

Europaudvalget

Det Europæiske Råd 16-17/12-04 - Bilag 8

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Europaudvalg vedlægges i forbindelse  
16.-17. december 2004 EUs  
16090/04.

n underretning for Folketingets  
med Det Europæiske Råd i Bruxelles den  
handlingsplan for terrorbekæmpelse,

COUNCIL OF  
THE EUROPEAN UNION

Brussels, 14 December 2004

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LIMITE

JAI 567  
ECOFIN 425  
TRANS 393  
RELEX 656  
ECO 203  
PESC 1165  
COTER 92

COSDP 820  
PROCIV 183  
ENER 271  
ATO 157

NOTE

from: Presidency  
to : European Council  
Subject EU Plan of Action on Combating Terrorism - Update

## I. Introduction

The European Council welcomed in its meeting on 17 and 18 June the Action Plan on Terrorism and urged the institutions and Member States to fulfil outstanding commitments within the deadlines established. It stated that it would review the Action Plan twice a year, beginning at its December 2004 meeting.

This document presents this first review, drafted by the Presidency in close cooperation with the Counter Terrorism Coordinator and the Commission. It consists of three parts: this Cover note, an updated matrix, containing all the actions of the Action Plan and an annex showing an overview of the implementation by Member States of EU-legislation in the fight against terrorism as well as ratification of the relevant UN-Conventions.

The European Council Declaration of 25 March 2004 set out the following seven strategic objectives for the EU's Action Plan against terrorism:

1. To deepen the international consensus and enhance international efforts to combat terrorism
2. To reduce the access of terrorists to financial and economic resources;
3. To maximise the capacity within EU bodies and Member States to detect, investigate and prosecute terrorists and to prevent terrorist attacks;
4. To protect the security of international transport and ensure effective systems of border control;
5. To enhance the capability of the European Union and of member States to deal with the consequences of a terrorist attack,-
6. To address the factors which contribute to support for, and recruitment into, terrorism
7. To target actions under EU external relations towards priority Third Countries where counter-terrorist capacity or commitment to combating terrorism needs to be enhanced.

About 150 actions were attached to these strategic objectives. Many of them were accompanied by  
if

specified deadlines. Other actions are of an on-going nature or specified in more general terms ('as soon as possible' or 'without delay'). Action should be undertaken by different EU-bodies (Council, Commission) or by Member States. The Matrix, attached to this review of the Action Plan, shows the progress for every specified action.- This Cover note reports in more general terms on the work carried out during the Netherlands Presidency of the Council.

#### 11. Programme report

Progress has been achieved on all objectives. The annex shows more in detail the state of play. The Hague Programme on strengthening freedom, security and justice in the European Union, endorsed by the European Council of 5 November, is also relevant because it emphasises the fight against terrorism and introduces inter alia the principle of availability of information, which may help to fight cross border terrorism. Also worth mentioning is the adoption on 22 November 2004 of the conceptual framework on the ESDP dimension of the fight against terrorism

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ule Action plan, separate

reporting to the European Council on specific topics:

integration within the Council Secretariat of an intelligence capacity,

a coherent overall approach for further strengthening of the fight against terrorist financing,

preventing and coping with the consequences of a terrorist attack, enhancing cooperation on civil

protection and the protection of critical infrastructures

integrating the fight against terrorism into EU external relations policy.

Although the progress per action is mentioned in the annex, a more general overview on

achievements regarding the strategic objectives is provided below.

Deepen the international consensus and enhance international efforts to combat terrorism

In line with its support to effective multilateralism, the EU and its Member States have given high

priority to supporting the key role of the United Nations in the fight against terrorism. EU-internal

activities focus on the ratification and/or implementation of the counter terrorism related UNSC

resolutions and LTN conventions. On the whole, most EU Member states have signed, ratified and

implemented the relevant UN instruments. There remains, however, a few gaps and it is important

for the EU's credibility and efficiency that they be closed quickly.

In its dialogue with third countries the EU continued to raise the importance of adhering to and

effectively implementing the various UN anti-terrorism instruments. The EU continued to provide assistance to those countries that are willing to implement their UN obligations, but lack the capabilities to do so. The EU worked closely with a number of EU external partners, as well as regional and sub-regional organisations and in the context of the Euromed dialogue to ensure a coordinated approach in the fight against terrorism. The EU continued to give high priority to cooperation with the US, which was intensified in accordance with the 2004 EU-US Declaration on Combating Terrorism, in particular in the field of countering terrorist financing through the first ad hoc: informal EU-US troika. on the prevention of terrorist financing which included all three pillars. At the EU-US ministerial JHA meetings on counter terrorism more specific issues were discussed such as the sharing of information, data protection. and co-operation between the US and Europol and Eurojust.

Reduce the access of terrorists to financial and other economic resources

An overall strategy against financing of terrorism has been drafted on the basis of proposals by the SG/HR and the Commission as well as the outcome of seminars in this field organised by the Dutch Presidency on the prevention of the financing of terrorism. With a view to improving the traceability and transparency of movement of funds by terrorists, the Council agreed on a general approach on a proposal for a Directive aimed at preventing of the use of the financial system for the purpose of money laundering or terrorist financing. This proposal extends the scope of reporting obligations also to transactions which could be related to terrorist financing. Furthermore, the moving of funds for terrorist financing via individuals who carry cash has been addressed through a Commission proposal for a regulation on controls of cash entering or leaving the Community. Political agreement has been reached on this regulation.

The Presidency has presented a EU Best Practices paper on effective implementation of restrictive measures targeting terrorist persons, groups or entities. The recommendations in the paper aim to enhance the implementation of financial sanctions against terrorist organisations in order to increase the effectiveness of its sanctions regimes. The EU also embarked on a process to identify the possibility of a coordinated approach reducing the vulnerabilities of the non-profit sector with a view to increasing transparency. The Commission held a workshop with public and private sector stakeholders to help take this work forward and

announced its intention to prepare a report on a EU action programme regarding this issue as soon as possible.

Maximise the capacity within EU bodies and Member States to detect, investigate and prosecute terrorists and to prevent terrorist attacks  
A broad legislative framework for combating terrorism has been developed. Progress in the implementation by Member States of different legislative decisions has taken place, as can be seen in the annex. Other legislative proposals regarding e.g. enhanced exchange of information between Member States are under discussion. The capacity of Europol, Eurojust and Police Chiefs Task Force to contribute to the fight against terrorism has been improved. Operational co-operation and information exchange has been improved in a number of ways.

I - ... LVL "Å VF& L @JIAL"A4ALLÅE, J. u, 11--- -, tu - ulkel, by ivle,,,Der 5-states, based on an. extensive peer evaluation of the anti-terrorism systems in the 15 old Member States has been accepted by the Council. The role of SitCen was enhanced to provide more strategic assessments outside and within the European Union. The secure information system between services of all the Member States (BI)L) is now in place and functioning. Work on SIS is progressing. Measures have been taken to facilitate the exchange of information from judicial registers. Progress has been made on the European Evidence Warrant. Discussions have started on proposals regarding the retention of telecommunications data and the exchange of information between law enforcement agencies.

Protect the security of international transport and ensure effective systems of border control  
The Regulation establishing the European Border Agency has been adopted allowing for the launch of its activities by the 1<sup>st</sup> of May 2005. The Council has agreed to introduce biometric features in passports: mandatory inclusion of a facial image and two fingerprints within 18 resp. 36 months after the adoption of the Regulation. Furthermore, work on the technical specifications for the incorporation of biometrics in visas and residence permits has been taken forward in order for the swift adoption of these measures. Member States have agreed to exchange information on lost and stolen passports with Interpol.

Enhance the capability of the European Union and of Member States to deal with the consequences of a terrorist attack

The Council adopted conclusions on, strengthening the civil protection capacity in the framework of the Civil Protection Mechanism, also with regard to terrorism. Together with the Commission, the Council also adopted a Solidarity programme on the consequences of terrorist threats and attacks, that aims at improving the protection of critical infrastructures, the preparedness of consequence-management resources and the management of crises with, cross-border effects within the EU.

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JUU aLl UVrIU11 UPPI-UUU n On prevention, preparedness and response to terrorist attacks, also encompassing critical infrastructures, in reaction to which Council conclusions have been adopted. Finally, the Commission updated its database of civil protection means and experts and made a first report on the capabilities that the Member States are willing to make available to each other in case of a terrorist attack.

To address the factors which contribute to support for, and recruitment into, terrorism  
In the third pillar context, it was recognised that countering radicalisation and recruitment needs a joint strategy of police and security services. To that end experts from the Counter Terrorist Group (CTG) and Police Chiefs Task Force met for the first time. As a result a comprehensive approach to radicalisation and recruitment for police and security services' activities was described. On the Member State level, recommendations were made to better structure the process of intelligence gathering. As far as cross-border EU co-operation is concerned, the importance of further work on the subject of Europol and the CTG was announced. Future presidencies are committed to further develop the counter-strategies. The topic of recruitment has been mainstreamed in EU's external relations under the Dutch Presidency. An analysis on recruitment-processes will become a fixed part of EU threat assessments on priority countries and regions. In its political dialogue with several third countries where recruitment is an issue, the EU signalled the need to enhance information exchanges on recruitment process. Also, awareness has been raised on how EU's external assistance programmes (Commission and Member States) can address factors that contribute to recruitment to terrorism. A cross-pillar report on recruitment and radicalisation both within and outside the EU has been finalised and forms an important building block for the long-term strategy on recruitment.

To target actions under EU external relations towards priority Third Countries where counter-terrorist capacity or commitment to combating terrorism. needs to be enhanced.

The EU has launched several initiatives to ensure that its external policy instruments are better used in the fight against terrorism. The role of SitCen was, enhanced to enable working groups to focus on the development of policy. Tailor made messages on counter terrorism for political dialogue were drawn up and the EU stepped up its efforts to provide counter terrorism technical assistance to third countries. These efforts have been especially targeted to a first group of priority countries.

The Commission the Dutch Presidency launched consultations with these countries on how to intensify counter terrorism cooperation on three fronts: (1) political dialogue (2) information exchange and (3) technical assistance. At the same time, in order to ensure effective future action in these priority countries, EU Member States and the Commission have agreed to enhance information exchange on existing counter terrorism related technical assistance programmes in these countries. Special attention has been paid to political dialogue with selected third countries and regional organisations on terrorist financing.

#### EU Plan of Action on Combating Terrorism

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terrorism

No. Deadlines	Measure/Action status/Observations	Competent Body
	Objective 1: To deepen the international consensus and enhance international efforts to combat terrorism	
1.1 Ongoing	Support the key role of the Ongoing discussion within the United Nations in Council on possibilities for sustaining the international improving co-ordination consensus and mobilizing mechanisms between the EU and the international the UN.	Presidency MR and EU Coordinator/ Commission

community as a whole, in  
Coordination with the Working  
Group established under UNSCR  
1566 should be also considered.  
The SGIHR in association with the  
Presidency suggests concrete steps  
to enhance cooperation inter alia  
with the UN and other international,  
regional and sub-regional  
organisations in the document on  
Integrating the fight against  
terrorism into EU external relations

policy, submitted to the European

Council of December 2004.

1.1.1 Establish and develop COTERIPSC  
Ongoing The EU Coordinator met the  
ordinator, contacts between the CFSP Presidency, Co-  
Counter- Executive Director of the  
Working Group on Commission, MS  
Terrorism Executive Directorate  
(CTED) in November. The  
Executive Director of CTED also

addressed COTER. Further contacts  
will now be pursued with the focus  
on enhancing the efficiency of the  
relationships.

