

Brussels, 12 March 2007

## Commission Activities in the Fight against Terrorism

### I. Past (since 2004) and future Commission activities in the fight against terrorism

#### A) Prevention, preparedness and response to terrorist attacks

##### Achieved

##### *Communications*

- Green Paper on detection and associated technologies in the work of law enforcement, customs and other security authorities (September 2006)
- Communication on ensuring greater security of explosives, detonators, bomb-making equipment and fire-arms (July 2005)
- Communication on improving Community Civil Protection Mechanism (Apr 2005)
- Communication on prevention, preparedness and response to terrorist attacks (Oct 2004)
- Communication on Critical Infrastructure Protection in the fight against terrorism (Oct 2004)
- Communication on preparedness and consequence management in the fight against terrorism (Oct 2004)
- Communication and a possible proposal for a legal instrument on supply chain security
- Communication addressing violent radicalisation and recruitment of terrorists
- Communication on European Programme for Critical Infrastructure Protection (EPCIP)
- Communication on Building Solidarity Through Mutual Assistance: Report on the assessment of civil protection assistance available through the Community Civil Protection Mechanism in case of major terrorist attacks in the Union (EU Restricted)
- Green paper on European Programme for Critical Infrastructure Protection (EPCIP)
- Communication on a Strategy for a secure Information Society – "Dialogue, partnership and empowerment" (May 2006)

### *Adopted legislation*

- Council Framework Decision of 24.02.2005 on Attacks against Information Systems
- Regulation n° 68/2004 of 15 January 2004 amending Regulation (EC) n° 622/2003 laying down measures for the implementation of the common basic standards on aviation security
- Commission Regulation (EC) n° 781/2005 of 25 May 2005 amending Regulation (EC) n° 622/2003 laying down measures for the implementation of the common basic standards on aviation security
- Commission Regulation (EC) N°857/2005 of 6 June 2005 amending Regulation (EC) n° 622/2003 laying down measures for the implementation of the common basic standards on aviation security
- Commission Regulation (EC) n° 1138/2004 of 21 June 2004 establishing a common definition of critical parts of security restricted areas at airports
- Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data
- Commission Regulation (EURATOM) 302/2005 of 8.2.2005 on the application of EURATOM safeguards
- Security amendments to the Community Customs Code that relate to checks on the flow of goods by introducing a system of pre-arrival and pre-departure declarations and by using an improved system of data communication and information sharing between Member States (adopted in April 2005 – Regulation (EC) No. 648/2005).
- Council Decision approving the conclusion of the Convention on Early Notification of a Nuclear Accident
- Commission Decision for accession to the Convention on Early Notification of a Nuclear Accident

### *Proposed legislation*

- Proposal for a regulation establishing a rapid response and preparedness instrument for major emergencies [COM(2005)113]
- Proposal for a directive on enhancing port security [COM(2004) 76 of 10 February 2004]
- Implementing regulation to the Security amendments to the Community Customs Code.
- Proposals for a complete modernisation of the customs code and a Decision on e-customs
- Proposal for a Directive on a European Programme for the protection of critical infrastructure

### *Report*

- Report to the Council on modalities procedures and criteria to develop the appropriate level of interoperability between military and civilian capabilities in the framework of protection of civilian populations following a terrorist attack, including in crisis management operations under Title V of the TEU
- Report on “The Impact of 7 July 2005 Bombs Attack on Muslim Communities in the EU” by the European Monitoring Centre (EUMC)
- Report on recruitment to terrorism including the possible adoption of an agreed set of recommendations
- Report on transport security including financing issues.

