

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

16090104

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 1st 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.	Measure/Action	Competent Body
Deadlines	status/Observations	
	Objective 1: To deepen the international consensus and enhance international efforts to combat terrorism	
1.1	Support the key role of the Ongoing discussion within the United Nations in sustaining the international consensus and mobilizing mechanisms between the EU and 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
 priority countries, as Commission
 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
and the basis of agreed mandates,
countries

Council/HR/

EU Coordinator

Commission

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

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 COTERIPSC
 Ongoing Identify avenues for expert
 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
Action Plan countering the threat posed

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

Level Policy Dialogue on Border
and Transport Security with the US
held in November.

1.4.2 Implement decisions COTER/PSC
Ongoing COTER Troika criteria review
following the review of
completed in June.
COTER Troika criteria
The SG/HR document on
integrating the fight against
terrorism into EU external relations
policy identifies additional concrete
steps to enhance effectiveness of
Troika dialogues.

No. Deadline	Measure/Action Status/Observations	Competent Body
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Objective 2: To reduce the access of terrorists to financial
and other economic resources

2.1 Ongoing	Ensure the effectiveness of The new comprehensive strategy EU asset freezing on combat against financing of procedures, including the terrorism (1418014/04) proposed non-financial economic by the SGIHR and the Commission resources, in accordance puts forward proposals in this with UN obligations and regard. the need to respect due Ongoing See below	RELEX (in sanction form)/COTER/Commission/EU Coordinator
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Mechanisms for
designation of terrorists
and asset freezing should
be kept under constant

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
End 2005 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 measures to combat terrorism
 Ongoing technical dialogue with Third Countries in order
 including the financing of 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
 Ongoing An informal EU-US ad-hoc Troika
 dialogue with third countries meeting on terrorist financing took
 place in September. on financing in line with EU
 priorities
 Contacts continue between

COTER/Commission/
EU Coordinator

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

Deadlines	measures/Action Status/Observations	Competent Body
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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 MS
 June 2004 All but one Member State (QT) have

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 8106

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.
instrumental files and property
related proceeds,

June 2006

A indtage (n"d
ililipi CrI I 1L;11 LaU UJ I.)

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

MS

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

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 Eurojust
Without delay Strategic and ad-hoc meetings
between anti-terrorist
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)

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 Eurojust/EJN
Without delay EJN contact points have been
EJN to the VPN secure
consulted on the precise
electronic network
requirements and a decision on
what to implement has taken in
December.

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 PCTF/JHA Council
November 2004 Decision by the Council on
(PCTF)
19111104 on the role and

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
of expertise on protective,
law enforcement
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
terrorism
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, customs etc.) cooperate
with each other and exchange
all information relevant to
combating terrorism as
extensively as possible

3.3.3 Interim report on the outcome JHA Council I CATS/
Sept 2004 Interim report taken note of by the
of the process of peer TWP I EU Coordinator
Council (JHA) on 2112M4
evaluation of national
(14306/3104).
arrangements in the fight
The EU Counter-Terrorism
against 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
I 0 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 GAERC/JHA Council
Identification of suspected
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 measures to ensure greater security of	Council/ CATS/ TWP 1 Commission
TWP to consider	scope for	
measures in the	first instance	
June 2005	(1592010.4)	
	(i) fire~,	
October 2004	(ii) explosives,	
December 2004	COM is currently preparing a bornb-making	
	(iii) Communication on measures to equipment,	
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	
terrorist and criminal threat when	with reference to the "terrorist	Council/
examining each new legislative	threat"	Parliament
proposal K. Commission		
Communication 8809102 ADD		
3.6.3	Examine and report on the	JHA Council/
End December	Work to continue in 2005	
2004	requirements in relation to the	CATSICWP/HR-PR
	exchange of information and	WMD
	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 PSC
Ongoing/First Work in this field should take

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

effective 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

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

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 Commission
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

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 re-OUTse 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 Secretariat/COLNCIL
publication of advice on
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	Deadline	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 and analysis of the risks on possible targets of terrorist attacks	The EU Solidarity Programme of 2 December 2004	Council (Terrorism WG)
Secretariat			Council of terrorist threats and attacks

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.

5.2 Prepare, on the basis of a Commission
end of 2005 The EU Solidarity Programme on the

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 Protection Capacity of the EU to deal with terrorist attacks (widened CBRN-programme) through scenario planning, using databases of available resources, trainings and exercises

5.4. I Assess the capabilities for mutual assistance update by mid 2005-, its EU-

Commission

restricted report of November 2004 assessing the capabilities of Member States both in preventing and coping with the assistance to MS affected by a major terrorist attack on the basis of certain scenarios of response to different types of terrorist attacks.

Council
(for military resources)

Member States

(European Council of 17-18 June 2004, sub 19)
- upgrade its databases of Civil 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

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

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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

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examined

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

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 Commission
2005-2006 Strategic goal 5 (R&D) of the
scientific basis in order to
widened CBRN Programme specifies
address efficiently the other Council
in greater detail the actions to be
strategic goals above.
undertaken.

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
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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

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 Body
Deadline	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 December 2004	Finalise report on Report completed.	GAERC/JHA Council/

	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 academic 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	unnd~==ncebet-Ween''	Council Secretariat/
i	1	Cornirni-inn/
	mougn dialogue, wun participation of governments and the wider civil society of Arab states, including non-violent Islarnist parties	
6.4	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	Commission
Ongoing	journalist training programmes and, regional language broadeasts of European television and radio news and other initiative in Middle Eastern and North Affican countries	
6.4.2	Promote better	Commission/MS
Ongoing	understanding of aspects of Islamic culture within Europe, in conjunction with leaders of religious communities	
6.4.3	Continue to rnake use of	
Ongoing	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.	
	measure/Action	Competent Body
Deadline	Status/Observaltions	

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/ EU Coordinator:J 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
- 7.2.2 Deploy and further develop technical capacity for monitoring and analysing open source information relevant to third country activities in counter-terrorism CATS
- 7.3 Develop and implement technical assistance MS/Commission/ COTER/EU Coordinator
- 7.3.1 Enhance coordination COTER inventory should be revised between Member States and updated. MS and Commission should consider designating contact technical assistance projects 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.

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
counter-terrorism issues,
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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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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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

r i r i r I r r i r r i r r
 r r i r I r r r r r

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

r i r [r I r I r i r i r i r I - i r i r
 i r I r i r r r r r r r

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

r I r I r I r I r I r I r I r (r I r
 I r I r I r r r r r r

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

r i r i r I r i r i r I r I r i r i r i r
 i r i r i r i r r i r i r

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

r s=r I r r I r r i r r
 r r@r r r r r

AT BE[DE i DK ES I FIN FR i GR EE IT LU
 NL PT i SE UK CY CZ EE @@1

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

r i s I r I r i r i r i r I r i - i r i -
 i r i r i r I r i r i - I r r

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

r I s i r I r i r i r i r l r i r i -
i r I r i s i r i r i r r r

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

r I s i r i r I r i r i r i r I s i r i r
I r i r i r i r i r I r r r -T-r

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

r r r i r r I r r I r s I r I r
r r I r I r r s r r

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.

LZ6

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