

# BLOCKING PRO-TERRORIST WEBSITES: A BALANCE BETWEEN INDIVIDUAL LIBERTY AND NATIONAL SECURITY IN FRANCE

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On July 11, 1995, an imam and his assistant were murdered in a mosque in Paris.<sup>22</sup> The Groupe Islamique Armé (GIA), an Algerian Islamic extremist group, took responsibility for this attack, those that followed later that year, and the attacks in 1996.<sup>23</sup> The GIA bombed the Paris Metro station, St. Michel, on July 25, 1995, killing seven and injuring eighty-five people.<sup>24</sup> The GIA also bombed Avenue de Friedland in Paris, on August 17, 1995, as well as a market on September 3, 1995, injuring three people.<sup>25</sup> The GIA detonated a car bomb parked in front of a Jewish school in Lyon on September 7, 1995, injuring











French citizen of Algerian descent, began his killing spree on March 11, 2012, when he posed as someone interested in buying a motorcycle from a French Army officer of Moroccan origin, Imad Ibn-Ziaten.<sup>72</sup> When Merah met Ibn-Ziaten in Toulouse to purportedly buy the motorcycle, Merah shot his victim in the head, and fled on a black scooter.<sup>73</sup> Four days later, on March 15, 2012, Merah approached three more French soldiers who were withdrawing money from an ATM in Montauban.<sup>74</sup> The soldiers, Abel Chennouf, a Catholic of Algerian decent, Mohamed Legouad, a Muslim, and Loic Liber, were shot thirteen times by Merah.<sup>75</sup> The ATM's surveillance camera photographed Merah, fleeing once again on a black scooter.<sup>76</sup> While Chennouf and Legouad were killed, Liber survived the attack but was paralyzed.<sup>77</sup>

On March 19, 2012, Merah parked in front of the gate at a Jewish school, Ozar Hatorah, in Toulouse, and opened fire.<sup>78</sup> He filmed his attack using a GoPro camera attached to his chest.<sup>79</sup> Merah killed a rabbi, and the rabbi's two sons: ages three, and six-years-old.<sup>80</sup> He chased a young girl, Myriam Monsonego, into the school's courtyard, grabbed her by the hair and shot her in the head.<sup>81</sup> Merah also shot a fifteen-year-old intern who ran to help the girl.<sup>82</sup> He fled on his black scooter, leaving three dead children and the dead rabbi in his wake.<sup>83</sup>

Two days later, Merah was cornered by French police at his apart-

ment. The police shot Merah in the back and he was killed.<sup>84</sup> A photograph

of his guns.<sup>85</sup> During a four-hour-long conversation between Merah and a police negotiator, Merah explained that he radicalized himself in prison between 2007 and 2009.<sup>86</sup> In July 2010, Merah traveled to Lebanon, Turkey, Jordan, Egypt, Tajikistan, and Afghanistan—“visit

ing ‘to be kidnapped by [the Taliban] so [he] could convince them that [he was] sincere and they could train [him]’” to be a terrorist.<sup>87</sup> To his dismay, his initial solicitation was unsuccessful.<sup>88</sup> It was not until August 2011 that he was finally contacted by Al-Qaeda in Afghanistan and Pakistan.<sup>89</sup> He recounted his terrorist initiation to the police negotiator,

In the beginning, the brothers, they told me to kill. [They] said I should kill everything—everything that is civilian and miscreant, everything. The gays, the homosexuals, the ones that kiss each other in public. [They] said, ‘Shoot them down,’ see? But me, I had a message to carry. I knew that by killing only military and Jews, the message, it would be carried better. [Because] if I were to kill just









