



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

4.2.2015

B8-0125/2015

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 123(2) of the Rules of Procedure

on anti-terrorism measures
(2015/2530(RSP))

**Laura Ferrara, Ignazio Corrao, Tiziana Beghin, Fabio Massimo Castaldo,
Rolandas Paksas**
on behalf of the EFDD Group

B8-0125/2015

**European Parliament resolution on anti-terrorism measures
(2015/2530(RSP))**

The European Parliament,

- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to Articles 2, 3 and 6 of the Treaty on European Union (TEU),
- having regard to the relevant articles of the Treaty on the Functioning of the European Union (TFEU),
- having regard to UN Security Council resolution 2178 (2014) of 24 September 2014 on threats to international peace and security caused by terrorist acts,
- having regard to the 2005 EU Counter-Terrorism Strategy¹,
- having regard to its resolution of 14 December 2011 on EU counter-terrorism policy: main achievements and future challenges²,
- having regard to the revised EU Strategy for Combating Radicalisation and Recruitment to Terrorism³,
- having regard to Council framework decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law,
- having regard to its resolution of 10 October 2013 on alleged transportation and illegal detention of prisoners in European countries by the CIA⁴,
- having regard to its resolution of 27 February 2014 on the situation of fundamental rights in the European Union (2012)⁵,
- having regard to its resolution of 12 March 2014 on the US NSA surveillance programme, surveillance bodies in various Member States and their impact on EU citizens' fundamental rights and on transatlantic cooperation in Justice and Home Affairs⁶,
- having regard to Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision

¹ Council Document No 14469/4/2005.

² OJ C 168 E, 14.6.2013, p. 45.

³ Council Document No 15175/2008.

⁴ Texts adopted P7_TA(2013)0418.

⁵ Texts adopted, P7_TA(2013)0173.

⁶ Texts adopted, P7_TA(2014)0230.

2001/220/JHA¹,

- having regard to the EU Internal Security Strategy,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas many European found the ferocious attack of 7 January 2015 on the satirical newspaper *Charlie Hebdo* to be an attack on their values and way of life, and whereas the attack has had a significant impact on the sense of common security among EU citizens;
- B. whereas terrorism seriously threaten international peace, security and democracy with the aim of undermining pluralistic civil societies;
- C. whereas racism and xenophobia are direct violations of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law, principles upon which the EU is founded and which are common to the Member States;
- D. whereas the fight against terrorism is principally a national competence and relevant counterterrorism legislation and related measures are already in place in every Member State;
- E. whereas there is no need to introduce new measures to fight terrorism, but rather better use should be made of the existing rules, mechanisms and measures; whereas law enforcement authorities need to make maximum use of the existing possibilities and step up their cooperation, inter alia by strengthening judicial and police cooperation through the establishment of joint investigation teams and with the assistance of EU agencies such as Europol, Eurojust and the European Police College (CEPOL);
- F. whereas respect for fundamental rights is an essential element of successful counterterrorism policies; whereas any measures adopted to fight terrorism should necessarily be bound by respect for human rights and fundamental freedoms and the rule of law, and should not in any case deprive citizens of their civil liberties and right to democratic scrutiny;
- G. whereas the prime objective of counterterrorism policies and actions must be to protect and strengthen the fabric of any democratic society by strengthening civil liberties and democratic scrutiny, ensuring the security and safety of citizens, identifying the parties responsible for perpetrating acts of terrorism and prosecuting them, responding to the consequences of terrorist attacks and focusing on the prevention of violent extremism and escalation;
- H. whereas a comprehensive counterterrorism strategy should include measures aiming at strengthening social inclusion, condemning and punishing any conduct that incites violence or hatred, designing and implementing measures aimed at preventing and countering radicalisation, strengthening cross-border judicial and police cooperation, and defining a uniform legal definition of the concept of ‘profiling’ based on the

¹ OJ L 315, 14.11.2012, p. 57.

relevant fundamental rights and data protection standards;

- I. whereas the effectiveness of counterterrorism policies must be measured against the abovementioned aims;
 1. Expresses its condolences with the victims of the recent terrorist attacks in Paris and their families and the victims of terrorism worldwide;
 2. Calls on all Member States to properly implement Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime;
 3. Reaffirms its commitment to upholding the freedom of expression, fundamental rights, democracy, tolerance and the rule of law;
 4. Reiterates that effective counterterrorism measures and respect for human rights are not contradictory, but rather they are complementary and mutually reinforcing aims;
 5. Emphasises, in particular, the need for the EU, its Member States and its partner countries to base their strategy for combating international terrorism on the rule of law and respect for fundamental rights; underlines, furthermore, that the Union's external actions to combat international terrorism should in the first place be aimed at prevention, and highlights the need to promote dialogue, tolerance and understanding among different cultures and religions;
 6. Points out that, as with previous attacks, the perpetrators of the Paris attacks were already known to security authorities and had been the subject of investigations and supervision measures; insists that this shows that security and law enforcement authorities should enhance their cooperation through the better exchange of data and information which they already have at their disposal, making effective use of EU databases and through collaboration with EU agencies;
 7. Calls on the Commission and the Council to conduct a comprehensive evaluation of the EU's counterterrorism and related measures, in particular as regards the implementation thereof in law and in practice in the Member States, the degree to which the Member States cooperate with the EU's agencies in the area, notably Europol and Eurojust, and a corresponding assessment of the remaining gaps, making use of the procedure provided for under Article 70 TFEU, and to publish this evaluation together with the European Agenda on Security;
 8. Calls for democratic and judicial oversight over counterterrorism policies, stressing that measures that, in retrospect, were not necessary, effective and proportionate for combatting terrorism need to be repealed; stresses also that violations of fundamental rights need to be investigated and redressed and new forms of democratic scrutiny need to be developed based on the powers granted to the European Parliament and national parliaments by the Lisbon Treaty;