### *Other*

- Council decision establishing the specific programme “Prevention, Preparedness and Consequence Management of Terrorism” for the period 2007-2013 (framework programme on “Security and Safeguarding Liberties” for the period 2007-2013”)
- Establishment of an Expert Group on Violent Radicalisation
- Establishment of the High Level Group on Minorities
- The Programme on Health, Security aims at setting up EU cooperation and mutual assistance against biological or chemical attacks
- Establishment by the Community Civil Protection Mechanism of procedures for early warning, alert and activation of response through the central MIC
- RAS-BICHAT rapid alert system for deliberate releases of biological and chemical agents, improved co-operation with other alert mechanisms
- Set up of a RASCHEM – exchange of information and warnings between Poison Control Centres
- MediSYS, monitoring of Web-based information to provide advance, real-time, warning of suspicious circumstances or outbreaks
- Guidance on General preparedness and response planning and integration of EU dimension in all national health emergency plans is being prepared
- HEOF - Health emergency operations facility: improvement of the current crisis and communication centre
- Establishment of a secure general rapid alert system (ARGUS)
- Commission financing decision – Pilot Project ‘Fight against terrorism’ (2005 and 2006)
- Financial decision on a pilot project terrorism aiming at inter-linkage of Commission crisis management structures and Member States’ relevant law enforcement agencies

### **To Do**

#### *Communication*

- Communication on security measures in various transport modes including their financing
- Green Paper on Bio-Preparedness and Food Defence
- EU Action plan to improve the security of explosives and detonators

#### *Commission Decisions*

- Commission decision for adoption of the IAEA Convention on early notification of a nuclear accident by the European Atomic Energy Community
- Commission Decision for adoption of the IAEA Convention on Assistance in the case of a nuclear Accident or radiological emergency by the European Atomic Energy Community
- development of a legal framework to counter the dissemination of terrorist propaganda and bomb-making and other terrorism expertise through the internet
- Communication on a strategy for a secure Information
- Communication on witness protection for the cooperation with counter-terrorism investigations

### *Proposed legislation*

- Proposal for a Council directive on the supervision and control of shipments of radioactive waste and spent fuel
- Proposal for a directive on security in the intermodal transportation chain (transportation of goods)
- Proposal for a Directive on regulating the alternative remittance system (inter alia FATF SR VI)
- Development of a legal framework to remove illegal material from the internet
- Revision of Regulation 2320/2002 reinforcing common standards on aviation security.

### *Report*

- EU profile on counter-terrorism for CODEXTER – an ad hoc Committee of Experts on Terrorism in the Council of Europe (jointly with the Council)
- First report on the state of play of research in the field of radicalization and recruitment by the Expert Group on Violent Radicalisation
- Second report on manifestations, trends and dynamics of radicalisation processes by the Expert Group on Violent Radicalisation.
- Report (II) based on the implementation of the Framework Decision on Combating Terrorism
- Report on the assessment of civil protection assistance through the Mechanism in case of major terrorist attack in the EU, including the medical resources required to respond to a bio-terrorist attack.
- Second Report evaluating the implementation of the Framework Decision of 13 June 2002 on combating terrorism.

### *Other*

- Reinforce the protection of European citizen abroad
- Implement EU Crisis Coordination arrangements to share information
- The Cooperation part of the Commission proposal for the 7th RTD Framework Programme (FP7) , will include a Security and Space theme

## **B) Victims of terrorism**

### **Achieved**

- A memorial report dedicated to the victims of terrorism (Feb 2005)
- 2 pilot projects approved by the EP, allowing the Commission to spend 3M€ on projects aimed at improving the situation of victims of terrorism
- Preparatory action approved by the EP, allowing the Commission to spend 1.8 million on terrorism
- As part of the Civil Justice programme, a further 2M€ will be spent on projects assisting the victims of terrorism
- Council directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims

## **C) Fight against financing of terrorism**

### **Achieved**

#### *Communication*

- Communication on the Prevention of and fight against organised crime in the financial sector COM(2004) 262
- Communication on the prevention of and the fight against terrorist financing through measures to improve the exchange of information, to strengthen transparency and enhance the traceability of financial transactions COM(2004) 700
- Communication COM(2005) 620 on "the prevention and fight against terrorist financing through enhanced level national level coordination and greater transparency of the non-profit sector" setting out (i) best practice advice in cooperation structures and the exchange of financial intelligence and (ii) putting forward a Recommendation to the MS and a framework for a Code of Conduct for NPOs to enhance transparency within the non-profit sector