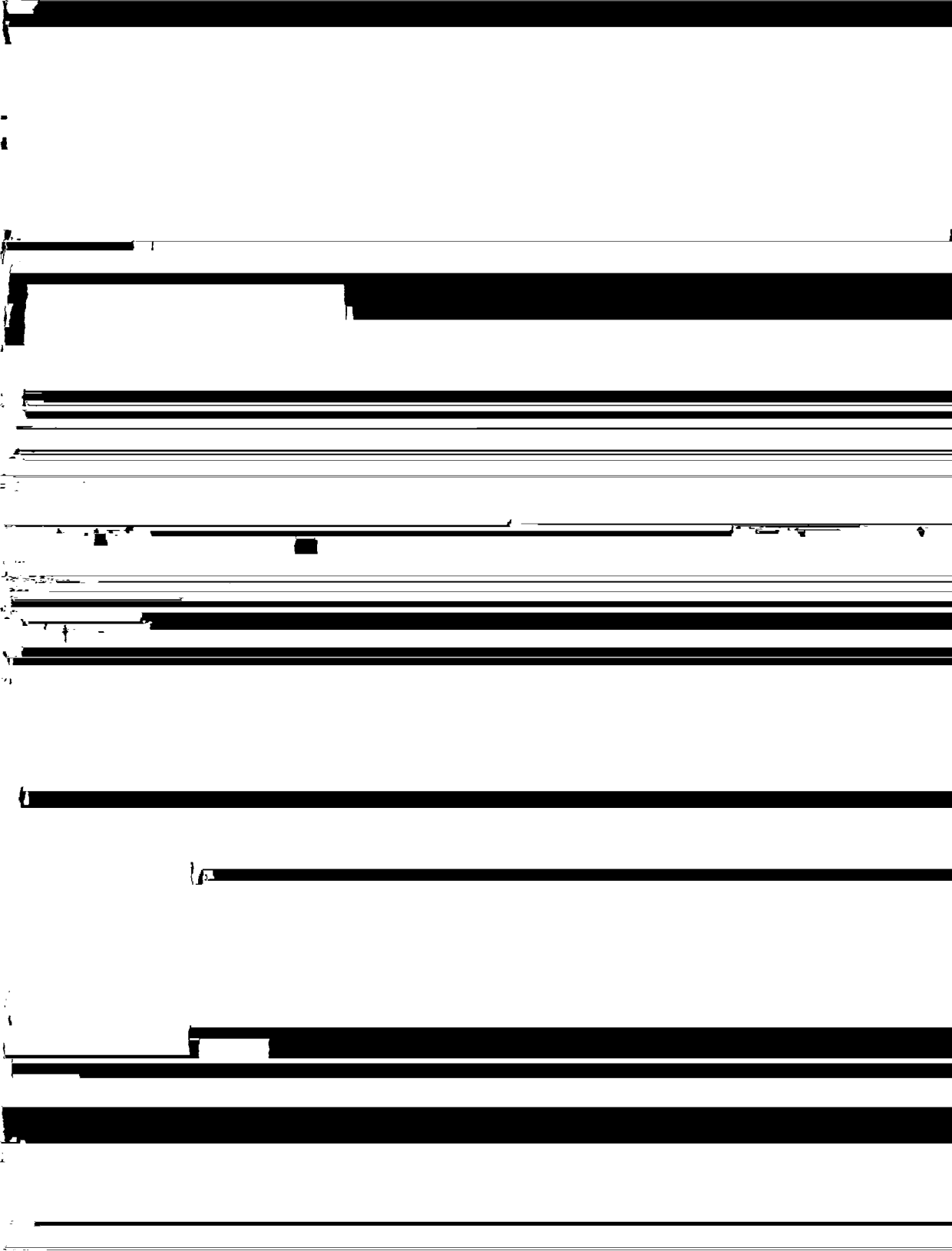








Mostefaï, Samy Amimour, and Bilal Hadfi.<sup>168</sup> Bilal Hadfi is a leader of a “branch of the Islamic State in Syria called *Katibat al-Battar al*















acted decree did not resolve the bill's clarity problem; in fact, Decree n° 2015-125 is even less detailed than the original 2014 format of the bill.<sup>226</sup>

*B. Nevertheless, a Content-Based, Multi-Faceted Solution is Possible*

Internet blocking can be a proportionate response, so long as “terrorist websites” are properly defined, which they currently are not.<sup>227</sup> The language of Decree n° 2015-125 could be amended to include clearer language. A multi-faceted, automated solution to Decree n° 2015-125's problems may quell some of the French public's concerns, such as including simple administrative contesting measures to undo the blocking of innocent content.

A prime example of the successful removal of terrorist content is Twitter's “policy against threatening posts.”<sup>228</sup> Through its clear guidelines for flagging and removal, Twitter has promptly removed many ISIS-affiliated Twitter accounts.<sup>229</sup> YouTube has also successfully shut down accounts of users who have posted ISIS' beheading videos.<sup>230</sup> Both YouTube and Twitter's terms of service establish that violent content is “cause for suspension” of user accounts.<sup>231</sup> The British Government has been granted “‘super flagger’ status” by YouTube, meaning that the videos it requests to be removed, which

contain “grisly content or that encourage terrorism,” are fast-tracked for removal.<sup>232</sup> In recent years, the London Metropolitan Police's counter-terror unit that focuses on Internet-based terrorism has prompted the removal of 45,000 videos from YouTube alone.<sup>233</sup> If Bernard Cazeneuve develops a similar relationship with American-based social networking sites like YouTube, France will be far more successful in its blockage attempts; mirror sites will be less likely to appear if the original content has already been permanently removed