A comprehensive approach to anti-radicalisation and counterterrorism

9. Calls for the focus to be placed on the impact of social cohesion in the prevention of individuals' engagement in terrorist networks, investigating and properly addressing the social, psychological and economic factors that contribute to social exclusion and marginalisation;
10. Calls on the Member States to invest in education policies and schemes which respect the equality of opportunities, reducing social discrimination starting from the early schooling stage onwards, including by training teachers on social issues and diversity;
11. Warns that the lack of long-term perspectives due to poverty and unemployment might lead to individuals feeling disempowered and even turning to destructive self-empowering behaviour through joining either jihadist organisations or extremist movements;
12. Calls on the Member States to step up their efforts in reducing poverty, ensuring a minimum income, providing employment perspectives, empowering and respecting the individual, reducing barriers to employment and addressing employment discrimination;
13. Underlines the fact that discrimination may reinforce radicalisation and violence patterns; stresses that equality and non-discrimination standards must be complemented by specific policy strategies to address all forms of racism, including anti-Semitism and Islamophobia;
14. Expresses support for programmes which empower ethnic and religious minorities to contribute to improving the social and economic status of their respective communities in the medium to long term;
15. Considers that combating the illegal trafficking of firearms should be a priority for the EU in fighting serious and organised international crime; believes, in particular, that cooperation needs to be strengthened further as regards information exchange mechanisms and the traceability and destruction of prohibited weapons; stresses, furthermore that the common position on defining common rules governing the control of exports of military technology and equipment should be strictly adhered to by the Member States;
16. Calls for the swift implementation of the recently agreed Anti-Money Laundering Directive and the implementation of important instruments, such as the network of EU financial intelligence units and the EU-US Terrorist Finance Tracking Programme;
17. Insists that Member States should make full and better use of the existing Schengen framework instruments and devote the necessary resources to Frontex to ensure the implementation of the effective management of the external borders of the EU;
18. Calls on the Commission to review the EU PNR proposal against the criteria set by the Court of Justice of the European Union in the Data Retention Directive judgment;
19. Underlines the fact that measures limiting fundamental rights on the internet for counterterrorism purposes must be necessary and proportionate, and in particular based on a proper definition of terrorism, which is currently lacking; stresses, furthermore,

that the removal of criminal content should be carried out on the basis of judicial authorisation, and not through private policing by internet service providers, because if not, the tendency will be to extend blocking activities to a myriad of other forms of expression which have nothing at all to do with terrorism; points out that dictatorial regimes in third countries will certainly seek to copy the EU's approach;

20. Calls for the swift adoption of the data protection package, including through the adoption of a general approach in the Council respecting the minimum standards laid down in Directive 95/46/EU;
21. Calls on the Member States to step up judicial cooperation between them based on the available EU instruments, such as the European Criminal Records Information System (ECRIS), the European Arrest Warrant and the European Investigation Order, while respecting proportionality and fundamental rights; calls on the Member States to swiftly agree to all measures proposed, in accordance with the roadmap on procedural rights, and to address decisions on pre-trial detention and prison conditions as a next step;
22. Stresses that the purpose of our criminal justice system should be to rehabilitate and reintegrate individuals into society; calls on the Member States to develop policies aiming at providing convicts with the technical skills necessary to facilitate their access to employment and which facilitate and support their reintegration into society;

External dimension

23. Warns against the temptation to revert to the previous, short-sighted and ineffective practices of collusion with authoritarian regimes in the name of security, stability and the fight against extremism;
24. Calls for improved security cooperation with third countries, notably in the southern neighbourhood; insists that such cooperation – from intelligence sharing to rule of law, justice reform and criminal justice programmes – should be strictly in line with international law and not trump other external policy objectives, notably the promotion of human rights, the rule of law and democratisation;
25. Calls for the EU to revise its strategy towards the southern Mediterranean (as part of the ongoing ENP review) and focus on supporting those who are genuinely committed to shared values and reform;
26. Calls for the EU to address the root causes of extremism, not encouraging or supporting repressive trends but stepping up its efforts in supporting inclusive, pluralistic and functioning states which are capable of delivering justice and security to their citizens and addressing religious extremism in a manner that is compatible with human rights law;
27. Calls for increased transparency, accountability and legality in foreign policy decisions related to counterterrorism;
28. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.