#### *Other*

EU Joint Strategy Paper on Counter Terrorist Financing; "The fight against terrorist financing" presented by Secretary General/ High Representative and Commission to the European Council. 16089/04 of 14th December 2004 *Adopted legislation*

- Council Decision on co-operation among financial intelligence units (FIUs) of October 2000 (2000/642/JHA)
- Framework Decision of 26 June 2001 (2001/500/JHA) on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime
- Council Act of 16 October 2001 establishing, in accordance with Article 34 of the Treaty on European Union, the Protocol to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union (2001/C 326/01, OJ C326 of 21 November 2001)
- Directive 2001/97/EC of 4 December 2001 amending Council Directive 91/308/EEC on prevention of the use of the financial system for the purpose of money laundering
- Council Decision of 6 December 2001 extending Europol's mandate to deal with serious forms of international crime listed in the Annex to the Europol Convention (2001/C 362/01; OJ C 362 of 18 December 2001)
- Council Common Position of 27 December 2001 on combating terrorism (2001/930/CFSP; OJ L 344 of 28 December 2001)
- Council Common Position of 27 December 2001 on the application of specific measures to combat terrorism (2001/931/CFSP; OJ L 344 of 28 December 2001)
- Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism (OJ L 344 of 28 December 2001)
- Council Decision of 27 December 2001 establishing the list provided for in Article 2(3) of Council Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism (2001/927/EC; OJ L 344 of 28 December 2001)

- Council Common Position of 27 May 2002 concerning restrictive measures against Usama bin Laden, members of the Al-Qaida organisation and the Taliban and other individuals, groups, undertakings and entities associated with them and repealing Common Positions 96/746/CFSP, 1999/727/CFSP, 2001/154/CFSP and 2001/771/CFSP (2002/402/CFSP; OJ L 139 of 29 May 2002)
- Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaeda network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan (OJ L 139 of 29 May 2002)
- Directive on Insider Trading and Market Manipulation (Market Abuse) (2003/6 of 28 January 2003; OJ L 96 of 12 April 2003) and its implementing measures (Commission Directives 2004/72/EC; 2003/124/EC; 2003/125/EC)
- Ratification of international conventions in accordance with UN SC Resolution 1373 (2001)
- Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence (OJ L 196/45 of 2<sup>nd</sup> of August 2003)
- Framework Decision of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences (2005/671/JHA)
- Regulation of 26<sup>th</sup> October 2005 on controls on cash entering or leaving the Community (Regulation (EC) No. 1889/2005)
- Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders (OJ L 328/59 of 24<sup>th</sup> November 2006)
- Directive of 26<sup>th</sup> October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (also known as the Third Money Laundering Directive), (OJ L 309 of 25<sup>th</sup> November 2005; entered into force 15 December 2005).
- Regulation (EC) No 1781/2006 of the European Parliament and of the Council of 15 November 2006 on information on the payer accompanying transfers of funds (OJ L 345/ of 8<sup>th</sup> December 2006)

#### *Proposed legislation*

- Commission proposal for a Directive on a New Legal Framework for Payments in the Internal Market (regulating inter alia alternative remittance systems, in compliance with Financial Activities Task Force SR VI)
- Draft Council Decision concerning cooperation between Asset Recovery Offices of the Member States in the field of tracing and identification of proceeds from, or other property related to, crime

#### *Reports*

- A follow-up based on Article 6 of the Council Framework Decision of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime; COM(2006) 72 of 21<sup>st</sup> February 200

### *Other*

- Establishment of intelligence capacity in relation to terrorist financing within SitCen to inform the work of relevant bodies
- Study on EU's performance on Terrorist Financing in particular in respect of Financial Activities Task Force (FATF) special recommendations and act on recommendations awarded in April 2006. Study was completed in February 2007.