1.1.2 Establish and develop COTERIPSC Presidency/  
Ongoing The head of the 1267 monitoring  
group participated in the seminar on EU Coordinator/  
terrorism financing in Brussels in CommissiorIMS  
September. Contacts continue in  
New York Committee

I.I.3 Share information on EU EU Coordinator/MSI  
 End 2005 Discussed with the Executive Commission  
 priority countries, as  
 Director of CTED in November  
 appropriate, with the relevant  
 200.4. While actively supporting the  
 Committees and/or their  
 UN and its CTED, COTER will  
 structures for assisting in the  
 continue to address the effective  
 implementation of  
 way forward for an increased  
 commitments under UN  
 interaction between the EU and the  
 Security Council Resolutions  
 UN in the fight against terrorism.  
 1267 and 1373  
 COTER agreed to invite regularly  
 the Executive Director of the UN

CTED for an exchange of views.

I. 1.4 Identify ways to work in a Council/MS/  
 Ongoing (i). The EU Coordinator met Commission  
 more coordinated way with  
 UNODC Legal Advisor in July. An  
 UNODC including  
 exchange of views between COTER  
 consideration of the signing  
 and UNODC took place in  
 of a Memorandum of  
 September. UNODC is providing a  
 Understanding between the  
 matrix on its technical assistance  
 UNODC and the Elf  
 programmes. Further contacts  
 should be pursued.

(ii) MS should inform the  
 Commission, the Council and other  
 MS of any support they are

Providing to UNODC projects  
 1.2 Work to ensure universal All  
 Ongoing The EU has raised the issue of  
 adherence to, and full  
 universal adherence to, and full  
 implementation of, existing  
 implementation of, the UN'  
 United Nations  
 Conventions and Protocols on  
 Convention.,; an Terrorism.  
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Comprehensive UN  
international, regional and sub-  
regional organisations and will  
continue to do so.

on Suppression of Acts of  
Nuclear Terrorism

1.2.1 All Member States to ratify  
I Jan 2005 Not all Member States yet have a  
12 International Conventions  
full record on

MS

against Terrorism and  
ratification/implementation.

continue to lobby for this in  
third countries both  
bilaterally and at EU level

1.2.2 Identify and demarche, on  
Ongoing COTER to continue identify target  
the basis of agreed mandates,

Council/HR/

EU Coordinator

and Third Countries which are  
failing to meet their  
commitments under UNSCR  
1373

Commission

1.2.3 Coordinated EU position on  
Ongoing This issue is regularly discussed in  
reservations to Conventions  
COTER and COJUR. Presidency  
should be encouraged  
made demarches expressing the

COLTNCIL/MS/

Commission

EU's concern about reservations to

Conventions.

1.2.4 Promote the adoption in the  
6fl' Ongoing  
York.

MS at UNGA and the  
Discussions ongoing in New

UN of an International  
UNGA  
undertaken

Committee of the  
The Presidency has

Convention on the  
dernaTches to a number of third  
Suppression of Acts of  
countries to build consensus and  
Nuclear Terrorism  
committed support for agreeing an

International Convention on the

Suppression of Acts of Nuclear

Terrorism amongst the Members of

the UN.

1.2.5 Promote the adoption of MS at UNGA and the  
 6th Ongoing Progress on this draft  
 remains Cornprehensive UN Committee of the  
 UNGA blocked at the UN on the  
 issue of Convention against  
 the scope of the Convention. The  
 EU should agree a coordinated Terrorism  
 strategy aimed at reaching  
 agreement.

1.3 Work with and within All  
 Ongoing regional and international  
 organisations to ensure  
 their effective contribution  
 to combating terrorism in  
 accordance with UN  
 obligations

1.3.1 Support the Council of MSIEU Coordinator/  
 Ongoing CODEXTER has started discussing Commission  
 Europe's work on combating  
 an instrument on the prevention of  
 terrorism and in particular  
 acts of terrorism that provides, inter  
 support the CoE Committee  
 alia, for a criminalisation of public  
 of Experts on Terrorism  
 provocation to commit acts of  
 (CODEXTER) in their work  
 terrorism and of recruitment and  
 on formulating an instrument  
 training of terrorists. It is expected  
 dealing with the prevention  
 that CODEXTER will complete its  
 of terrorism and covering  
 work on the draft instrument by mid  
 existing lacunae in  
 March 2005.

1.3.2 international law  
 Ongoing Identify avenues for expert COTERIPSC  
 The EU has developed its contacts  
 exchanges between the CFSP  
 with a number of regional and sub-  
 Working Group and  
 regional organisations, notably  
 Regional and Sub-Regional  
 OSCE, ASEAN, AU and OAS. The  
 Organisations  
 EU is considering the issue of  
 providing support to CT initiatives

Of regional organisations (such as the JCLEC and the AU centre for the Study and Research on Terrorism) as possible fora for information exchange and

cooperation.

1.3.3 Develop further Technical Assistance projects aimed at Member States to develop proposals for assistance to such organisations  
Ongoing (i) Council, Commission and  
Commission/MS/Council

Sub-Regional Organisations  
to the maximum extent

possible

1.3.4 Ratify the LN-Convention  
Ongoing All Member States have signed the Convention, 17 Member States have ratified it. The European Community has signed and approved it.  
MS/Council

both bilaterally and at the EU level  
All Member States and the European Community have signed

the Protocol on Trafficking in

Persons, Especially Women and

Children, 13 Member States have

ratified it

All Member States and the

European Community have signed

the Protocol against the Smuggling

of Migrants, 12 Member States have

ratified it.

18 Member States and the European

Community have signed the

Protocol on Firearms, 6 Member

States have ratified it.

1.4 Strengthening further  
Ongoing Outstanding elements of the 2001  
cooperation with the US

EU

Coordinator/Commission  
Action to Combat

Plan of

and other parties in  
Terrorism are included in this  
countering the threat posed  
Action Plan

by terrorism, building on  
the solidarity and  
cooperation enshrined in  
the 2001 Plan of Action to  
combat terrorism

1.4.1 Enhance counter terrorism  
Ongoing An EU-US Declaration on  
dialogue at political and  
Combating Terrorism was adopted  
official level with the US  
at the June Summit. An informal

All

EU-US ad-hoc Troika meeting on

terrorist financing took place in

September. COTER Troika held

with the US in October. Ministerial

Troika with Secretary Ridge of

Homeland Security on 18/09/04 and

meeting of Ministers of Justice and

Home Affairs with Attorney

General Ashcroft on 29/09/04.

The EU Coordinator and the

Commission also met with key US

administration personnel.

The second meeting of the High



review with a view to  
 improving their  
 effectiveness

2.1.1 Ratification and full] MS  
 I January 2005 Action also under Objective 1.2. I.  
 implernentation of the 1999  
 Encouragerment needs to be  
 LTN Convention for the  
 provided to the two MS who have  
 Suppression of the  
 not yet ratified the 1999 UN  
 Financing of Terrorisrn and  
 Convention for the Suppression of  
 to give increased effect to  
 the Financing of Terrorism  
 the provisions of UNSCR  
 1373 directed to the freezing  
 of assets

2.2 Establish operational links  
 and improve cooperation  
 between relevant bodles to  
 facifitate enhanced  
 exchange of information  
 on terrorist fi

2.2.1 Establish specific HR/SitCen  
 September Achieved  
 intelligence capacity in  
 2004  
 relation to terrorist financing  
 within SitCen to inform the  
 work of relevant bodies

2.2.2 Increase cooperation MS/EU Coordinatorl  
 Ongoing The Commission proposal for a  
 between national competent Private Sector  
 Council Decision on the exchange  
 authorities, Financial  
 of information and cooperation  
 Intelligence Units and  
 concerning terrorist offences  
 private fmancial institutions  
 extends to information exchange  
 to facilitate improved  
 on all terrorist offences,  
 exchange of information on  
 convictions and disqualifications,  
 terrorist financing  
 including those connected with the  
 fmancing of terrorist acts. Among  
 other things it proposes that MS  
 must designate a specialised  
 service within the Police

responsible for collection and dissemination of all relevant information. (8200104)

Member States shall ensure the full implementation of the Council Decision of 17 October 2000 concerning arrangements for cooperation between financial intelligence units of the Member States in respect of exchanging information

The FIU-NET project, co-financed establish a fully operational computer network linking all MS Financial Intelligence Units (FIUs) for the processing and exchange of financial information, including intelligence suspected to be associated with terror financing. Currently 16 MS have adhered. According to the strategy against terrorist financing, all MS should be fully functioning members of

FIU.NET by end 2005

2.2.3 Establish an electronic list of Commission/Private Sector Progress to be In June 2004, the European persons, groups and entities reported on by Commission, in partnership with

in relation to which  
end 2004 the four European Credit Sector  
restrictive measures apply  
Federations have established an  
electronic database containing all  
relevant data concerning persons,  
groups and entities, subject to  
European Union financial  
sanctions

2.3 Develop and implement an  
December 2004 Strategy to be adopted by  
EU strategy on the  
and June 2005 European Council on 17  
suppression of terrorist  
December. First report on  
financing, including the  
implementation due by June 2005.  
regulation of charitable  
organisations and  
alternative remittance  
systems

Tools for improving  
traceability and  
transparency of the  
movement of funds by  
terrorists, terrorist  
organisations and those  
who finance terrorism,  
especially with respect to  
transactions through the  
informal banking sector  
and via non-profit  
organisations should be  
developed

2.3.1 Identification of measures to  
Ongoing Partly achieved during Irish  
improve effectiveness and  
Presidency; continued by the  
effectiveness of the mechanism  
Netherlands Presidency. Further  
set up to freeze the assets of  
revisions likely to be adopted  
terrorists and terrorist  
before the end of 2004.  
organisations and to  
Effectiveness of the mechanism  
identify the holders and true  
and of implementation at national  
beneficiaries of bank  
level will continue to be kept under

Council/Commission/  
EU Coordinator

accounts, irrespective of  
review. The recommendations  
their place of residence  
contained in the best practices

paper being developed in the  
Proposal for a Third Money  
Foreign Relations Council  
Laundering Directive, which  
Group concerning national rules  
addresses terrorist financing,  
and procedures for implementing  
requires MS to ensure that  
asset freezing measures will be  
credit and financial  
relevant in this context and should  
institutions are able to  
continue to be kept under review in  
respond fully and rapidly to  
the Group

enquiries from national  
Financial Intelligence Units  
22 April Commission  
or other authorities about  
Communication, on Organised  
any business relationship  
Financial Crime addressed  
such institutions have or  
transparency issues  
have had with a specific  
person

The Framework Decision on the

Execution of Orders Freezing

Property and Evidence includes

terrorist offences within its scope.

measures by establishing the  
principle of mutual recognition of  
freezing orders which, must be  
recognised and enforced directly  
by the competent judicial  
authorities of the MS.

Proposal for a Regulation on  
Agreement on a general approach  
controls of cash entering or  
to the draft 3rd Money Laundering

leaving the Community is  
Directive reached on 7 December  
currently under discussion  
2005  
in the Council.

The Draft Framework Decision on  
the Execution of Confiscation  
Orders includes acts of terrorism  
within its scope.

