European Agenda on Security: Questions & Answers

Strasbourg, 28 April 2015

Why a new Agenda on Security?

Today's European Agenda on Security fulfils a commitment made in the Political Guidelines of European Commission President Jean-Claude Juncker and replaces the previous strategy adopted in 2010 (the Internal Security Strategy 2010-2014 see IP/10/1535). With today's European Agenda on Security, the European Commission sets out the Union's strategy to tackle security threats in the EU for the period 2015-2020.

The EU and its Member States are confronted with significant security challenges. Terrorism, organised crime and cybercrime increasingly threaten societies in every corner of Europe, and these threats have changed in nature and magnitude. Europe faces the spill over effects of political instability in its immediate neighbourhood, which endanger the EU's security interests.

Crises and conflicts in Syria, Iraq and Libya have seen European citizens joining terrorist groups, who can pose a significant threat on their return home. The recent terrorist attacks in Europe testify to the increasing menace of violent extremism and the influence that global conflicts have on radicalising European citizens.

The online environment has become an increasing target for criminals and terrorists. Whether it is for radicalisation and recruiting people to terrorist organisations, spreading hatred or attacking Europe's values and institutions, it is imperative that we take coordinated action to fight back.

What is the EU value-added in the area of internal security?

Member States remain primarily responsible for ensuring internal security. However, the threats to Europe's citizens are becoming more varied and increasingly cross-border in nature. Member States have the frontline responsibility for security, but can no longer succeed fully on their own.

Crime and terrorist activities are not confined within the borders of the EU nor to neighbouring regions. EU internal security and global security are mutually dependent and interlinked. The Union's security is highly dependent on cooperation with international partners and neighbouring countries.

Combating organised crime and terrorism is a common European responsibility. The European Agenda on Security should be a shared agenda, between Member States and EU institutions, and serve as the basis for cooperation and joint action by the Union.

The European Agenda on Security will help police and other law enforcement services in different Member States to share data more effectively and better cooperate against cross-border crime.

Member States can rely on support by EU Agencies. In particular the Agenda focuses on bringing EU value-added by:

A) facilitating information exchange between law enforcement authorities and EU agencies:

Example 1: the Schengen Information System (SIS) is used by law enforcement authorities to consult alerts on wanted or missing persons and objects. The Commission will work on the introduction of additional categories to trigger alerts and will promote the use of the SIS together with Interpol's database on Stolen and Lost Travel Documents (SLTD).

Example 2: the European Criminal Records Information System (ECRIS) already supports crucial information exchange in this area. To date, 26 Member States are using ECRIS and its increasing use means over 100,000 messages per month. However, it does not cover non-EU nationals. The Commission will extend ECRIS to capture and share data on non-EU nationals convicted in the EU.

B) increasing operational police cooperation:

Example 1: Joint Investigation Teams (JITs) gather police officers from several Member States for a fixed period to investigate specific cross-border cases. The European Commission will promote more regular use of JITs by Member States and will make sure that third countries are involved in JIT in cases with an international dimension.

Example 2: EU agencies, and in particular Europol and Eurojust, play a crucial role in facilitating cross-border cooperation and investigations. Operation Archimedes, coordinated by Europol in
September 2014 to address a variety of serious crimes across 34 Member States and third countries, resulted in over 1000 arrests made across Europe. The European Commission will improve coordination of the work of EU agencies to make sure that their potential to support Member States is used to the full.

C) boosting training and co-funding for security at EU-level:

Example 1: The recently created Internal Security Fund (ISF) for the period 2014-20 has a total budget of approximately EUR 3.8 billion. The Commission will align the use of the ISF to the priorities set in the Agenda, with a particular focus on stepping up information exchange, updating national sections of the Schengen Information System and strengthening cross-border cooperation.

Example 2: The Commission will reinforce the ability of the European police college CEPOL to prepare police officers to cooperate effectively. National police academies will also be able to use EU funding to make cross-border cooperation a standard part of national police work.

What are the priorities of the Agenda for the next 5 years?

The Security Agenda identifies three priorities for EU action, concentrating on areas where the Union can make a real difference:

Terrorism and radicalisation are significant threats to the EU's internal security. Recent terrorist attacks in the EU have highlighted the need for a strong joint EU response, in particular to the returning foreign fighter phenomenon. While this issue is not new, the scale and the flow of fighters to and from the ongoing conflicts in Syria, Iraq and Libya, as well as the networked nature of these conflicts, are unprecedented.