### **To Do**

- Implement the Third Money Laundering Directive. Member States shall comply with the Directive by 15 December 2007. The Commission adopted implementing measures to the 3rd AML Directive: Commission Directive 2006/70/EC of 1 August 2006 laying down implementing measures for Directive 2005/60/EC of the European Parliament and of the Council as regards the definition of politically exposed person and the technical criteria for simplified customer due diligence procedures and for exemption on grounds of a financial activity conducted on an occasional or very limited basis (OJ L 214/29 of 4th August 2006). Furthermore, the Commission is organising transposition meetings with Member States. Initiate outreach programmes to EU financial private sector to coordinate procedures to combat terrorist financing.
- Implement Regulation (EC) No. 1889/2005 of 26 October 2005 on controls of cash or leaving the Community.
- Implement Regulation (EC) No. 1781/2006 of 15 November 2006 on information on the payer accompanying transfers of funds
- Further conduct dialogue with the non-profit sector on the implementation of requirements laid down in the Communication COM(2005) 620 and the FATF Interpretative Note to Special Recommendation VIII.
- Encourage follow-up to Peer Evaluation round addressing national machinery relevant to coordination and information exchanges structures in context of counter terrorist financing work.
- Together with Counter Terrorism Coordinator produce new EU Counter Terrorism Strategy in 2007.
- Promote use of financial intelligence in all counter terrorist investigations through on-going work to highlight and encourage greater focus on financial investigation as a law enforcement technique.

### **D) Police matters, data and information exchange**

#### **Achieved**

##### *Communication*

- Communication: Towards enhancing access to information by law enforcement agencies (Jun 2004)
- Communication on measures to be taken to combat terrorism and other forms of serious crime, in particular to improve exchanges of information
- Communication on improved effectiveness, enhanced interoperability and synergies among European databases in the area of Justice and Home Affairs

### *Adopted legislation*

- Framework Decision on combating terrorism
- Framework Decision to replace Joint Action 1998/733/JHA on Criminal Organisations
- Council Decision on the exchange of information and co-operation concerning terrorist offences
- Framework Decision on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States, in particular as regards serious offences including terrorist acts
- Directive on the retention of telecommunications traffic data
- Council Decision on the implementation of specific measures for police and judicial cooperation to combat terrorism in accordance with Article 4 of Common Position 2001/931/CFSP
- Council Common Position 2005/69/JHA of 21.01.2005 on exchanging certain data with Interpol
- Council Decision establishing the European Police College (CEPOL)
- Framework Decision on Joint Investigation Teams
- Council Decision of 20 September 2005 establishing the European Police College (CEPOL)
- Council Decision of 12 February 2007 establishing the Specific Programme "Prevention of and Fight against Crime" for the period 2007 to 2013, as part of General Programme on Security and Safeguarding Liberties (2007/125/JHA, OJ L 58 of 24 February 2007)

### *Proposed legislation*

- Draft Framework Decision on information exchange under the principle of availability
- Draft Framework Decision on the processing of personal data in the framework of police and judicial cooperation
- Proposal for a Council Decision on Europol

### *Report*

- Interim report on the outcome of the process of peer evaluation on national arrangements in the fight against terrorism in the 15 Member States
- Final report on the outcome of the process of peer evaluation on national arrangements in the fight against terrorism covering the new Member States
- Report from the Commission on the legal transposition of Council Decision of 28 February 2002 setting up Eurojust, with a view to reinforcing the fight against serious crime
- Report on the Terrorist attacks in Madrid from a law enforcement perspective
- Report on the implementation of the Framework decision on Joint Investigation Teams
- Joint report by CEPOL and Europol on what Counter-Terrorism related training they have so far provided and what more could be done
- First Report evaluating the implementation of the Framework Decision of 13 June 2002 on combating terrorism of 8 June 2004.



