of undercover agents. This is permissible in the French legal system if the objective is to prevent a more dangerous or impending offense. The intelligence services pursue the same tactics to trace a network. Such special clauses only apply to cases related to procurement, narcotics and threats to the security of the state, which includes terrorism. Only a few magistrates control the legality of these actions, and their activities are highly classified. The French penal code that was modified in 2006 allows counterterrorism agents to investigate cases and testify anonymously by providing the judiciary with their administrative registration number.²⁷ An agent's real identity can only be unveiled upon the decision of the attorney general at the Court of Appeal in Paris. Consequently, the law authorizes the agents to “enter,” or infiltrate, networks under their agency's supervision. These agents are compartmentalized from conventional units of their own service and their operations are carried out in complete secrecy. France has a long history of infiltrating terrorist and criminal networks, and its intelligence and law enforcement agencies have been successful at this tactic for decades.

²⁵ French Penal Code, Article 421-2-2.

²⁶ Chapter 96 of Title 18 of the United States Code, 18 U.S.C. § 1961-1968, enacted in 1970, Section 1962, paragraph c.

²⁷ French Code of Criminal Procedure, Article 706-24.

French authorities have also progressively built a robust surveillance network that privileges the use of human sources. It identifies people who spend time with individuals known for having extremist views. Foreign intelligence identifies and monitors specific locations where jihadists pass through (such as in Pakistan's tribal areas). Allied intelligence agencies often inform their French counterparts of the presence of people of interest. Occasionally such individuals are recruited for intelligence purposes. Moreover, French intelligence services have identified and extracted relevant data from the mass of information available on the internet.

Similar to the constantly changing tactics of terrorist groups, French counterterrorism authorities are constantly adapting to recent developments. At the end of 2009, for example, French Interior Minister Brice Hortefeux announced that France would be grouping its elite police intervention units into a single force to better fight potential terrorist attacks.²⁸ The move will combine three existing units—comprising a total of 500 people—under a single command, known as the Intervention Force of the National Police (FIPN).²⁹

On a larger scale, considering that counterterrorism cannot rely solely on specialized agents, the search for operational intelligence is one of the primary missions of non-specialized internal security forces. This results in all agencies' and units' contribution in the detection and upward flow of intelligence for use in counterterrorism. For a good understanding of what is at stake, the government renewed law enforcement training programs and developed continuing education models so that all units know about the social and religious environment in French society so that they can better recognize and identify indications of possible terrorist activity.³⁰ Moreover, information-sharing between government officials and academics has fostered a better

understanding of the threat. Specific studies programs exist, such as the Paris-based Research Department on Contemporary Criminal Threats (DRMCC), which develops relevant theories on "early detection"³¹ and trains people from various backgrounds on the concept.³²

The population is the last line of defense. Since the events of the 1990s, the French people have become accustomed to living under the terrorism threat, and there are a number of public vigilance programs. For two decades, the French public has been encouraged to report any suspicious package or activity to the authorities.

Finally, the French would argue that counterterrorism and intelligence agencies in the country benefit from a higher level of secrecy and centralization. Contrary to the United States, there is no independent authority in charge of controlling France's intelligence agencies. Following the reshaping of the counterterrorism law in 2006, however, an eight-member parliamentary delegation in charge of intelligence affairs was established to monitor the general activities of the country's intelligence services. Nevertheless, the body has never delivered a report to the public, except the names of the delegation's members. Moreover, no public testimony has been given by any high-ranking French intelligence official; in the United States, on the other hand, this happens several times a year. Foreign intelligence conducted by the General Directorate for External Security (DGSE) is placed under the direct authority of France's president and prime minister. Domestic intelligence conducted by the DCRI is monitored by the criminal justice system, although disagreements are rare. Military intelligence under the Directorate of Military Intelligence (DRM) and the Security and Protection Department (DPSD) is controlled by

the army controller general from the Ministry of Defense.

Conclusion

France has faced terrorist threats for decades. As a result, it has a well-established counterterrorism apparatus that benefits from a number of laws that do not have real parallels in the United States, from being able to detain any individual who is even remotely connected to a "wrong-doer," to operating in a more secretive political environment. Moreover, the role of counterterrorism judges greatly assists the centralization of the French security apparatus, as these judges are in constant interaction with the judiciary, law enforcement and the intelligence agencies. The purpose of the counterterrorism judges—such as the well-known former judge Jean-Louis Bruguière—is to "connect the dots." Many of these benefits are unique to France, as the population supports practices that in the United States would be viewed as a violation of civil liberties. Nevertheless, it is useful for Western governments to study French counterterrorism practices due to their success in countering terrorist plots after the violence of the 1990s.

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28 "France to Form Special Force to Fight Terrorists," Associated Press, December 1, 2009.

29 Ibid.

30 *La France face au terrorisme, Livre blanc du Gouvernement sur la sécurité intérieure face au terrorisme* (Paris: La documentation Française, 2006).

31 "Early detection" consists of making an early diagnosis of a potential security threat to act precisely and decisively.

32 Including a master-level degree in the analysis of contemporary criminal threats which the author of this article attended. In French, the theory is named le *décèlement précoce*. For details on the theory, see Xavier Raufer, *Les Nouveaux Dangers Planétaires - Chaos Mondial, Décèlement Précoce* (Paris: CNRS-Arès, 2009).