Political agreement on the draft  
cash controls regulation reached on  
16 November 2004

2.3.2 Review capacity of EU  
Ongoing Effective freezing action will  
institutions and legal  
require from all Member States  
instruments to respond to  
efforts to prepare designations that  
the problem of aliases/front  
are based on solid intelligence and  
organisations and apply  
information from competent  
sanctions against leaders of  
authorities which comply with the  
terrorist organisations  
criteria the EU uses for freezing,  
drawing on the enhanced  
information sharing recommended  
above, while respecting legal  
safeguards. There should be  
greater focus on front  
organisations, non-profit  
organisations and individuals as  
well as on problems relating to the  
re-naming of organisations. The  
Council, together with the

Council

Corninission, will examine whether the legal frarnework can be strengthened with regard to these issues.

2.3.3 Considering improvements  
Couricil/Corninission Ongoing

on regulation and  
(i) Conimission examining scope transparency of legal entities, for measures to prevent terrorist including charities, which groups infiltrating Jegitirriate rmay be used by terrorists to activities and the question of the acquire funding for their need for a legal instrument to set activrities up a system for registering bank accounts. . [Sce Commission Communication on measures to be taken to cornbat terrorismi and other forms of serious crime, in End 2005 particular to impTove exchanges of information. COM (2004) 221)1

(ii) With a view to the full implernentation of Special Reconimendation VIII of the FATF, and as a follow up to the conclusions of the combined ECOFINIJHA Council of October 2001, the Cominission is invited to assess the need for measures at the EU level, in addition to those taken at national level, in particular with

regard to the transparency of legal entities in the non-profit sector with a view to reducing the vulnerabilities of this sector to

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Council by the end of 2005

(iii) Review of MS non-profit sectors currently underway in Financial Action Task Force Working Group. The Union is

closely follow .ng this work.

2.4 Cooperate closely with the Financial Action Task Force (FATIF) on all issues regarding the financing of terrorism and ensure that the EU framework is adapted to the nine special recommendations on terrorist financing All

2.4.1 All Member States to July 2005 FATF Special Recommendation 1: MS

implement the FATF 9 Ratify and implement UN special recommendations on instruments - all MS committed to terrorist financing ratify, and 23 MS have so far

ratified the UN Convention for the Suppression of the Financing of Terrorism, which came into force in April 2002. At EU level, all Security Council Resolutions concerning the freezing of assets

of identified persons and entities

have been implemented

2.4.2 Review EU and terrorist

COUNCIUMS/

December 2005 ø) FATF Special Recommendation

financing legislation and

EU Coordinator

VI requires States to ensure that

structures in particular on

alternative remittance systems are

their compatibility with

licensed, or registered and that they

FA'IT standards.

are subject to the same FATF

recommendations as apply to

banks. The FATF Working Group

on Terrorist Financing is leading a

project to establish an early

warning system to promote

information exchange and joint

action to disrupt illegal

international funds transfers

(ii) Commission Communication

on a New Legal Framework for

Payments in the Internal Market,

favours integrating Special

Recommendations VI on

alternative remittance and VII on

wire transfers into Community

law. This would help ensure a

level EU playing field in the

approach to these

Recommendations which both deal

with payments issues.

(iii) Special Recommendation IV:

Reporting suspicious transactions related to terrorism - The Third Money Laundering Directive will oblige banks and other persons subject to the Directive, to report transactions suspected to be linked to terrorist financing. Agreement on a general approach to the draft directive reached by the Council on 7 December 2004.

(iv) Special Recommendation V:

International cooperation in the fight against terrorist financing - at EU level this is ensured through a number of directives including those on mutual recognition and the Council Decision on the exchange of information among Financial Intelligence Units

(v) Special recommendation IX:

cash couriers. The implementation of SR IX at EU level is already partly assured by the existing Customs Code and will be completed once the proposal for a

regulation on controls of cash entering or leaving the Community Customs territory is adopted by the Council and the Parliament (political agreement reached by the Council in November 2004)

The Council will consider, in consultation with the Commission, the possibility of commissioning an independent scrutiny of the EU's effort in the fight against terrorist financing and how the current strategy can enhance those efforts, in relation to the 9 FATF special recommendations on terrorist financing

Relax/Sanction Formation

Agreed on best practices document for implementation of sanctions

Regarding terrorist financing

2.4.3 Initiate outreach Council/Commission  
Commence by The Commission Communication programmes to EU financial  
September of 29 March calls for the need to private sector to Coordinate  
2004 bring in measures to improve procedures to combat  
transparency of bodies corporate in terrorist financing  
order to counter the infiltration of the legitimate sector by terrorist organisation .

2.5 Pursue political and technical dialogue with Third Countries in order to step up the fight against terrorism already play a priority role in EU relations with Third Countries and EU

Presidency/ Commission/ EU Coordinator

technical assistance programmes.

See also Objective 7

2.5.1 Pursue ad hoc expert level dialogue with third countries on financing in line with EU priorities

COTER/Commission/ EU Coordinator

meeting on terrorist financing took place in September.

Contacts continue between Presidency and GCC on an EU-GCC seminar on TF to be held in the Gulf region. EU-US practitioners meeting on 9 November 2004

measures/Action Status/Observations

Deadlines

Coincident Body

Objective 3: To maximise capacity within EU bodies and Member States to detect, investigate and prosecute terrorists and prevent terrorist attacks

3.1 Developing and implementing the legislative framework for combating terrorism

3.1.1 Framework Decision on the All but one Member State (QT) have

MS

June 2004

European Arrest Warrant  
reported completion of

implementation measures  
Implementation

Commission EAW Report due by

31 Dec 2004 (not submitted yet)

3.1.2 Framework Decision on Joint MS  
June 2004 18 Member States have reported  
Investigation Teams  
completion of implementation

measures  
Implementation

Commission JIT Report due by 1

July 2004

(not submitted yet)

3.1.3 Framework Decision on MS  
June 2004 17 Member States have reported  
Combating Terrorism  
completion of implementation

measures  
Implementation

The Council has adopted the  
Presidencies report on the  
implementation (I 168712/0.4)  
which is based on the report from  
the Commission. The Commission  
is invited to submit a follow-up  
report to the Council by 30 June

2005.

3.1.4 Framework Decision on MS  
June 2004 18 Member States have reported  
money laundering, the SCLWG (to report)  
completion of implementation  
identification, tracing, freezing

measures  
and confiscation of  
instrumentalities and the  
proceeds of crime

The Council has adopted the

Presidency report (1036912104)  
Implementation  
which is based on the report from

the Commission. The Commission  
is invited to submit a follow-up  
report to the Council by 30 June

2005.

3.1.5 Framework Decision on the MS  
December 2004 I Member State (AT) has reported  
completion of implementation  
measures executor of orders freezing  
property or evidence

Implementation  
Commission report on  
implementation due in 2006

3.1.6 Convention on Mutual MS  
December 2004 10 Member States have reported  
completion of ratification measures  
and its Protocol Assistance in Criminal Matters

5 Member States have reported  
completion of ratification measures  
Ratification

relating to the Protocol.

3.1.7 Draft Framework Decision on JHA Council  
June 2004 Political agreement on 19/12/02  
the Confiscation of crime  
Formal adoption by Council as  
soon as J/L text is available.  
related proceeds,  
instrumental rifles and property

June 2006

A meeting (and  
implementation of the  
Council Decision on 19/12/02)

3.1.8 Draft Framework Decision on JHA  
Council December 2004 Political agreement  
on 28102103 Attacks against Information  
Formal adoption by Council as  
soon as J/L text is available.  
Systems

3.1.9 Draft Framework Decision on JHA Council/  
CATSI June 2004 Political agreement on  
substantive the application of the principle  
Cooperation in text on 29104/04  
and an certificate of mutual recognition to  
Matters Criminal Law  
Confiscation Orders on 08/06/04.  
Party Working

Parliamentary scrutiny reserves  
Completion of negotiations of  
remain on the part of four Member  
text.  
States (DK, UK, IT, SE)

3.1.10 Draft Framework Decision on JHA Council  
CATS/ June 2005 The proposal presented  
by France, die retention of  
Cooperation in (adoption) Ireland, Sweden  
and United telecommunications traffic  
Matters Criminal Law  
examined Kingdom (8958104) was  
Party data. Working  
2/12104 by Council (JHA) on

(15098/04).

Conclusion of negotiations and  
adoption.  
3. I. 1 I Draft Council Decision on the JHA Council/  
CATS June 2005 The Council agreed on a  
general exchange of information and  
(adoption) approach on 2112/04 (15871/04)  
cooperation, concerning  
terrorist offences.

Conclusion of negotiations and  
adoption.  
3.1.12 Draft Framework Decision on JHA  
Council/CATS December 2005 Commission  
presented proposal on  
a European Evidence Warrant  
Cooperation in I  
This proposal is 14 Nov. 2003.  
Matters Criminal Law  
discussed in the currently being  
Conclusion of negotiations. Working  
Party Worleing  
Negotiations are Working group.

still at a relatively early stage and  
will continue during LU and UK

Presidencies (15221/04).

3.1.13 Cross border hot pursuit  
Commission Second half of 2004 Commission to  
present proposal in

(Presentation) 2005  
Preparation of proposals for  
consideration by Council

3.1.14 A) Measures to improve the JHA  
Council June of 2005 The Council agreed on  
a general

exchange of information on  
approach on the text of Art. 1-8 of  
convictions  
the draft Decision on the exchange

[Early 2005] of information extracted. from the

B) Proposal on mutual  
criminal record (15281104)  
recognition of conviction

Council JHA  
from Belgium on, A linked proposal

Commission exchange of  
information on

C) European register on  
disqualification has been tabled and  
convictions and  
will be discussed in the working  
disqualifications  
group next month.

Preparation of proposals for  
See also Commission  
consideration by Council  
Communication on measures to be

taken to combat terrorism and other  
forms of serious crime, in particular

to improve exchanges of

information rC M (2004) 2211

3.1.15 European Protection  
Commission [As soon as Commission to  
present proposal in

possible] Programme for the protection  
due course

of witnesses in terrorist cases  
(Presentation)

Preparation of proposals for consideration by Council

3.1.16 Draft Framework Decision on Sweden/Commission December 2005 The proposal presented by Sweden simplifying the exchange of (I 0215/04) on 4 June 2004 is information and intelligence discussed by MDG and by CATS between law enforcement authorities of the Member States, in particular as regards The European Council endorsed the principle of availability in the serious offences including Hague Programme on 04/11/04 terrorist acts.

Preparation of proposals for consideration by Council

i i

3.1.17 Framework Decision to Commission December 2004 Commission to present proposal el r place Joint Action (presentation) 1998/7331/JHA on Criminal Organisations.

Preparation of proposals for consideration by Council.

3.1.18 Reinforcing judicial MS Eurojust held a coordination cooperation meeting at strategic level where ensure the execution specialized Prosecutors were of any request for present. Cooperation between mutual legal Prosecutors and law enforcement is assistance related to ongoing on a daily basis. terrorist offences provide each other with the fullest cooperation study of concrete measures to propose

3.2 Ensure optimum and effective use of existing EU bodies such as Europol, Eurojust and the Police Chiefs Task Force

3.2.1 Europol/Eurojust Agreement JHA Council  
May 2004 Approved by JHA Council on 29

Apr 2004

Adoption

Signing by Europol on 9 June 2004

Signing by Eurojust on 9 June 2004

Agreement effective from 10 June

2004

3.2.2 Associating Europol and MS/Commission  
Ongoing Commission had to report on JIT

by beginning of the second  
semester 2004. Report will be  
forthcoming but experience is

limited, because of delayed

implementation of the Framework

Decision of 13 June 2002 by 7

Member States. Europol cannot

fully participate to JIT before the

2002 Protocol is ratified by all MS.

Eurojust has no experience in JIT

so far.