### *Other*

- The drawing up of common lists containing the most significant terrorists and terrorist organisations, which are regularly and appropriately updated
- All Member States are connected to the Bureau de Liaison
- Implementation of the Europol Information System (available in the 25 Member states since 10 October 2005)
- Development of the European Crime Intelligence Model with the assistance of the Police Chiefs Task Force
- Europol/Eurojust Agreement (effective from 10 June 2004)
- Setting up of the Counter-Terrorism Task Force (CTTF) (Europol)
- Establishments of links between SitCen and Europol
- All Member States have designated their Eurojust national correspondent for terrorist matters
- COUNCIL RECOMMENDATION of 27 April 2006 on the drawing up of agreements between police, customs and other specialised law enforcement services in relation to the prevention and combating of crime (OJ C 124 of 25.5.2006, p 1)

### **To Do**

#### *Communications*

- Communication: Towards a general policy on the fight against cyber crime (including a description of a number of actions aiming at improving operational law enforcement cooperation, i.a. against cyber terrorism)

#### *Proposed legislation*

- Proposal on a European policy for the use of passenger name records (PNR)
- Proposal for a directive on the use of Passenger Name Records (PNR) for law enforcement purposes
- Proposal for a Council decision on access to the Visa Information System by authorities competent for internal security matters

### **E) Judicial and criminal matters**

#### **Achieved**

#### *Communications*

- White Paper on exchanges of information on convictions and the effect of such convictions in the European Union (January 2005)

#### *Adopted legislation*

- Framework Decision on the European Arrest Warrant
- Framework Decision on the Confiscation of crime related proceeds, instrumentalities and property
- Council Decision 2005/876/JHA of 21 November 2005 on the exchange of information extracted from the criminal record
- Draft Framework Decision on a European Evidence Warrant (political agreement reached in the Council).

### *Proposed legislation*

- Proposal for a framework decision on the fight against organised crime [COM (2005)6 of 19.01.2005] to replace joint action 1998/733/JHA
- Proposal for a Council framework decision on taking account of convictions in the Member States of the European Union in the course of new criminal proceedings [COM(2005)91 of 17.03.2005]
- Draft Framework Decision on the application of the principle of mutual recognition to Confiscation Orders (when the remaining national parliamentary reservation is lifted).
- Proposal for a Council framework decision on the organisation and content of the exchange of information extracted from criminal records between Member States

### *Reports*

- Report by Eurojust on the measures the unit has implemented since December 2004 in the fight against terrorism
- Report on the transposition by the Member States of the Framework Decision on the Execution in the EU of orders freezing Property or Evidence

### *Other*

- Convention on Mutual Assistance in Criminal Matters and its Protocol
- All Member States have designated their Eurojust national correspondent for terrorist matters
- Network on national experts on Joint Investigation Teams established

### **To Do**

- Communication on the feasibility of an index of non EU nationals convicted in an EU Member State

### *Report*

- A follow-up report on the decision establishing Eurojust
- A revised report on the European arrest warrant

### **F) Borders**

#### **Achieved**

#### *Adopted legislation*

- Council Regulation (EC) n° 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
- Council regulation on the introduction of new functions for the Schengen Information System
- Council decision of 8 June 2004 establishing the Visa Information System (VIS)
- Regulation (EC) n° 724/2004 amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency
- Regulation (EC) n° 725/2004 on enhancing ship and port facility security
- Council Directive 2004/82/EC on the obligation of carriers to communicate passenger data
- Commission Regulation EC 884/2005 laying down procedures for conducting Commission inspections in the field of maritime security