Organised crime has a huge human, social and economic cost – from migrant smuggling, human trafficking, trafficking of firearms, drugs or cigarettes, to environmental, financial and economic crime. Organised criminals have always sought to exploit gaps in enforcement and action across borders, and this is why EU action can be so valuable. Organised crime networks also feed and finance terrorist activities, further underlining the urgency of addressing the issue.

Cybercrime offers a huge potential gain to criminals, as our lives, including commerce and banking, shift online. With more and more personal information stored in digital form, cybercrime undermines personal security and privacy. Criminals abuse modern technologies, such as the Internet, for illicit online trade in drugs and weapons or other criminal transactions. The fight against online crime also includes crimes like child sexual exploitation. Improving the law enforcement and judicial response to cybercrime is a priority of the European Agenda on Security.

To address these threats, the Agenda intends to strengthen and make more effective the exchange of information and the operational cooperation between Member States, EU Agencies and the IT sector.

What concrete actions are planned to address security threats in the EU?

The European Agenda on Security aims to strengthen the tools that the EU provides to law enforcement authorities in the Member States to fight terrorism and cross-border crime. In addition, the Agenda sets out targeted actions to be taken at EU level.

First, the Agenda aims to facilitate better information sharing and to increase operational cooperation between police and judicial authorities of the Member States, and with EU Agencies. Information exchange systems exist, but are not fully exploited. In terms of operational cooperation, the framework can be further developed.

Second, in the fight against terrorism, the Agenda proposes to step up Europol’s role by setting up a European Counter Terrorist Centre as a secure centre for information exchange among national law enforcement authorities, building upon the successful experience of the Cybercrime Centre (EC3). The fight against terrorism financing will also be strengthened. To prevent radicalisation online, the Commission will launch an EU-level forum with IT companies to develop tools against terrorist propaganda.

In the fight against organised crime, the Agenda aims to put in place effective measures to “follow the money”, by reinforcing the powers of financial intelligence units to better track the financial dealings of organised crime networks and enhance the powers of competent national authorities to freeze and confiscate illicit assets. The legal framework on firearms will also be revised to reduce access to weapons by criminals and terrorists.

Investigating cybercrime raises many challenges. The Agenda proposes to reinforce the capacity of law enforcement authorities, in particular through Europol’s European Cybercrime Centre, and to address the obstacles to criminal investigations on cybercrime, notably in relation to access to evidence. In parallel, the implementation of existing legislation on attacks against information systems and on combating child sexual exploitation will be prioritised.
These are only a few of the comprehensive list of targeted actions which the Commission will put in place in the coming five years, as set out in detail in the European Agenda on Security. Emerging threats might require additional EU responses.

**What about Passenger Name Records and Data Protection?**

An important piece of legislation is the European Passenger Name Record (PNR), which has been on the table since 2011. After the recent terrorist attacks in Paris and Copenhagen, the Council and European Parliament committed to speed up their work and seek an agreement before the end of 2015. The Commission will work together with the co-legislators to swiftly achieve a legal instrument which is effective and fully in line with fundamental rights.

The Commission is also considering a horizontal approach for cooperation with third countries on the use of PNR data. In the meantime, the Commission is waiting for an opinion of the European Court of Justice on the draft revised PNR agreement with Canada, and its compliance with the EU Treaties.

Equally importantly, the co-legislators are working on the Commission's proposals on data protection legislation that would offer a more effective protection to citizens and further facilitate the work of law enforcement authorities.

**Are today’s security threats different to those identified in 2010?**

The three priorities identified by the Agenda are not new phenomena, and they already constituted strategic objectives in the Internal Security Strategy 2010-2014. However, the level and complexity of the threats has evolved and our European strategy must evolve accordingly. In that regard, the Agenda builds on the actions undertaken in recent years, thus ensuring consistent and continued action.

**Does security come at the cost of fundamental rights?**

The Union's approach to tackling terrorism and other security threats must be based on the common democratic values of our open societies. Security and respect for fundamental rights are not conflicting targets, but consistent and complementary policy objectives.

The Commission will ensure a rigorous assessment of legislative and policy instruments, to ensure that they effectively deliver security and are in full compliance with fundamental rights, and that any impact on free movement and the protection of personal data, is fully in line with the proportionality principle.