3.2.2 "To examine the scope for JHA Council/  
December 2004 Council conclusions were adopted

on 2112104 (15285104). The issue of EUROJUST

the capacity of Eurojust to  
Eurojust budget needs also to be  
addressed. Information to Eurojust  
Terrorism"

is addressed in the Decision on

improving information to Europol

and Eurojust in terrorist cases.  
Concerned bodies should bring

On the Council's request, Eurojust  
has examined and defined the scope

forward adequate proposals or  
recommendations for

consideration by the Council  
of measures to improve its capacity  
by December 2004  
to contribute to the fight against  
terrorism (see Eurojust's report  
10008/04).

Despite the agreement recently  
concluded, the exchange of  
information with Europol is limited  
by its legal framework.

Thus :

- Need for more and complete  
updated information
- Need for own Eurojust analyst(s)  
(there is no direct access by  
Eurojust to Europol's analysis  
files).

Need for more budget

3.2.3 Protocols to the Europol  
Convention  
Ratification

MS

18 Member States have reported  
completion of ratification  
2000 Protocol  
2002 Protocol  
13 Member States have reported  
completion of ratification  
2003 Protocol

10 Member States have reported

completion of ratification  
3.2.4 Reinforcing Europol counter-  
The setting up of the Counter-  
terrorism capacities and  
Terrorism Task Force (CTTF) is  
reactivating the Counter-  
under way (see progress report

MS/Europol

Terrorism Task Force  
from Europol in doc. 14846104).

All Member States have been  
invited to second experts to the  
= The assignment of experts  
will facilitate the flow of  
information to Europol on

terrorisme

3.2.5 Ensuring that Europol is MS/EU Coordinator  
Presentation of the A process of mutual evaluation,  
provided by Member States  
report at the next within the framework of the  
law enforcement authorities  
JHA meeting- - Multidisciplinary Group on  
with all relevant criminal  
December 2004 Organised Crime, is currently under  
intelligence related to  
way in relation to the exchange of  
terrorism as soon as it is  
information and intelligence  
available  
between Europol and the Member  
States and also, among Member  
States. An interim report in  
relation to the evaluation reports in  
respect of five Member States was  
taken note of by Council on  
2/12/04 (9501/4104).

The EU Counter-Terrorism  
Coordinator has also, presented  
provisional findings arising from

this evaluation process (9876/04)

3.2.6 Improve the flow of MS  
Europol counter-Terrorism Task  
intelligence to Europol in  
Force is revitalised. Link between  
relation to all aspects of  
Europol and SjtCen is being

terrorism  
established.

3.2.7 Take forward the further MS/EurOp01  
Links between SitCen and Europol  
development of the  
is being established.  
relationship between Europol  
and intelligence services

3.2.8 Implernentation of the Europol Europol/MS  
December 2004 Europol Management Board will  
Information System  
decide at its meeting on 14/15  
December 2004 on whether EIS or  
alternative EISA will be

implernented.

3.2.9 Decision establishing Eurojust MS  
June 2004 COM reported on implernentation

of the Eurojust Decision in July  
Implernentation  
2004 (11280/04)

5 MS had not by this date adopted  
the required legislation and I had  
partly adopted the required  
legislation.

In the meantime, one more MS has  
adopted the required legislation.

The Council adopted conclusions

on 2/12/04 (15285/04). The COM

is invited to submit a follow-up

report to the Council by mid 2005.

3.2.10 Designation of Eurojust MS  
[June 2004] All MS have designated their  
national correspondents for  
Eurojust national correspondent for  
terrorist matters.  
terrorist matters (I 064414104).

Regular contacts between national

members and national

I - . -----

3.2.11 Strengthening cooperation  
Without delay Strategic and ad-hoc meetings  
between anti-terrorist  
between anti-terrorist magistrates  
magistrates  
organised by Eurojust (the first one  
took place in June 04; the intention  
is to ensure a follow-up at a six  
monthly interval)

Eurojust

Establishment of a network  
between key players in CT. A  
questionnaire has been sent to all  
Eurojust national correspondents  
with a deadline for responses on

15.10.04.

3.2.12 Speeding up the linking of the  
Without delay EJM contact points have been  
EJM to the VPN secure  
consulted on the precise  
electronic network  
requirements and a decision on  
what to implement has taken in  
December.

Eurojust/EJM

In parallel, Eurojust is defining its  
communication needs so that the  
technical solution can be combined  
where possible. Subject to the  
current discussions on the 2005  
Eurojust budget, implementation  
can start in the second half of 2005.

3.2.13 Police Chiefs Task Force  
November 2004 Decision by the Council on  
(PCTF)  
19111104 on the role and

PCTF/JHA Council

positioning of the PCTF (14938/04)  
Review how greater operational capacity can be reinforced, focussing on proactive intelligence

3.2.14 Preparation of a report on the PCTF  
May 2004 Report completed by PCTF  
Terrorist attacks in Madrid from a law enforcement perspective

3.3 improve mechanisms for  
The Commission presented first cooperation for the sharing ideas on improving intelligence-led law enforcement of expertise on protective, investigative and preventative security policies between police and security services

3.3.1 Decision on the MS  
June 2004 All Member States have reported implementation of specific completion of Decision of 19 measures for police and December 2002 measures. judicial cooperation to combat COM monitoring the designation of terrorismi Eurojust correspondents (Council Decision 2003/48/JHA) Implementation

3.3.2 Ensuring that law enforcement MS  
Ongoing This objective is covered by the agencies (security services, Hague Programme police, custorris etc.) cooperate with each other and exchange all information relevant to combating terrorismi as extensively as possible

3.3.3 Interim report on the outcorne JHA Couricil I CATS/  
Sept 2004 Interim report taken note of by the TWP I EU Coordinator  
Council (JHA) on 2112M4 of the process of peer evaluation of national (14306/3104). arrangements in the fight The EU Counter-Terrorismi agairist terrorism in the 15 Coordinator has also presented

Member States  
provisional findings arising from  
this evaluation process (9876/04).

3.3.4 Final report on the outcome of JHA Council I CATS/  
Sept 2005 Schedule of visits to the remaining  
the process of peer evaluation TWP I EU Coordinator  
10 Member States agreed,  
of national arrangements in the  
commencing September 2004.  
fight against terrorism  
HU, CY, CZ and PL evaluated  
covering the new Member  
before the end of 2004.

3.3.5 Preparation and adoption  
Identification of suspected GAERC/JHA Council  
Lists containing the most  
terrorists in Europe and of the  
significant terrorists and terrorist  
organisations which support  
organisations are regularly and  
them, in order to draw up a  
appropriately updated.  
common list of terrorist  
organisations

3.3.6 Study the role of Customs in JHA Council/CCWG  
June 2004 Report approved by CCWG  
the Member States in relation  
(10238104)  
to security/anti-terrorism at EU  
Follow-up actions under way  
Borders  
(13793/04)

3.4 Promote effective systematic  
collaboration in intelligence  
exchange between Member  
States  
and maximize the  
effectiveness of information  
systems

3.4.1 Draft Council Regulation Council  
June 2004 Regulation adopted at JHA Council  
on the introduction of new  
on 29/4/04.

functions for the Schengen  
Information System (SIS)

and

June 2004  
(fi) Draft Decision on the  
Awaiting adoption, pending (SE)

introduction of new functions  
parliamentary reservation  
for the Schengen Information  
System (SIS)

- 3.4.2 Adoption  
Decision on the location,  
management and financing of  
SIS II
- May 2004 - Council Conclusions adopted on - JHA Council
  - for development phase - JHA Council
  - June 2005 2914/04
  - for long term
  - Discussions at CATS

3.4.3 The Visa Information System JHA  
Council Decision establishing the  
VIS) Council/SCIFA/Vjsa  
Working

Visa Information System (VIS)

- Draft Council Party/Commission  
adopted on 8 June 2004  
Decision establishing  
(2004/512/EC) JO L 213  
the VIS  
(1510612004)

Proposal for a second legal  
instrument which will define Commission  
beginning 2005  
the VIS in all its elements  
(presentation of  
(including the categories and  
proposal)  
use of data, access right, data  
protection rules) and its  
operation.

The VIS is a system for the  
exchange of visa information and is  
primarily meant to support  
common visa policy.

The Commission hopes to submit  
its 2nd proposal (that shall define in  
particular the system and its  
operation, including the categories  
of data to be entered into the

system, the purposes for which it is to be entered and the criteria for its entry, the rules concerning the content of VIS records, the rights of access for authorities to enter, update and consult the data and its control) early 2005. As the legal basis requires co-decision with EP,

likely mid-2006).

3.4.4 Enhancing the interoperability  
Early 2005 Commission propose to present a  
(presentation of "Communication on enhanced  
proposal) and of 5 synergies between the  
synergies of existing and future  
e  
x  
xis  
I I and  
target future information  
information systems in the field of  
systems (SIS II, VIS and  
visa, travel, border and migration  
AC  
management" which would cover

Commission

these issues, as well as the question  
Preparation of proposals for  
of interoperability.  
consideration by Council

The March declaration of the  
European Council highlighted  
under n'5 that the Commission  
should also include provisions to  
enable national law enforcement  
agencies to have access to the EU

systems".

3.4.5 Exchange of personal Commission  
June 2004 The Commission presented on 18  
information (DNA,  
(presentation of June 2004 a communication  
proposal) fingerprints and visa data) for  
'Towards enhancing access to  
the purpose of terrorism  
information by law enforcement

agencies" (I 0745/04)

Preparation of proposals for  
consideration by Council

3.4.6 Improving mechanisms for MS  
(1) Meeting Counter-Terrorism  
Coordinator/TFPC/SitCen  
cooperation and the promotion  
of effective systematik  
during NL Presidency.  
collaboration between police,  
(2) Peer evaluation process: going  
security and intelligence  
on (see pont 3.3.3)  
services

3.4.7 Regular updating of the JHA Council/  
network of contact: points in CATSITWP  
the Member States, with  
particular regard. to the new  
Member States, in respect of  
multinational ad hoc teams

3.4.8 Extension of the BDL system JHA Council/  
December 2004 All 25 Member States are currently CATS/TWP  
to the 10 new Member States  
connected to the BDL.