### *Proposed legislation*

- Proposal for a regulation concerning Visa Information System and the exchange of data between Member States on short-stay visas
- Proposal for a Council decision on the establishment, operation and use of the second generation Schengen Information System (SIS II)
- Proposal for a regulation on the establishment, operation and use of the second generation Schengen Information System (SIS II)
- Proposal for a Regulation regarding access to the Second Generation Schengen Information System (SIS II) by the services in the Member States responsible for issuing vehicle registration certificates
- Proposal for a regulation laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code. The recently published preliminary draft proposal aims at defining the necessary amendments that must be made to Commission Regulation (EEC) No 2454/93, consequent to the amendments made to Council Regulation 92/2913 (EEC), by Regulation (EC) 648/2005 of the European Parliament and Council, OJ L 117, 04.05.2005, p.13. The deadline for response to the open consultation related to the above mentioned proposal was 16th September 2005.
- Council decision n° 2004/512/EC establishing the Visa Information System (VIS)
- Regulation (EC) n° 648/2005 amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code
- Implementing Regulation to the security amendments of the Community Customs Code (Regulation EC no. 648/2005)
- Proposal for a complete modernisation of the custom code introducing the supporting IT system.

### *Report*

- Report from study of the role of Customs in the Member States in relation to security/anti-terrorism at EU Borders (approved by CCWG, 10238/04)

### *Other*

- Strategy for Customs Cooperation and related work plan
- Statement of support for the Proliferation Security Initiative
- The Borders Code

### **To Do**

#### *Communication*

- Communication on enhanced interaction between VIS, SISII and EURODAC

#### *Proposed legislation*

- Develop and implement a common EU approach to the exchange and analysis of passenger information: agree Directive on airline passenger name records
- Regulation of the European Parliament and of the Council concerning the VIS and the exchange of data on short stay-visas

### **G) Security research**

The Commission has launched new research initiatives to improve the security of EU citizens. Security makes a timely entry into the list of research themes to be undertaken swiftly, in order to respond to highly societal demand in the face of new security challenges. For more details see [MEMO/05/116](#).

## **Activities**

- The Commission proposal for the 7<sup>th</sup> RTD Framework Programme includes Security Research as a new theme. Security Research is composed of four vertical priorities and three transversal priorities.

### *Vertical priorities*

- Protection against terrorism and crime: delivering technology solutions for threat (e.g. CBRN) awareness, detection, prevention, identification, protection, neutralisation and containment of effects of terrorist attacks and organised crime.
- Security of infrastructures and utilities: analysing and securing existing and future public and private critical/networked infrastructure (e.g. in transport, energy, ICT), systems and services (including financial and administrative services).
- Border security: focusing on technologies and capabilities to enhance the effectiveness and efficiency of all systems, equipment, tools and processes required for improving the security of Europe's land and coastal borders, including border control and surveillance issues.
- Restoring security in case of crisis: focusing on technologies in support of diverse emergency management operations (such as civil protection, humanitarian and rescue tasks, support to CFSP), and on issues such as inter-organisational co-ordination and communication, distributed architectures and human factors.

### *Transversal priorities*

- Security Systems Integration & Interoperability
- Technologies to enhance interoperability of systems, equipment, services & processes
- Organisation, protection of confidentiality & integrity of information, traceability of transactions, processing
- Security and Society
- Socio economic aspects related to crime, perception of security, ethics, privacy, societal foresight
- Safeguarding privacy & liberties, vulnerabilities, new threats, management & impact assessment of consequences
- Security Research Coordination & Structuring
- Coordination of security research efforts, development of synergies (civil/security/defence), legal conditions, use of infrastructures

## **Achieved**

- Commission proposal to increase funding for security research projects from 2007. The Commission proposes a common budget allocation in the 7<sup>th</sup> RTD Framework Programme (2007-2013) for Security and Space related research activities of € 408 Mio per year. The evaluation of the last call for proposals of the preparatory action in the field of security research (2004-2006) took place in June 2006. Contract negotiations will take place in autumn 2006.
- ESRAB (the European Security Research and Advisory Board) finalised its report, advising the Commission on the content and the implementation of security research in FP7. The report will be available towards the end of September 2006. It will be the basis for the work programme of security research within FP7.

