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## MOTION FOR A RESOLUTION

further to the European Council report and Commission statement

pursuant to Rule 37(2) of the Rules of Procedure

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on behalf of the PPE-DE Group

on the outcome of the European Council meeting in Brussels, 25-26 March 2004, and on the security of citizens in Europe following the Madrid bombings

**European Parliament resolution on the outcome of the European Council meeting in Brussels, 25-26 March 2004, and on the security of citizens in Europe following the Madrid bombings**

*The European Parliament,*

- having regard to the Presidency Conclusions following the European Council meeting on 25/26 March 2004 and to the Declaration on combating terrorism adopted by the European Council,
- having regard to the European Council report and the Commission statement on the European Council meeting on 25/26 March 2004 and on the security of citizens in Europe following the Madrid bombings,
- having regard to Rule 37(2) of the Rules of Procedure,
- A. whereas the necessity to reinforce the EU strategy on terrorism has become more apparent than ever after the brutal terrorist attacks perpetrated in Madrid on 11 March 2004,
- B. whereas, since the 11 September 2001 attacks, the terrorist threat has taken on a global dimension, which needs a global and multilateral response,
- C. whereas during the 911 days between the two tragic events, from 11 September 2001 to 11 March 2004, progress has been made at European level in the fight against terrorism, but great efforts still have to be made,
- D. whereas the fight against terrorism blurs the traditional distinction between foreign and domestic policy,
- E. whereas an enlarged European Union should decisively contribute to such a global and multilateral response by creating the instruments necessary to undertake decisive action against terrorism, within the limits defined by the rule of law and with full respect for human rights,

I On the Intergovernmental Conference

- I.1 Takes the view that, at a time when the most ambitious enlargement in our history is taking place, the Constitution gives practical expression to what is a fresh political start for our continent;
- I.2 Welcomes the immediate resumption of the proceedings of the IGC with the aim of adopting, as quickly as possible, a constitutional Treaty with which all Union citizens can identify;

- I.3 Points out that the Constitution should be based on the draft constitutional Treaty submitted by the European Convention in July 2003;

## II On combating terrorism

- II.1 Condemns all terrorist attacks, irrespective of motive, regardless of where such attacks take place and regardless of who perpetrates them, including in particular the recent brutal attack in Madrid on 11 March 2004; extends its condolences to and expresses its solidarity with the victims, their families and the people and Government of Spain;
- II.2 Recalls that the fight against all forms of terrorism, in accordance with the fundamental principles of the European Union and the UN Charter, must be a priority objective of the European Union and a key element of its external action policy, given the cross-border nature of terrorism;

### ***Asserting specific EU principles and values in the struggle against terrorism***

- II.3 Stresses that the fight against terrorism does not allow any division between internal and external policies; advocates, therefore, a comprehensive approach as a key element of any European strategy or action plan against terrorism;
- II.4 Calls, therefore, for an urgent revision of the EU strategy in the fight against terrorism on the basis of the European Security Strategy adopted in December 2003 and for the existing Action Plan to be re-examined in the light of the recent attacks in Madrid;
- II.5 Recalls that the fight against terrorism demands a broad alliance aimed at eradicating poverty and injustice and establishing democracy, respect for the rule of law and human rights worldwide; underlines, therefore, that international terrorism must be combated firmly, not only by military means but also by addressing the root causes of the tremendous political, social, economic and ecological problems existing in today's world;
- II.6 Calls on the Council to step up dialogue, cooperation and links between Europe and the Arab and Muslim world in order to strengthen moderate political forces and civil society in those countries;

### ***Promoting stability outside the Union and a proactive CFSP as cornerstones of the EU Strategy against Terrorism***

- II.7 Calls on the Council and the Commission to enhance political dialogue on terrorism with Europe's partners and to strictly apply the anti-terrorist clause to be inserted in all agreements with third countries, in particular with countries where there is evidence of terrorist threats or specific terrorist activities, such as recruitment, training or financing, or with any other country which poses a potential threat to the European Union;

- II.8 Invites the Commission and the Council to establish closer cooperation with the United Nations Counter-Terrorism Committee and to reinforce the use of the Rapid Reaction Mechanism for specific projects in priority countries designed to provide vulnerable third countries with technical assistance both to enhance their counter-terrorism capabilities and to eliminate the causes of any possible conflict;
- II.9 Underlines that the necessity of unity in command, the magnitude of the threat and the need for a speedy response require the European Union to do more than just provide coordination and information;
- II.10 Recommends that the European Union takes a more operational stance in the fight against terrorism and in protecting the security of its citizens;
- II.11 Stresses, therefore, that the Union should adopt, as a matter of urgency, a number of measures to deal with the consequences of mass terrorism in areas requiring joint action;
- II.12 Recalls that in the post-11 September world the fight against terrorism has become a major objective of the ESDP, which, however, cannot be achieved by military means alone, and that the prevention and repression of terrorism requires a whole range of non-military measures, such as an enhanced intelligence service as well as police and judicial cooperation, steps to curb the financing of terrorism, and joint action in other areas related to the external policy of the European Union, such as trade and industry;

