News | 28.04.2015

Good policing instead of mass surveillance

we want security policies with a sense of proportion

by Jan Philipp Albrecht, Judith Sargentini and Eva Joly

Three magic letters are supposed to protect Europe against terrorists: PNR. The proposed European passenger name record (PNR) system, which has been resurrected since the Paris attacks, would entail the collection of the personal details of airline passengers in the EU. It is the silver bullet being dusted off and pushed by European justice and home affairs ministers and their governments since 7 January. They are backed by the European Commission which will today present its security agenda. One part of this agenda will be the blanket surveillance of flight passengers. The push for greater mass surveillance by EU governments in the aftermath of the attacks in Paris and Copenhagen has been both predictable and frustrating. Despite a lack of evidence that greater surveillance has improved security, and a strong case that it hampers coherent security strategies, it remains the top priority for policy makers in Europe. It is hard to see how looking for a needle in a haystack of untargeted data will improve the security of citizens in Europe. Expanding the data dragnet and the analysis of this mass of information will require considerable extra resources for already-stretched police and security authorities, potentially diverting them from activities that could more effectively improve security. Instead of mass surveillance, we should be better equipping the relevant authorities to guarantee our security. This implies improving their ability to focus on specific risks and concrete suspicions, to follow any leads immediately, and to efficiently exchange information about dangerous individuals. While it may sound odd to hear a Green politician arguing for more police and more funding for investigative work, that is precisely what is needed if we are really serious about combatting terrorism. A European PNR system is estimated to cost around €500 million: that is €500 million that could be better used elsewhere to counter the threat of terrorism. Europol, the European law enforcement agency, has a budget of a mere €500,000 for common investigations, including officials from different member states. This is an area crying out for more resources. All too often, investigations or surveillance of terrorist or criminal suspects breaks down once the individuals cross into another jurisdiction, with information exchange between authorities often not taking place. Police forces across Europe are also being hit by budgetary cutbacks. In 2014 alone, around 1,700 posts were cut, to give a pertinent example. In Germany, there were around 15,000 posts cut in the same period. We are missing police and public resources often in precisely those areas where they are most needed: for example, outreach in communities or neighbourhoods where radicalisation is on the rise. A credible strategy to prevent radicalisation must be a top priority in any coherent approach to counter-terrorism. We should be devoting funds to these areas, instead of counter-productive mass surveillance systems. Data collection and analysis is an important tool for security authorities but only where there is a

real suspicion or concrete risk. The European Parliament has outlined how such a system could work at EU level in the context of money laundering and corruption. Based on clearly defined criteria, potential offenders could be identified and they and their associates would be subject to targeted surveillance. Ordinary citizens would not be affected and authorities would not have to waste resources trawling through their data. A similar system could be foreseen for combatting terrorism and targeting individuals suspected or at risk of radicalisation. A European database along these lines, combined with cross-border law enforcement teams, would help improve the early identification of risks and ensure that suspects do not slip off the radar when they cross borders. However, to date, EU governments have opposed greater cooperation between secret services. The need to scale back ineffective mass surveillance and scale up targeted surveillance and investigation is even gaining increasing traction in the US Congress of all places. The EU should take note and stop trying to push false solutions to a very real problem.

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