3.5 Enhance the capacity of  
appropriate EU bodies in  
preparation of intelligence  
assessments of all aspects of  
the terrorist threat, with a  
closer linkage to EU  
policymaking

3.5.1 Integration within the Council SG/HR Solana 1 EU  
June 2004 Report by EU Counter-Terrorism  
Secretariat of an intelligence Coordinator  
Coordinator to Council on 19111104  
capacity on all aspects of the  
terrorist threat with a view to  
informing EU policy

3.6 Preparation of proposals for  
consideration by Council  
Work to identify, disrupt

and dismantle arrangements  
for supply of weapons to  
terrorists

3.6.1 Examine the scope for Council/ CATS/ TWP 1  
TWP to consider scope for Commission  
measures to ensure greater  
measures in the first instance  
security of  
June 2005 (1592010.4)  
(i) fire~,  
October 2004  
(ii) explosives,  
December 2004 COM is currently preparing a  
(iii) bornb-making  
March 2005 Communication on measures to  
equipment,  
ensure greater security in  
(iv) the  
explosives, detonators, bornb-  
technologies  
making equipment and firearms.

terrorist  
assess the capabilities of MS  
outrages  
relevant services to deal with  
terrorist bomb attacks (Bornb  
Disposal Squads)

3.6.2 Examination of legislation Commission/  
Ongoing Forthcoming work: Examination of  
with reference to the "terrorist Council/  
terrorist and criminal threat when Parliament  
threat"  
examining each relevant legislative  
proposal K. Commission

Communication 8809102 ADD

3.6.3 Examine and report on the JHA Council/  
End December Work to continue in 2005  
requirements in relation to the CATSICCWP/HR-PR  
2004  
exchange of information and  
the coordination of  
investigations, in particular  
relating to restrictions on  
exportation and prevention of  
WMD

Examination and preparation  
of a report

3.6.4 Strengthen the arrangement for Council, Personal  
IPMI The Council adopted a Statement of

the identification, control and support  
HR, Proliferation  
interception of illegal  
Security Initiative (PSI) on 17 May  
trafficking in WMD materials.  
2004.

Representative of  
of the  
MS and Commission

Follow on work on the EU  
statement, including a reference the  
necessity to provide criminal  
sanctions by Member States in the  
without delay area of trafficking of WMD and  
related materials, as appropriate, is  
underway.

Commission

Adoption of the Regulation on the  
application of Euratom Safeguards  
approved by the Council on  
30.04.04. not yet adopted by the  
COMMISSION and is foreseen to be  
early 2005.

3.7 Implement the Conceptual  
According to The conceptual framework is  
framework on the ESDP  
in deadlines related to approved  
the dimension of the fight  
each specific action following principles:  
against terrorism, including

Council/PSC

Other as indicated  
and based on

each point

preventive aspects  
- solidarity between EU

Member States;

- voluntary nature of

Member States'

contributions;

- clear understanding of

the terrorist threat and

full use of available

threat analysis;

- cross pillar co-ordination

in support of the EU

common aim in the fight

against terrorism;

- co-operation with

relevant partners;

- complementary nature of

the ESDP Contribution, in

full respect of Member

States' responsibilities in

the fight against terrorism

and with due regard to

appropriateness and

effectiveness

considerations.

See also objective 5.4.2.2

Support the development of  
Ongoing/First Work in this field should take

PSC

-----I --. ~- --  
--- --- a"Oulit POSSible prevenne and  
crisis management operations  
with the finalisation protective ineasures. Possib)e  
by incorporating the terrorist  
of the Requirements measures related to prevention of  
threat in all relevant illustrative  
Catalogue the terrorist threat, including  
sceriaros in the franiework of  
maritime and airspace control-type  
the Headl ine Goal 201 0.  
operations should be considered

3.7.2 @e future Civiljan Headline PSC  
Ongoing

oal should also give appropriate consideration to the dep 10 'ent and further developri=nt of civilian capabilities (in particular Police, Rule of Law, Civiflan Administration and Civil Protection), in order to prevent as well as counter the terrorist threats within the limitations Of the mandate.

3.7.3 Defence Intelligence PSC, SG/HR,  
SITCEN

organisations (working through the Intelligence Division of the ELTMS) should support through increased exchanges of intelligence the Joint SITCEN as jt implernents the SG/HR's report to June European Council on the establishment of an intelligence capacity to cover the range of terrorist threats affeefing EU interests both within and outside of the Union;

3.7.4 Improve protection of all PSC  
PSC preliminary These recommendations should

personnel, material and assets recommendations to also foster ongoing work in the Council by the 2005 ECAP NBC Projeet Group, notably management operations under June European on an NBC Centre of Competence, Council Title V of the TEU, including, including civilian expertise as appropriate, the ability to protect possible key civilian targets, including critical in~eture, in the area of operations within available means and capabilities and on a case by case basis based on the threat analysis;

3.7.5 Support to third countnes in PSC  
Specific measures could entail the conibaring terrorisme development of appropriate co-

operation programmes to promote

trust and transparency, the support  
in planning activities related to the  
fight against terrorism including

consequence management or

support in training and exercises

3.7.6 Conceptual work on PSC  
Ongoing

consular co-operation and  
evacuation of EU citizens  
in third countries should  
continue in the relevant  
working groups. These  
cases could be included in  
the relevant scenarios of  
HLG2010 as well as in EU  
exercises.

COCON

3.7.7 Develop a visible and effective PSC  
Concept to be Such capacity to be voluntarily  
developed by June rapid response protection  
2005 contributed by Member States.  
capability to be included as

led crisis management  
operations under Title V of the  
TEQ

3.7.8 Sponsor an ISS Seminar on the PSC, ISS  
March 2005 Participation in the -seminar would  
ESDP contribution to the fight  
be open to representatives and high  
level experts (national crisis co-  
ordinators, academics, etc) of key  
partners, such as the US, the UN

and NATO.

3.7.9 Seek ways of co-operating PSC  
Ongoing

with NATO in the fields of-

- non-binding guidelines  
and minimum standards  
for the protection of the  
civilian population  
against CBRN risks,
- framework agreement on  
the facilitation of cross  
border transport;

- identification of the relevant national points of contact, with a view to creating a common database of points of contact;
- cross-participation, on a case-by case basis, in each other's consequence management exercises, as observers

3.8 Other Related Measures

3.8.1 Examining measures in Council/Commission  
 Second half 2005 Commission to present proposals.  
 relation to a database on  
 (Presentation of forensic material  
 proposal)

3.8.2 Consideration of need for new Council/  
 It is decided that Coreper has committee structures in order COREPER  
 coordinating role within Council  
 to ensure greater operational  
 working@ structures  
 cooperation on security and  
 terrorisme

Adoption of the Strategy for IHA Council  
 May 2004 Adopted by the JHA Council on 30

March 2004 Customis Cooperation and  
 related work plan

No. Deadline	Measure/Action Status/Observations	Competent Body
-----------------	---------------------------------------	----------------

Objective 4: To protect the security of international transport and ensure

effektive systems of border

Control

4.1 Ensure the integration of counter-terrorism considerations into the work of relevant EU bodies (transport, border controls, identity documents etc)

4.1.1 Commission on	Regulation establishing a May 2005 European Borders Agency	Council 1 Regulation adopted by Council
---------------------------	--	--

26 October 2004.

(OJ, L 349, 25111104, p. 1)  
Agency operational

4.1.2 (i) Draft Council Regulation JHA Council  
[End 2004] In November 2003 the JHA Council  
amending Regulation (EC) No  
agreed on a general approach.  
1683195 laying down a uniform  
"Article 6 Committee" concluded  
format for visas.  
after a debate on the technical

Commission/Article 6  
[End 2004] feasibility of the decision that the  
Finalisation of the technical Committee  
integration of the chip in every visa  
specification to be adopted by  
and residence permit is impossible.  
COM  
The conclusions of the "Article 6

Committee" were agreed by  
Adoption of Regulation  
Coreper on 24th November 2004

End 2004 and have been submitted as

JHA Council

informative points to the JHA  
(ii) Draft Council Regulation  
Council on 2 December 2004  
on standards for security  
features and biometrics in  
passports and travel documents  
issued by Member States.  
Regulation adopted by Council on

13 December 2004

4.1.3 Adoption of Regulation Council/Commission  
December 2004 Creation of an integrated Political agreement at the Council  
system for the exchange of  
(Adoption of on 2 December 2004  
proposal) information on stolen and lost  
passports having recourse to  
the SIS and Interpol database

End of 2005

Implementation of

proposal)

4.2 Work to develop further EU  
 On 11 March 2004 the Council  
 transport security standards,  
 agreed to submit to ICAO a  
 Working Paper on PNR on behalf  
 of the European Community and its  
 MS, thereby initiating multilateral  
 work on this subject.

On 22 September 2004 the  
 Presidency submitted (on behalf of  
 the EC and its MS) a working paper  
 on establishing an international  
 framework for the transfer of PNR  
 data to the ICAO 35th Assembly  
 (28/09-8/10104). The paper was  
 well received and work within  
 ICAO will now begin.

4.2.1 strengthening of the security of Council/MS  
 all forms of transport systems,  
 including through the  
 enhancement of the legal

Foreseen by end  
 2004  
 Draft  
 Communication/Directive on  
 safety of intermodal transport  
 Commission/7TE

4.2.2 Enhancing the security  
 Adopted 31 March a) Regulation (EC) No 725/2004 of  
 2004, in force as of measures in harbours and ships Council/European  
 the European Parliament and of the Parliament  
 I July 2004 Council 2004 on enhancing ship  
 and port facility security.

The regulation incorporates the  
 maritime security measures adopted

in December 2002 by IMO into  
Community Legislation in order to  
prevent acts of terrorism against  
ships.

b) Regulation (EC) No 724/2004 of  
the European Parliament and of the  
Council of 31 March 2004

amending Regulation (EC) No  
June 2004 agreed 1406/2002 establishing a European  
Preparation of proposal for Committee/ ITE  
on a general Maritime Safety Agency. The  
consideration by Council) Council/ European  
approach on the regulation provides the European  
Council  
proposed Maritime Safety Agency inter alia  
Directive. with clearly defined tasks in the  
Adoption expected filed of Maritime security.  
at first reading in

beginning of 2005. c) Proposal for a Directive of the  
European Parliament and of the  
Council on enhancing port  
security. It aims at complementing  
(EC) No 725/2004 on enhancing  
ship and port facility security. The  
purpose of the Directive is to  
enhance security in areas of ports  
not covered by the Regulation and  
to ensure that security measures  
implemented. in application of the  
Regulation benefit from enhanced

security in the port. The Directive does not create new obligations in areas covered by the regulation.

4.2.3 Regulation 232012002 in civil aviation security and  
Ongoing Ongoing legislative work to develop detailed implementing  
Regulation 148612003 on  
Legislation (by comitology) to complement Regulation  
inspections in the field of civil  
232012002. Two implementing  
aviation security  
Regulations were adopted so far

Commission

this year:

Implementation  
- Commission Regulation (EC) N-  
6812004 of 15 January 2004  
amending Commission Regulation  
(EC) N'622/2003 laying down  
measures for the implementation of  
the common basic standards on  
aviation security.

- Commission Regulation (EC) N"  
II 3 812004 of 21 June 2004  
establishing a common definition of  
critical parts of security restricted  
areas at airports.

4.2.4 Follow up to Container  
22 April 2004 ECIUS Agreement concluded  
Security Initiative (CSI)  
expanding customs co-operation to  
cover CSI and related matters in  
Examination of extension to  
order to cover transport security

Commission

other regions  
aspects. Allows for co-operation on  
exchange of advance cargo

15 November 2004 information and creation of equal  
levels and standards of controls for  
US and EC operators.

At the Sth EU-US Joint Customs  
Cooperation Committee, meeting it  
was agreed to implernent the  
recommendations elaborated by the  
Joint Working Group established  
under the agreernent and to  
continue work in the areas that need  
further deliberations (central risk  
management, joint rules set on  
containers security, advanced cargo  
data elernents etc.). In addition, an  
action plan containing a tirnetable  
for further steps should be drawn

up.