***Commitment to apply the Solidarity Clause***

- II.13 Welcomes the Declaration on Solidarity against Terrorism issued by the European Council of 25 and 26 March 2004 incorporating the political commitment of the Member States and accession countries to take joint action against terrorist acts, in the spirit of the Solidarity Clause contained in the Draft Treaty establishing a Constitution for Europe (Article I - 42);
- II.14 Urges, therefore, the Member States and accession countries to mobilise all the instruments at their disposal, including military resources, to prevent the terrorist threat in the territories of both the Member States and accession countries; to protect democratic institutions and the civilian population from any terrorist attack; and to assist any Member State or accession country on its territory at the request of its political authorities in the event of a terrorist attack;

***CFSP institutional framework for the fight against terrorism***

- II.15 Welcomes the appointment of an EU Counter-Terrorism Coordinator, reporting directly to the High Representative/future European Union Minister of Foreign Affairs, with a clear mandate to step up cooperation on security and counter-terrorist issues among the EU institutions and Member States and with third countries and relevant organisations;

- II.16 Takes the view that the EU Counter-Terrorism Coordinator should work in close cooperation with and with full respect for the remit of the European Commission and that he should also be responsible for monitoring the work of the various Council formations dealing with terrorism and for ensuring the implementation of their decisions;
- II.17 Calls on the EU Counter-Terrorism Coordinator and the High Representative/future European Union Minister of Foreign Affairs to keep Parliament informed and to forward to it periodically a report on the progress made by the European Union in the fight against terrorism;

### ***Strategic and legislative framework***

- II.18 Believes, furthermore, that to tackle the terrorist threat the European Union does not need more, exceptional legal instruments or institutions, but that the Council has to adopt urgently the existing proposals and the Member States have to fully implement the relevant legislation;
- II.19 Deplores the fact that since its last resolution on combating terrorism of 24 October 2002 the EU Action Plan to Combat Terrorism has not been updated, and welcomes the European Council's request that the Council completes the adoption of the revised Action Plan, which should also be submitted for scrutiny by Parliament;
- II.20 Welcomes the European Council's call for the adoption before 1 May 2004 of the Council Directive on compensation to victims of serious crimes and terrorism to ensure adequate redress for the damage and sufferings they are subjected to, and states its willingness to increase significantly the financial allocation for the relevant pilot projects, upgrading its status to that of a major EU action which should focus on psychological and material assistance to the victims;
- II.21 Repeats its call to those Member States which have not yet taken the necessary measures to bring into force the European Arrest Warrant to do so without further delay, and asks the European Commission to report at the end of this year on the operational working of this fundamental legal instrument;
- II.22 Welcomes the European Council's call to finalise by June 2004 the three draft framework decisions on the confiscation of crime-related proceeds, on the European Evidence Warrant and on the attacks against information systems, and calls on the Member States to fully implement the legislation already adopted, such as the framework decisions on the fight against terrorism, on money laundering, on joint investigation teams, on the freezing of the assets of terrorists and terrorist organisations and the existing legislation on maritime and aviation security;
- II.23 Calls on the Commission once again to submit before the end of this year a proposal for a framework decision on procedural guarantees under criminal law in the European Union which will ensure protection of individual rights following the entry into force of the European Arrest Warrant;

- II.24 Deplores the fact that the 2001 Protocol to the Convention on Mutual Assistance in Criminal Matters concerning the monitoring of bank accounts has not yet been ratified by any Member State and that to date only four Member States have formally ratified the Convention itself;

### ***Reinforcing operational cooperation***

- II.25 Reaffirms its conviction that the priority for the EU's fight against terrorism must be to reinforce cooperation between judicial and police services;
- II.26 Considers it essential, as far as the fight against terrorism is concerned, to share intelligence data, and regrets the fact that the role of Europol and Eurojust has so far been underestimated;
- II.27 Welcomes, therefore, the European Council's position on reinforcing the role of both Europol and Eurojust and calls for Europol to be transformed into a genuine European Community agency and recommends its immediate reorganisation and reinforcement;
- II.28 Recommends the creation of the Office of a European Public Prosecutor and harmonisation of the definition of serious and transnational crimes, both important instruments in the fight against terrorism;
- II.29 Expresses its astonishment and concern at the fact that the anti-terrorist unit created, after 11 September 2001, within Europol has been disbanded despite the attempt by Parliament to support Europol's activities in this area, and calls on the European Council to re-establish it;
- II.30 Deplores the fact that data about terrorists has not yet been collected in the Schengen system<sup>1</sup>, and calls on the Council to take positive action in this respect, in accordance with its resolution of 17 December 2002 and in accordance with UN Security Council Resolution 1373 of 28 September 2001;
- II.31 Supports the proposals by the Commission to revise in future the European list of terrorist organisations by qualified majority vote and to set up a European database of persons (based on the exchange of biometric data) and organisations which have been found guilty of terrorism or any serious crime;
- II.32 Welcomes the European Council's decision to improve border controls and document security and insists on the need for increased cooperation between EU Member States' national border guards;
- II.33 Reiterates its support for reinforcing preventive measures to fight terrorism and underlines the need for increased financial means to support EU actions on external border control, as well as those related to information exchange, such as SIS and VIS;