The EU approach on security will respect and promote fundamental rights as set out in the Charter of Fundamental Rights. All instruments must comply with the principles of necessity, proportionality and legality, with appropriate safeguards to ensure accountability and judicial redress.

**What is the EU doing to fight terrorism?**

The EU supports Member States in preventing and fighting terrorism through different instruments. The EU provides a legal framework to help coordinate cross-border law-enforcement actions. Notable tools include the European Arrest Warrant, the European Criminal Records Information System and mutual legal assistance mechanisms with third countries.

Secondly, the EU supports Member States' efforts in countering radicalisation on the ground through the Radicalisation Awareness Network (RAN), which allows experts and practitioners to exchange best practice.

Thirdly, the EU contributes to preventing the financing of terrorism through legislation against money laundering, the network of EU Financial Intelligence Units and the EU-US Terrorist Finance Tracking Program. More information is available on specific actions to fight terrorism in MEMO/15/3140.

**What is the EU doing to fight human trafficking and migrant smuggling?**

Migrant smuggling and human trafficking is a serious cross-border crime that is high on the EU's political agenda. Since 2011, the EU has a Directive in place for preventing and combating trafficking in human beings and protecting its victims. The existing policy and legislative framework has contributed to increased and better cooperation between different EU agencies as well as at different government levels. In addition, reinforced action against the smuggling of migrants (for more information see also MEMO/15/3261) will be an important part of the forthcoming European Agenda on Migration.

**What about the external dimension of security?**

Many security challenges originate outside the EU, and collaborating with third countries is an essential element of the European Agenda on Security. The EU has set up a Western Balkan Counter-Terrorism initiative to improve regional cooperation and information sharing on the fight against terrorism and jihadism in the European neighbourhood. In addition, the EU has launched a new programme "Countering radicalisation and Foreign Terrorist Fighters", following the Foreign Affairs Council of 9 February 2015. Today, the EU is providing €10 million to counter radicalisation in the Sahel-Maghreb area.
and stem the flow of foreign fighters from North Africa, the Middle East and Western Balkans (see IP/15/4865).

External aspects of security will be more comprehensively developed in the framework of the Strategic Review that the High Representative for Foreign Affairs and Security Policy/Vice-President of the Commission has initiated, as well as in the ongoing review of the European Neighbourhood Policy.

**Can you give concrete examples of how EU coordination in the area of security has made a difference?**

Criminals move across borders, and by working together we have more chance of catching them. The European Arrest Warrant is an important tool to catch criminals and render our criminal justice systems more effective, ensuring the swift return of numerous suspects who may not otherwise have faced justice. It was notably thanks to this tool that one of the 2005 "London bombers" could be extradited back to the UK from Italy in a matter of weeks. Thanks to the same mechanism, in 2014, the Belgian authorities were able to apprehend the main suspect in the Brussels Jewish museum attack, who had fled to France.

Terrorism in Europe feeds on extremist ideologies. In pooling our knowledge and expertise, we are stronger in tackling radicalisation. On 30 January 2014, the Radicalisation Awareness Network (RAN) hosted the Cities Conference on Foreign Fighters to Syria in The Hague. This conference brought together 120 local practitioners from 23 affected cities across different Member States as well as 50 representatives from the national authorities from most EU Member States and RAN experts to discuss the issue of "foreign fighters" and exchange knowledge and best practices.

Organised crime networks operate across borders, and by working together we can stop them wherever they are. In March 2015, 77 individuals suspected of large-scale migrant smuggling from Kosovo[1] to the EU were arrested in Austria, the Czech Republic, France, Germany, Hungary, Slovakia and Kosovo with the support of Europol, Eurojust and almost 400 law enforcement officers, effectively dismantling the organised criminal network.

**What is next?**

The European Agenda on Security must be a shared agenda. It will achieve results in the fight against terrorism and cross-border crime only if all actors concerned do more to work better together, including EU institutions, Member States, EU agencies and relevant civil society actors.

The Commission therefore invites the European Parliament and the Council to endorse this Agenda as the renewed Internal Security Strategy, with a view to the forthcoming European Council of June 2015, and to actively engage in its implementation, in close cooperation with all relevant actors.

It invites EU institutions and Member States to take this agenda as the basis for cooperation and joint action by the Union on security in the next five years, with the aim of developing a genuine area of EU internal security.

[1] This designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.