- 4.3 Develop and implement a  
common EU approach to the  
exchange and analysis of  
passenger information
- 4.3.1 Council Directive on the JHA Council  
30 April 2004 Adopted at the JHA Council on  
obligation of carriers to  
2914104  
communicate passenger data  
OJ L 261, 6.8.2004, p. 24  
Adoption
- 4.3.2 Common EU approach to the Commission  
June 2004 Commission are analysing to what  
use of passenger data for  
extent a draft proposal for a  
border and avjafi on security  
(presentation of franework decision on PNR can be

and other law enforcement  
proposal) annexed to the Communication on a  
purposes  
European Law Enforcement

#### Information

Preparation of proposal for  
Discussions with Canada on the  
consideration by Council  
transfer of PNR data are being  
undertaken by CION in view of  
reaching an agreement similar in

form to the one with the US

4.4 Encourage and support non- Council  
Member States support the EU's  
EU states to comply fully  
multinational initiative on PNR at  
with the ICAO and IMO  
ICAO with a view to promoting the  
standards  
development of global standards

(see also point 4.2)

4.5 Enhance capacities for the MS/Commission  
identification of terrorists  
and the detection of terrorist  
devices, materials or funds at  
ports, airports and land  
borders

4.5.1 Review of criteria that should JHA  
End 2004 - Early Commission will analyse the need  
be applied for the purposes of Council/Commission  
2005 for further harmonisation of  
Article 96 of the Schengen  
grounds related to the introduction  
Convention in relation to  
of article 96 alerts in the SIS in the  
certain persons reported for the  
context of the planned proposals for  
Purpose of being refused entry  
the legal basis for SIS II.

4.5.2 Development of terrorist Council /CATS/TW1?  
Dec 2005 Work to continue in 2005  
profiles with a view to

4.5.3 Coordinated rollout to Ardcle JHA Council  
Without delay Commission to present proposal  
2(2) of the Schengen  
Convention  
(reestablishment of border  
checks)

4.6 Reinforce the protection of Council  
The EU solidarity programme on

European citizens in third  
the consequences of terrorist threats  
countries  
and attacks invites the Member

States and the Presidency to ensure  
that the civil protection services of  
the Member States will as far as  
possible, when one or more of them  
are called upon to intervene in a  
third country following a terrorist  
attack :

render assistance to all EU-

- assist the consular authorities  
of the Member States upon a  
request from the relevant  
authorities,

- cooperate with each other
- 4.6.1 Establish mechanism for SitCen/Council  
June 2005 This and other Objectives for  
publication of advice on Secretariat/COLNCIL  
Action will be contingent on the  
terrorist threats to EU citizens  
HR/SG Solana's report on the  
in third countries  
development of an intelligence

within the Council

Measures/Action	competent Body	Deadlin	Status/Observations
Objective 5: To enhance the capability of the European Union and of Member States to deal with the consequences of a terrorist attack			
5.1. on-going	Strengthen the assessment The EU Solidarity Programme of 2 and analysis of the risks on		Council (Terrorism WG)
December 2004	on the consequences possible targets of terrorist		Council
Secretariat attacks			of terrorist threats and

threats so as to provide (Sitcen),  
(widened CBRN-programme) emergency response services Commission,  
(I 5480104) deals with this item in with information and Europol  
Str2tegie goal 1 (Risk assessment knowledge that is useful in Member States  
and analysis).

order to prevent and respond to potential terrorist threats  
Council, Council Secretariat, Cjon, and attacks.  
Europol and MS will

- make a more structured use of threat assessment and analysis under 3.5 of the Terrorism Plan of Action for the risk assessment, prevention and consequence management,
- stimulate, where necessary and through the appropriate charmels, improved cooperation between intelligence services, national authorities and relevant emergency services such as civil protection, health and police.
- improve the exchange of knowledge and experience on the methods of risk assessment and analysis,
- Improve the bilateral exchange of information on cross-border risks.

coordinated approach by the  
consequences of terrorist threats and  
attacks (widened CBRN-programme)  
deals with this item in its Strategic  
goal 2 (preventive measures).  
critical infrastructures

Member States

1) As indicated in its communication  
on critical infrastructure protection  
(13979/04), the Commission intends  
to propose, in the near future, a  
European Programme for Critical  
Infrastructure Protection (EPCIP?)  
which will contain :  
- horizontal organisational  
measures such as the  
identification of critical  
infrastructures having a  
transboundary effect,  
- the analysis of vulnerabilities  
and interdependencies, and  
- the outlining of protective  
solutions,

2) By June 2005, Cion will establish  
a Critical Infrastructure Warning  
Information Network (CIWIN) as a  
network of specialists to assist in the  
drawing up of the EPCIP and to  
stimulate an exchange of information  
on threats, vulnerabilities, measures

and strategies.

5.3. Ensure that adequate  
The widened CBRN Programme  
mechanisms are in place for  
deals with this subject in its strategic  
a quick detection and  
goal 3 (detection, identification and  
identification of an actual  
alert).  
threat, for alertine

Commission

Member States

professionals and the PuD"  
Lion wiji create a secure general  
in appropriate ways.  
rapid alert system (ARGUS) to link  
(Detection, identification and  
all specialised systems for  
alert)  
emergencies that require action at  
European level.

RAS-BICHAT rapid alert system for  
deliberate releases of biological and  
chemical agents: Securitisation against  
technological risks and against  
security breaches. Improved co-  
operation with other alert  
mechanisms EWRS (communicable  
diseases, food, animals, plants, MIC).

MediSYS Monitoring of a Web-  
based information to provide advance  
warning of suspicious circumstances  
or outbreaks.

A network of high-level of safety  
laboratories has been formed to  
provide quality-assured diagnostics

for high-risk pathogens and for

mutual assistance between all

Member States to allow quick

introduction of counter-measures.

5.4. Reinforce the Civil  
The EU Solidarity Programme on the  
Protection Capacity of the  
consequences of terrorist threats and  
EU to deal with terrorist  
attacks (widened CBRN-programme)  
attacks through scenario  
deals with this item in its Strategic  
Planning, using  
goal 4 (Preparedness and  
- databases of available  
consequence management):

resources,  
- trainings and exercises  
5.4. I Assess the capabilities for Commission  
mid-2005 Cion will  
mutual assistance  
update by mid 2005-, its EU-

restricted report of November  
'Assess the capabilities of  
2004 assessing the capabilities  
Member States both in  
available at EU level for  
preventing and coping with the  
assistance to MS affected by a  
consequences of any types of  
major terrorist attack on the  
terrorist attacks, identify best  
basis of certain scenarios of  
practices and propose the  
response to different types of  
necessary measures"  
terrorist attacks.

(European Council of 17-18  
- upgrade its databases of Civil  
June 2004, sub 19)  
Protection means and experts.

- Obtain and share, on a  
restricted basis, information on  
relevant vaccines, sera and other  
medical resources, that can be  
made available in the event of a

Commission

Council

(for military  
resources)

Member States

major terrorist attack.

5.4.2 Improve the capabilities for  
on-going

Commission

mutual assistance

Council

'Strengthen the capacity within  
Member States to alleviate the  
consequences of attacks on the  
civilian population, including  
in the areas of health security  
and civil protection, building  
on existing EU Health Security  
and CBRN  
programmes" (25/3104  
European Council Declaration  
- Section I 1)

Member States

5.4.2.1 Civilian resources  
1) Council) and Commission will, by

Council

June 2005, develop appropriate

Commission

initiatives for awareness raising and

Member States

I . . . I ' . I .

tu lne poliucal authuntjes ul lne nu

and the Mernber States, so as to

enable thern. to deal with the civil

protection aspects of consequence

management.

2) Council and Commission will

further improve inter-operability of

technical equiprnt, including

civilian-military interoperability, i.a.

by training and exercises, further

research and proposals to enhance

interoperability !f necessary.

3) Cion intends to enhance specific

training courses relevant for coping with the consequences of terrorist attacks, such as psychological aftercare and operating in a contaminated environment.

4) MS, CL and Cion are considering to develop a list of relevant exercises, to develop a procedure to allow cross-participation and fine-tuning in the field of exercises

5) MS and Cion will consider establishing a mechanism for mobilising professional multidisciplinary advisory teams

6) Council will adopt, end 2004, a Decision to extend the current Community Civil Protection Action Programme (OJ L 332/2000) to 2005/2006 and prioritise public information and self protection (14017/04)

7) Cion will facilitate Civil Protection teams from MS with appropriate logistics and equipment and additional common insignia.

8) A Directory of health Experts is being set up .

9) and rules for consultation for assistance in the health sector are drawn.

Scenario building and training:

I 1) EU-wide exercise to test communication channels and evaluation of existing emergency plans will be conducted in 2005.

12) Joint Training Programme of Commission with EUROPOL on interaktion between Law Enforcement and Public Health (April 2004)

13) Incident investigation and environmental sampling group is developing EU-wide protocols and share good practice and know-how.

#### 5.4.2.2 Military resources

Conceptual Framework on the  
t

ESDP dimension of the fight against terrorism (see action 3.7):

First semester 2005 This report should contain concrete

PSC

proposals based on lessons-learned  
- Elaboration of a detailed  
from real life incidents and planning

report to the Council on scenarios taking into account best modalities procedures and practices.

criteria to develop the appropriate level of interoperability between PSC, PSC to identify a set of recommendations of capabilities in the framework to the Council on the role of this database by May 2005 addendum to the current Force Catalogue has been launched. The PSC, based on an EUMC preliminary detailed analysis, of pragmatic recommendations to the Council on the wider context of the Goal 2010. Special attention should be given to all possible instruments for assistance to victims

PROCIV also involved a bidding process of protection of civilian Member States following a voluntary contributions in an terrorist attack, including in crisis management operations under Title V of the TEU. - Consolidate ongoing work in view of deepening and widening the content of the military database of military assets and capabilities relevant to the protection of civilian populations against terrorist attacks, including CBRN;

5.4.2.3 Inclusion as appropriate into Council IPSC Ongoing EU the inclusion of such activities, in the EU's Exercise Programme line with the Conceptual Framework Programme of activities to be agreed by for ESDP and the Fight against related to the contribution of Council in May terrorism, in the Programme for ESDP to the fight against 2005 at the latest 2005-2009, is under consideration. terrorism, including relevant aspects of the March 2004 Declaration on solidarity against terrorism.

5.4.3 Improve the procedures for Council and  
July 2006 1) Council, Member States and Commission  
mutual assistance  
Commission intend, by 1 July 2006,

to set up, within the existing structures, while fully respecting national competences, integrated EU crisis management arrangements for crises with cross-border effects within the EU addressing effectively the public order and security aspects of such crises and the coordination between the areas of civil protection and vital infrastructures.

2) The Commission will create a secure general rapid alert system (ARGUS) to link all specialised rapid alert systems for emergencies that require action at European level.

3) The Commission will also create a central Crisis Centre which would bring together representatives of all relevant Commission services during an emergency and coordinate efforts and to propose the appropriate response measures, with respect to the national competences.

4) While establishing ARGUS and

the Crisis Centre, the feasibility of the establishment of appropriate links with relevant Council Services and

1

examined

5.4.4. Develop strategies to improve ongoing 1) Cion and MS will develop the capacity of Member States appropriate initiatives for an optimal coordination of the public in the event of a major terrorist information by the Member States attack during cross border crises.

Commission

Member States

2) Cion will facilitate, together with the Member States, a permanent dialogue between emergency service operators and authorities on interoperable systems for emergency handling and on new concepts for public warning systems and procedures.