- Inventory and analysis of on-going research activities in the field of biological and chemical terrorism and identification of gaps and needs in scientific knowledge and research priorities which contribute to define annual research work programmes and priorities (updated 2005)
- Selection Funding of five projects (Scientific Support to Policies) in the area of biological and chemical terrorism within the scope of the 6th Framework Programme for Research (2002-2006)
- The 2002 CBRN-programme (Doc. 1427/02) was replaced by the 2004 Solidarity Programme.

#### **To Do**

- Launch of three further Scientific Support to Policies projects in the area of biological and chemical terrorism in the second half of 2005
- Ensure full implementation of the EU Health Security Strategy and CBRN Programme.
- Based on the ESRAB report, the 1<sup>st</sup> Work programme for Security Research within FP7 is being prepared for adoption towards the end 2006 to enable a timely launch of the call for proposals during the 1<sup>st</sup> semester 2007.

#### **II. Call on member states:**

##### **A) To allow adoption of instruments on which political agreement has been reached but which are subject to a parliamentary reserve**

- Proposal for a Council framework decision on the application of mutual recognition to confiscation orders (parliamentary reserve by one MS; political agreement reached 6 June 2004)
- Proposal for a Council decision on the exchange of information and co-operation concerning terrorist offences (reserves by four MS)
- Proposal for a Council decision on the exchange of information extracted from the criminal record (political agreement in February 2005; reserve by one MS)
- Recommendation to Member States on a Framework for a Code of Conduct

##### **B) To ratify**

- All UN conventions and protocols addressing terrorism
- The Convention on mutual assistance in criminal matters between the Member States of the EU of 29 May 2000 and the Protocol of 16 October 2001 to this Convention.

##### **C) To transpose or to correct errors in transposition of acts, deadlines of which have expired**

- To ensure that the Framework Decision of 13 June 2002 on the European Arrest Warrant and the surrender procedures between Member States is transposed correctly, notably on the basis of the Commission report based on Article 34 of this Council Framework Decision (COM (2005)63 of 23.02.2005), and to inform the Commission and the General Secretariat of the Council accordingly by March 2006, following the conclusions of the JHA Council of 2.06.2005.
- To ensure that the Council Framework Decision of 13 June 2002 on joint investigation teams is transposed and to correct errors in transposition.
- To implement and correct implementation of framework decisions outlined in the Action Plan on Terrorism (e.g., the Framework Decision on Combating Terrorism – 6 MS to provide information; 2 MS to provide texts of legislation)

- To implement the Framework Decision on Money Laundering (2001/500/JHA of 26 June 2001), to take account of the first Commission report of 5 April 2004 and to inform the Commission and Council Secretariat General accordingly before the end of July 2005
- To inform regularly the Commission and the Council Secretariat General about implementation of the Framework Decisions outlined in the Action Plan on Terrorism
- To provide the Commission with texts of legislation in respect to the Framework Decisions outlined in the Action Plan on Terrorism

#### **IV. International dimension**

- Promotion of the implementation of relevant international norms and legal instruments, through targeted technical assistance, political dialogue and co-operation in international and regional organisations. Actions taken to combat terrorism are balanced against the need to protect individual rights and freedoms.
- Support for the United Nations, including regular contacts and meetings with UN bodies, particularly the Counter-Terrorism Committee (CTC) the Counter-Terrorism Executive Directorate (CTED), the 1267 Sanctions Committee and UNODC (Office for the fight against Drugs and Crime).
- Action in favour of the adoption and implementation of UN instruments; and in support for development of a comprehensive UN Convention against Terrorism and a global counter-terrorism strategy.
- Working with international and regional organisations.
- Development of technical assistance. The Community provides counter-terrorism related assistance to help countries implement UNSCR 1373 (2001), which is handled from within regular Community assistance programmes.
- Counter-terrorism is a key element of political dialogue and counter-terrorism clauses are included in agreements with third countries.
- Reinforcement of the protection of European citizens in third countries - in April 2005, the Commission proposed to make the MIC available to facilitate and support consular cooperation in the event of major emergencies in third countries, affecting EU citizens.
- The follow up to the Container Security Initiative (CSI)