Since 9/11 and, even more strategically, in the aftermath of the Madrid and London attacks of 2004 and 2005, the EU has developed a global strategy and action against terrorism. Indeed, in the past ten years the fight against terrorism has been the propeller for the adoption of a number of measures stemming from the different fields of EU competence. Yet, because of the different ambiens and ways in which EU counter-terrorism strategy is pursued, there is still little clarity regarding the legitimacy and boundaries of this action. Moreover, the uncertainties linked to the scope of EU powers in countering terrorism do not solely concern the internal strategy and the internal measures, but also concern the horizontal approach followed in the external projection of this policy which, as confirmed in the Stockholm Programme adopted in December 2010, continues to be a thematic priority for the external relations of the Union. The book under review aims to shed light on this complex jigsaw by analysing the salient features of the counter-terrorism policy of the EU. As a result of the complexities of the subject matter, the book contains analytical and descriptive parts founded upon the four pillars of the EU strategy in the fight against terrorism: prevention, protection, prosecution and reaction.

The book, divided in four parts, assembles the written contributions of French and Polish scholars stemming from a conference organized by Auvret-Finck at the Université de Nice Sophia-Antipolis in December 2008 and since then updated. After a first part on the legal framework of the fight against terrorism, the book contains three more parts dealing respectively with the relation between the principle of legality and the fight against terrorism, the external dimension of the fight against terrorism and, finally, transversal issues on the fight against terrorism.

In the Introduction, the editor of the book argues that a first added value of EU action in the fight against terrorism has to be identified in the strengthening of national action. In this perspective, he suggests that the role of the EU is instrumental to the maintenance of public
order and safety as incumbent upon the Member States. In this respect then, the EU allows the exchange of best practices and data among national officials. But the fight against terrorism, it is appropriately affirmed, has a number of spin-off effects resulting in normative and political initiatives in various fields of competence of the Union such as judicial cooperation in criminal matters and police cooperation. Rather than being instrumental, though, action by the EU in the fight against terrorism is said to be an application of the subsidiarity and solidarity principles: not only because modern terrorism has a transnational nature, but also because of the impact that terrorism has at societal level. Underpinning all these reasons is the observation that the fight against terrorism falls squarely within the scope mandated to the EU in the development and maintenance of the Union as an Area of Freedom Security and Justice, an objective shared by the EU and its Member States.

The first part of the book is meant to define the legal framework in which the EU adopts the different types of actions and measures. Thus, though mainly descriptive, this section provides a clear and detailed overview of the multifarious legislative framework in which the EU counter-terrorism action is developing, by taking into consideration and analysing the multitude of instruments (normative and soft law ones) adopted by the EU in the past ten years. Moreover, the contributions take in full consideration the innovations brought in by the Lisbon Treaty and the Stockholm Programme, thus making the two first chapters of the book a valuable source of information for French-speaking scholars and students interested in EU counter-terrorism strategy. The second part of the book is dedicated to the challenges that the fight against terrorism sets to the principle of legality. Firstly, Martin’s lucid analysis discusses the relations between human rights protection and the black-list systems of asset freezing: pinpointing the reasons why the balance between security concerns and the fundamental rights of the individuals is far from having been found. In her turn, Sgro analyses the thorny issue of extraordinary renditions. In this analysis the author argues that since the report of the Parliamentary Assembly of the Council of Europe on the matter, the entry into force of the Lisbon Treaty imposes on the EU and its Member States a stronger scrutiny in the respect of human rights standards, not only because of the entry into force of the EU Charter, but also because of the future accession to the ECHR. Lastly, Wojtowicz discusses the relation between general constitutional principles, such as the right to a judge and the inviolability of human rights vis-à-vis counter-terrorism measures; providing the reader with enough comparative tools to stir further research on general principles enshrined in the constitutions of the Union and of its Member States.

The third part of the book deals with the relation between EU external action and its counter-terrorism strategy. The first two contributions touch upon two topical issues, namely EU-UN cooperation on the one hand (Czaplinski) and EU–USA cooperation on the other (Saganek). In both cases, the contributions give a sound reconstruction of the legal developments and challenges affecting these two fields of the external dimension of the fight against terrorism; though, because of the ongoing process of reform and pending disputes on the two topics, the two contributions do not tackle the very latest developments. Nonetheless, the contribution on EU–USA cooperation convincingly shows that this aspect of the fight against terrorism raises questions not only concerning respect for human rights, but also in relation to the vertical and horizontal distribution of competences in the multi-layered legal order of the EU. The two other contributions in this third part concern the interrelations between the CFSP/CSDP pillar and the fight against terrorism. Balmond discusses the relations between the CSDP and the fight against terrorism. He moves from the observation that counter-terrorism policies at EU level have been predominantly non-military to conclude that with the entry into force of the Lisbon Treaty, Article 43 TEU now codifies the relevance of countering terrorism as a valid justification for the Union to use civilian and military means, thus bringing together internal and external security concerns related to terrorism in the CSDP agenda. Lastly, Karagiannis studies the interrelations between maritime piracy and maritime terrorism, bringing the two together in a sound analysis of the Atalanta mission of the EU along the coasts of Somalia.
The last part of the book, finally, brings together four essays on topics that do not prima facie relate to the fight against terrorism. However, as Auvret-Finck argued in the Introduction, and as the EU institutions continuously repeat, the fight against terrorism is also fought through transversal measures. Thus, Kornobis-Romanowska focuses on the interrelations between money laundering and financing terrorism, whereas Strak focuses on interrelations between illegal migration, border controls and the fight against terrorism. All in all, these last two contributions demonstrate how, by using its competences in the fields of criminal law and external borders management, the EU also manages to enhance its counter-terrorism response.

While other contributions addressed the relationship between fight against terrorism and the respect of human rights, it is Szwarc-Kuczer who takes on the difficult relationship between anti-terrorism measures and the integration of legal migrants within the Union. Lastly, Auvret discusses the role of the media in relation to terrorism from two perspectives: first, that of inciting terrorism and, second, that of preventing terrorism.

In conclusion, this book effectively shows that the fight against terrorism touches upon many aspects and competences of the EU. All these multi-policy aspects of countering terrorism also mean the EU must carefully balance security interests with fundamental aspects such as the respect of human rights, and promote social dialogue among individuals in order to prevent radicalization. This book provides researchers with a clearer picture of how EU anti-terrorism action is developing and furnishes a valid and inspiring starting point for future research.

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