5.5. Provide the appropriate 2005-2006 Strategic goal 5 (R&D) of the widened CBRN Programme specifies in greater detail the actions to be undertaken.

Commission

Council

1) Cion will continue the work of the Preparatory Action entitled "Enhancement of the European industrial potential in the field of Security research 2004-2006"

2) Council will give further emphasis to prevention and limitation of the consequences of terrorist threats when participating in the establishment of the Seventh R&D Framework Programme (2007-2013), including an EU Security Research Programme.

3) Cion will encourage the development and production of pharmaceuticals relevant for combating the effects to health resulting from deliberate release of harmful CBRN agents, of which some are yet commercially less attractive

4) Chemical event scenarios and clinical toxicology guidelines: Working Group and Project (as of 2004) on. agents and scenarios, including the EU's Poison Centres.

5) Case definitions for bio-terror agents, Com. Dec: 20031534/EC, 17.07.2003.

6) See Commission Matrix on deciding on. health system

vulnerabilities, prioritising and resource allocation for facing up to attacks and threats using partiefflar pathogens

7) A series of ten guidelines on case diagnosis and clinical management is to be published by EUROSURVEILLANCE and placed on the Web

8) Guidance on General preparedness and response planning and integration of EU dimension in all national health emergency plans is being prepared

9) Guidance on use of vaccines, antidotes and dilution of vaccinja immunoglobulins has been issued. Negotiations on guidance for vaccines and anti-virals for pandernic influenza have started.

5.6. Identify @reas for eloser Afi  
Ongoing Cion has signed, with the United

- in preparedness (PSC for NATO)  
Nations Office for Coordination of  
coop=t'on  
and nsequenee  
Hurnanitarjan Affairs (UNOCHA) on  
Inagernent, including with  
27 Cictober 2004, an exchange of  
m'

other international letters concerning their cooperation in the framework of disaster response. The Commission will, within its competence and together with the Commission, facilitate the cooperation on developing further the capabilities to deal with the consequences of a terrorist attack, undertaken with the USA within the framework of the EU-US Declaration on Combating Terrorism adopted at Bromoland Castle on 26 June 2004.

Russia - Discussions are being undertaken with Russia on civil protection Cooperation, in the framework of the establishment of the EU-Russia road-map.

WHO - WHO participates in work on consequence management guidance, and revision of the International Health Regulations.

G7 - G7 countries + Mexico + Commission are working on the Global Health Security Initiative (risk communication and management including exercises for evaluation of

smallpox plans, laboratory  
 cooperation, patient isolation  
 techniques, preventing and mitigating  
 the consequences of chemical agent  
 and radiological agent attacks and  
 surveillance methods).

5.7. Act in solidarity in case of Member States and  
 On-going MS and Presidency will ensure that  
 attack against EU-citizens Presidency  
 the civil protection services of the  
 abroad  
 Member States will, as far as  
 possible, when one or more of them  
 are called upon to intervene in a third  
 country following a terrorist attack  
 render assistance to all  
 unrepresented EU-citizens,  
 assist the consular authorities of  
 the Member States upon a  
 request from the relevant  
 authorities and

cooperate with each other.

5.8. Ensure full implementation Council  
 The 2002 CBRN-programme will be  
 of the EU Health Security Commission  
 replaced by the 2004 Solidarity  
 Strategy and CBRN Member States  
 Programme

programmes  
 5.8.1 Update the December 2003 Council/EU  
 end 2004 The 2004 solidarity programme [will]  
 implementation report on the Coordinator/  
 contain a report on the  
 2002 CBRN Programme Commission  
 implementation of the 2002 CBRN-  
 (16285/03)

Programme  
 Ensure that support and JHA Council  
 Continued monitoring by the

assistance is provided to the European Monitoring Centre on victims of terrorist crimes, Racism and Xenophobia of racial

communities who may be at particular focus on, Muslim risk of a backlash in the communities following the terrorist event of a major attack attack in Madrid of 11 March 2004

5.10. Adoption of the Council JHA Council  
 I May 2004 Adopted at JHA Council 29 April  
 2004 Directive on Compensation  
 to crime victims

5.11. The European Council Commission  
 IPMI Commission will launch a call for  
 endorses the proposal of the proposals for pilot projects  
 European Parliament to supporting victims of terrorism,  
 declare March 11 a including actions to commemorate  
 European day the first 'victims of terrorism day'.  
 commemorating the victims of terrorism  
 Commission is in the final stage of  
 the evaluation process of the call for  
 proposal.

	Objectives	COMPetent Bødy
DeadliDe	Status/Observations	

Objective 6: To address the factors which contribute to support for, and recruitment into, terrorism

6.1	Identify factors which contribute to recruitment to terrorism, both within the EU and internationally, and develop a long-term strategy to address these	
6.1.1	Finalise report on	GAERC/JHA Council/
December 2004	Report completed.	

	recruitment to terrorism including the possible adoption of an agreed set of recommendations	PSC/CATSICOTERI TWP
6. 1.2 December 2005	Develop a coordinated long-term strategy, based on the strategy to address initial report at 6. I - 1, both Recruitment into Terrorism. The report within the EU and under 6.1 can be used as building blocks.	COUNCILJEU CooTdinator/MS
6.1.3 December 2005 - December 2006 Presidency	Conduct more detailed studies, including acadernic studies, of reeruitment to terrorism in specific contexts such as in prisons, in schools, in universities or in mosques; studies in to the role of the media, including the internet, in radicalisation or in prornoting support ør sympathy for terrorists; an exploration of links with work in complernentary areas such as work on promoting cohesive communities or on the integration of minorities, ineluding any such work being undertaken by first pillar EU Workinggroups	CATS/COTER/ EU Coordinator
6.2 Ongoing	Continue to investigate the links between extreme assessments. Working Groups to make religious or political policy recommendations as appropriate. beliefs, as well as socio-economic and other factors, and support for terrorism, building on work already undertaken in this area, and identlfy appropriate response measures	
6.3 Ongoing	Make more efficient use of	EU Coordinator/MSI

	relevant external assistance programmes including in particular support for good governance and the rule of law to address factors which can contribute to the support for terrorism. Promotion of cooperation..	Commission/Council Secretariat
Ongoing		Council Secretariat/
i	und~==ncebet-Ween''	Cornirni-inn/
i	1	

6.4	mougn dialogue, wun participation of governments and the wider civil society of Arab states, including non-violent Islarnist parties	
	Develop and implernent a strategy to promote cross-cultural and inter-religions understanding between Europe and the Islamic World	

6.4.1	Put in place funding for journalist training programmes and, regional language broadeasts of European television and radio news and other initiative in Middle Eastern and North Affican countries	Commission
Ongoing		

6.4.2	Promote better understanding of aspects of Islamic culture within Europe, in conjunction with leaders of religious communities	Commission/MS
Ongoing		

6.4.3	Continue to rnake use of Action by the European Monitoring existing information sources Centre on Racism and Xenophobia and in developing strategy the 2003 round tables on and-Semitism and islarnophobia are examples of potential sources.	
Ongoing		

Deadline	measure/Action Status/Observaltions	Competent Body
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Objective 7: To Target actions under EU external relations towards

or priority Third Countries where counter-terrorist capacity

commitment to combating terrorism needs to be enhanced

- |   |  |  |
|---|--|--|
| 7.1                                     | Expand the role of the SitCen in the carrying out of threat assessments to enable working groups to focus on the development of policy   | SitCen                                       |
| 7.2                                     | Develop capacities to analyse and evaluate third country activities in counter-terrorism   | Council/HR/<br>EU Coordinator:<br>Commission |
| 7.2.1                                   | Task SitCen with the compilation of Country Threat Assessments to be used by Second and Third Pillar formations in the development of policy   | COTER/PSC                                    |
| Ongoing                                 |  | CATS   |
| New system in place.                    |  |  |
| assessments to                          |  |  |
| 7.2.2                                   | Deploy and further develop technical capacity for monitoring and analysing open source information relevant to third country activities in counter-terrorism   | SitCen/MS/Commission                         |
| Ongoing                                 |  |  |
| 7.3                                     | Develop and implement technical assistance strategies to enhance the fight against terrorism counter-terrorist capacity of priority countries, in association with the Presidency on integrating the fight against terrorism into EU external relations policy suggests concrete steps to enhance coordination with other international organisations and Donor states | MS/Commission/<br>COTER/EU Coordinator       |
| The document by the SGIHR in            |  |  |
| association with the Presidency on      |  |  |
| integrating the fight against terrorism |  |  |
| into EU external relations policy       |  |  |
| priority countries, in                  |  |  |
| suggests concrete steps to enhance      |  |  |
| coordination with other                 |  |  |
| EU effectiveness in this field.         |  |  |
| international organisations             |  |  |
| and Donor states                        |  |  |
| 7.3.1                                   | Enhance coordination   | MS/Commission                                |
| Ongoing                                 | COTER inventory should be revised  |  |
| and updated. MS and Commission          | between Member States and the Commission on existing   |  |
| should consider designating contact     | technical assistance projects  |  |
| outputs for counter-terrorism in their  |  |  |

Missions on the ground, especially in

the COTER priority countries.

7-3.2 Identify approximately JO COTER/EU Coordinator  
July 2004 COTER has identified 7 priority  
partner countries for  
countries where counter-terrorism  
Technical Assistance  
capacity needs to be enhanced.

7.3.3 Conduct a review of selected Commission/COTER  
December 2004 Work to continue in 2005.

Community and bilateral  
assistance projects with the  
aim of sharing best  
practical lessons learned on  
counter-terrorism assistance  
7.3.4 Develop and implement MS/Commission  
Ongoing MS and COM should regularly  
technical assistance  
update COTER and the UNCTC on  
programmes, aimed at  
CT projects under way.

capacity building in the field  
of counter terrorism, in  
coordination with UN  
agencies and other  
organisations as appropriate  
7.4 Ensure that specific Council/Commission  
Ongoing Standard clause already exists, dating  
from April 2002. A comprehensive  
including effective counter-  
Joint Report by the EU Coordinator  
terrorism clauses in all  
and the Commission on CT clauses,  
agreements reflecting the  
including an overview of where the  
priorities of the revised Plan  
clause has already been included,  
of Action are a key element  
which negotiations are underway and  
of EU relations at all levels  
which agreements are coming up in

clauses should be added, has been

submitted. to the Council.

7.4.1 Implement suggestions All  
Ongoing See also Objective I  
contained in the Joint Report  
on clauses submitted to the  
Council

7.5 Mainstream counter- Coreper/PSC  
Ongoing Commission is already working on

terrorist objectives into the Council  
Secretariat/CIION external mainstreaming within

work of the geographical  
assistance programmes  
working groups and  
external assistance  
programmes

7.5.1 Each geographic working Council  
Ongoing

group to submit report on  
counter-terrorist elements of  
its work programme once per  
Presidency

7.6 To target actions under EU Council/EU  
Coordinator NB The emphasis here is  
also on

external relations towards  
countries having the capacity, but  
priority Third Countries  
lacking the commitment, to combat  
where counter-terrorist  
terrorism

capacity or commitment to  
combating terrorism needs  
to be enhanced

7.6.1 Develop focussed action plans COTER/Commission/  
June 2005 The EU Coordinator and the EU Coordinator  
for each identified countries  
Presidency started consultations with

priority countries selected by COTER  
with the aim of drawing up an initial  
inventory of their needs. Action plans  
will be prepared on the basis of

feedback from these missions.

7.6.2 Report on Progress on the Council 1 EU  
Coordinator June 2005 If appropriate, this could  
be

priority countries to European  
contained in an overall report on  
Council  
Counter Terrorism

#### Glossary of Terms

.ASEAN Association of South East Asian IMO  
International Maritime Nations  
Organisation

AU African Union JHA  
Justice Home Affairs

		Council
Council		
CATS	Comité de l'article trente-six -	JIT
Joint Investigations Team	Article 36 Committee	
CBRN	Chemical, Biological,	MDG
Multidisciplinary Group on	Radiological, Nuclear	
Organised Crime		
CCWG	Customs Cooperation Working	MS
Member States	Group	
CFSP	Common Foreign & Security	PCTF
Police Chiefs' Task Force	Policy	
CODEXTER	Council of Europe Working	PSC
Political & Security	Group Experts on. Terrorisni	
Committee		
COM	Commission	SCIFA
Strategic Committee on		
Immigration, Frontiers &		
Asylum.		
COREPER	Committee of Permanent	SCLWG
Substantive Criminal Law	Representatives	
Working Group		sis
Schengen Information		
Systems		
COTER	CFSP Working Group on	SltCen
Joint Situation Centre's	Terrorism	
EAW	European Arrest Warrant	TWP
Terrorisin Working Party		
(JHA)		
EJN	European Judicial Network	UNCTC
United Nations Counter-		
Terrorism Committee		
ESDP	European Security and Defence	UNGA
United Nations General	Policy	
Assenibly		
ESS	European Security Strategy	UNODC
United Nations Office on		
Drugs & Crime		
GAERC	General Affairs and External	UNSCR
United Nations Security	Relations Council	
Council. Resolution		

GCC	Gulf Co-operation Council	vis
Visa Information System		
IAEA	International Atomic Energy	VPN
Virtual Private Network		
	Agency	
ICAO	International Civil Aviation	WMD
Weapons of Mass		
1	Organisation	1 1
Destruction	1	

implementation of the legislative Instruments listed in the Declaration of terrorism of the European Council of 25 March 2004 - state as on 29 November 2004

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 i CZ i EF, i LU I

a) Framework Decision of 13 June 2002 on the European Arrest Warrant (initial deadline for old Member States: 3 Member States: date of accession; deadline set by the Declaration of the European Council: June 2004)

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b) Framework Decision of 13 June 2002 on Joint Investigation Teams (initial deadline for old Member States: 1 January States: date of accession; deadline set by the Declaration of the European Council: June 2004)

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c) Framework Decision of 13 June 2002 on Combating Terrorism (initial deadline for old Member States: 31 Decem

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 d) Framework Decision of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and coj

the proceeds of crime [L2] (initial deadline for old Member States: 31 December 2002; for new Member States: date of Declaration of the European Council: June 2004@

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Ju)Defilsio@ of 28 February 2002 establishing Eurojust (initial  
deadline: 6 September 2003; deadline set by the D(  
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f) Decision of 19 December 2002 on the implementation of specific  
measures for police and judicial Kooperation t(  
set by the Declaration of the European Council: June 2004)

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g) Convention of 29 May 2000 on Mutual Assistance in Criminal Matters  
between the Member States of the Eure  
Declaration of the European Council: December 2004)

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b) Protocol of 16 October 2001 to the Convention on Mutual Assistance in  
Criminal Matters between the Mernbe  
(deadline set by the Declaration of the European Council: December 2004)

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i) Protocol of 30 November 2000 arnending the Europol Convention  
(deadline set by the Declaration. of the Europea

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j) Protocol of 28 November 2002 amending the Europol Convention and the  
Protocol on the privileges and irnrnui  
the Declaration of the European Council: December 2004)

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k) Protocol of 27 November 2003 arnending the Europol Convention  
(deadline set by the Declaration of the Europea

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1) Framework Decision of 22 July 2003 on the execution of orders freezing property or evidence (initial deadline for Acceding States): 2 August 2005; deadline set by the Declaration, of the European Council: December 2004)

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a) Convention on Offences and Certain Other Acts Committed on Board Aircraft of 14 September 1963

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b) Convention for the Suppression of Unlawful Seizure of Aircraft of 16 December 1970

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c.) Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 23 September 1971

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d) Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including December 1973

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e) International Convention against the Taking of Hostages of 17 December 1979

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f) Convention on the Physical Protection of Nuclear Material of 3 March 1980

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g) Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplemented by the

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 24 February 1988

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h') Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 10 March 1988

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i) Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf of 23 July 1988

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j) Convention on the Marking of Plastic Explosives for the Purpose of Detection of 1 March 1991

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k) International Convention for the Suppression of Terrorist Bombings of 15 December 1997

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l) International Convention for the Suppression of the Financing of Terrorism of 9 December 1999

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Actions which were noted in the June Action plan as having been completed have been deleted from the updated version. There have also been some editorial changes to streamline the document and remove any duplication.

M Doc. 13851/1104

L2J y-- in case of a Framework Decision: implementation completed, legislation. has entered into force; -

implementation not completed; c= implementation completed, legislation has not entered into force; p=

implemented in part; in case the Commission has already submitted a report on the implementation of an

instrument (by the old Member States), the report is taken account of,

in case of a Convention or a Protocol: notified the General Secretariat of the Council that the Member State has

ratified the instrument; - = no notification;

Member State has informed General Secretariat of the Council that the instrument has been implemented, but

legislation has not been sent to the Council Secretariat;

The Czech legislation to implement the FD on the EAW entered into force on 1 November 2004. However, CZ has

indicated that it is not able to apply its national laws until CZ has notified the Council of Europe, in accordance with

Article 28 of the European Convention on Extradition, that the application of this Convention is excluded in relations to

other EU Member States. IT has indicated that the first reading of its draft legislation to implement the FD on the EAW

was completed on 12 May 2004. The draft legislation is currently under discussion in the Senate. It is likely that the

Senate will propose amendments to the draft legislation. In that case the draft legislation will have to be sent back to the

Chamber of Deputies. IT hopes that its parliamentary procedure will be completed by the end of the year 2004.

BE and LU have indicated that their draft legislation to implement the FD on Joint Investigation Teams are currently

pending before their Parliaments.

before the House of Representatives.

M HU has indicated that the FD on JITs has been implemented insofar as police co-operation is concerned. Relating to judicial co-operation, the legislation has been enacted but will only enter into force when the 2000 EU Convention on MLA enters into force.

"7 On 8 June 2004 the Commission submitted a report on the implementation of the FD on Combating Terrorism by the 15 old Member States (doc. 10528/04 DROIPEN 28 CATS 30 + ADD I issued on 15 June 2004). According to this report, only FIN, FR and PT appear to have fulfilled entirely the obligations emerging from the FD on Combating Terrorism except Article 9(2) of the FD. The latter provision appears to have been incorporated, according to the aforementioned report, by none of the Member States. This report is the basis for a note from the Presidency to the Council (doc. 11687/2/04 DROIPEN 40 REV 2). The legislation of the 10 new Member States as well as further progress in implementing this Framework Decision and additional information provided for by the old Member States will be examined in a second report from the Commission. (to be submitted to the Council by 30 June 2005).

Im According to the aforementioned report from the Commission (doc. 10528/04 DROIPEN 28 CATS 30 + ADD 1), AT did not entirely comply with the Framework Decision at the time of the drafting of the report. Since then, AT has introduced further legislative procedures so as to enact supplementary legislation.

L9i Sweden has provided supplementary information concerning the Swedish implementation of the FD on Combating

Terrorism.

LUO CY has indicated that new counter terrorism legislation is under preparation.

a A LV has informed the General Secretariat of the Council that it has implemented the FD on Combating Terrorism apart from the provisions on liability of legal persons. LU2 The report from the Commission on the implementation of this Framework Decision (doc. 9251/04 DROIPEN 14) which is the basis for the Presidency's note to Council (doc. 10369/2/04 DROIPEN 24 REV 2 + COR 1) examines only the legislation of the 15 old Member States. The legislation of the 10 new Member States as well as further progress in implementing this Framework Decision and additional information provided for by the old Member States will be examined in a second report from the Commission (to be submitted to the Council by 30 June 2005). According to the report from the Commission on the implementation of this Framework Decision (doc. 9251/04 DROIPEN 14), ES, IT and LU were, at the time of the drafting of the report, preparing legislation that had not yet entered into force, a special legislative drafting committee was producing national transposing provisions in GR and SE was examining whether new legislation was necessary to comply with the Framework Decision

W31 According to the aforementioned report from the Commission (doc. 9251/04 DROIPEN 14), AT did not entirely comply with the Framework Decision at the time of the drafting of the report. Since then, AT has notified the COM and the GSC of legislation that was enacted in order to comply with the Framework Decision.

n J4 According to the aforementioned report from the Commission. (doc. 9251/04 DROIPEN 14), ES did not entirely comply with Articles 1 and 3 of the Framework Decision at the time of the drafting of the report. Since then, ES has enacted new legislation in order to transpose the Framework Decision. These provisions have already entered into force and will be applied to offences committed after 1 October 2004.

lu5 According to the aforementioned report from the Commission (doc. 9251/04 DROIPEN 14), IT did not inform on provisions implementing Article 2 of the Framework Decision. Thus, it is taken that IT complies only in part with the Framework Decision.

W61 According to the aforementioned report from the Commission (doc. 9251/04 DROIPEN 14), PT did not entirely comply with the Framework Decision at the time of the drafting of the report. Since then, PT has enacted new legislation in order to transpose the Framework Decision.

M7J The information refers to the question whether Member States have enacted legislation or take the view that they comply with the Council Decision on the basis of existing provisions (=y) or not (= -). As to the appointment of national members of Eurojust, all (old and new) Member States have notified the General Secretariat of the Council of the EU of their decisions. On 6 July 2004 the Commission submitted a report on the legal transposition of the Council Decision setting up Eurojust by the 15 old Member States (doc. II 280/04 EUROJUST T 66 + ADD 1). According to this report from the Commission, FIN, UK, IE, GR, SE and DK still had to bring, at the time of the drafting of the report, their national legislation into conformity with the Eurojust Decision.

asi Designation of a Eurojust national correspondent for terrorism matters by each Member State

Lim According to information received from SE, the MLA Convention has been implemented to a large extent. So far, the General Secretariat of the Council has not been notified thereof. r-jø CY has indicated that the 2000 Convention on MLA and the 2001 Protocol thereto have been implemented into

IA@A PL has indicated that the legislation to implement the 2000 Convention on MLA and the 2001 Protocol thereto were awaiting signature by the President. The ratification instrument can only be signed by the President after Poland has received an authentic text of the Convention and the Protocol in Polish. LZ21 EE has indicated that it intends to ratify the Europol Convention and the Protocols thereto by the end of 2004 at

latest.

12j3 AT has indicated that its legislation to implement the FD on the execution of orders freezing property or evidence was published in the Austrian Official Journal on 30 April 2004. According to this law, it will enter into force on 2 August 2005. However, it is envisaged to put it into force by December 2004.

L2@41 UK has indicated that it has implemented the FD on the execution, of orders freezing property or evidence, insofar as terrorist assets are concerned. UK is making progress towards full implementation.

1z5j LV has indicated that legislation to implement the FD on the, execution of orders freezing property or evidence is currently being reviewed and prepared by the Latvian Parliament for 2nd and final reading.

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r-- ratification (or accession or succession); s= signature (without ratification);