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<sup>1</sup> As requested in its resolution of 17 December 2002 concerning the introduction of some new functions for the Schengen Information System, in particular in the fight against terrorism (Coelho report).

- II.34 Recalls that after 11 September 2001 it has been given little time and, in some cases, no time to examine the counter-terrorism package agreed by the Council and stresses its right to be fully and duly involved in the process;

### III On the Lisbon strategy

- III.1 Strongly supports the aim of improving the competitiveness of European businesses as a means of achieving a higher growth level and a reduction in unemployment; stresses that small and medium-sized enterprises are to be regarded as having a key role in increasing competitiveness and promoting innovation;
- III.2 Regrets the fact that the Presidency Conclusions put too much emphasis on bureaucratic processes and not enough on the crucial role of individuals working and competing in the business, educational and research sectors as the driving force for growth, employment and innovation;
- III.3 Encourages the Member States to achieve sound budgetary positions in order not to jeopardise sustainable development, to avoid putting pension systems under unbearable strain, and to create the reserves necessary for action in periods of slow growth, and therefore to make every effort necessary to comply with the Stability and Growth Pact;
- III.4 Welcomes the frank recognition that the Lisbon strategy now requires decisive action by Member States, involving the implementation of agreed Community legislation on time and enhanced monitoring and exchange of best practice in policy areas for which Member States remain responsible;
- III.5 Calls for structural reforms in the Member States to be speeded up in order to increase competitiveness and ensure a leading position in an ever more globalised world, and welcomes the incentive given by enlargement to further adapt the Union's economies and regulatory systems to the needs of a modern society;
- III.6 Welcomes, furthermore, the increased emphasis placed on strengthening business investment in research and development, and calls on the Member States to follow up the lines of action proposed by the European Council;
- III.7 Reminds the Member States of their undertakings concerning the Single Market; insists on the need for rapid implementation of measures already decided; welcomes the timely adoption of the measures contained in the Financial Services Action Plan;
- III.8 Suggests that efforts to tackle harmful tax competition and to remove fiscal barriers to the Single Market should be stepped up; urges the Commission to conclude agreements with third countries in relation to the directive on the taxation of savings;

- III.9 Fears that timid and belated action might render the aim of becoming the most competitive and dynamic knowledge-based economy in the world difficult if not impossible to achieve;
- III.10 Requests the Commission to construct its 'road map' to 2010 in a way which prioritises EU and national measures for growth and employment, including key internal market proposals, such as the Community patent, measures to release the job-creation potential of SMEs, greater flexibility of labour markets, the European Research Area and the European Higher Education Area;
- III.11 Advocates the drawing-up by the Commission of a precise country-by-country catalogue together with a timetable concerning the measures to be taken in order to achieve the Lisbon aims, and suggests that, in so doing, the Commission should define targets similar to the Maastricht criteria and secure the achievement of these aims through a mechanism based on the Stability and Growth Pact;
- III.12 Expects, in its role as co-legislator, to play a full part in preparation for the mid-term review (including contact with the head of the independent review group), which should have as its objective the establishment of a credible strategy which can command popular support throughout the enlarged European Union;

#### IV On Cyprus

- IV.1 Shares the European Council's position with regard to Cyprus, i.e. its support for the efforts by UN Secretary-General Kofi Annan to help the parties to seize this historic opportunity to bring about a comprehensive settlement of the Cyprus problem consistent with the relevant UN Security Council resolutions and its readiness to accommodate the terms of such a settlement in line with the principles on which the Union is founded;

#### V On the international situation

##### Russia

- V.1 Welcomes the Council's intention to build a strategic partnership between the EU and the Russian Federation based upon respect for common values and the Council's affirmation of the EU's strong and genuine interest in an open, stable and democratic Russia;
- V.2 Recalls its conviction that the Partnership and Cooperation Agreement (PCA) remains the essential cornerstone of the relationship and welcomes the Council's position that the PCA will be applicable to all Member States, without precondition or distinction, as from 1 May 2004;



- V.3 Takes the view that any discussion of Russia's legitimate concerns over the impact of enlargement has to remain entirely separate from the extension of the PCA to the new Member States;

#### Middle East

- V.4 Endorses the European Council statement on the difficult situation in the Middle East and expresses its deep concern at the worsening of the Israeli-Palestinian conflict;
- V.5 Whilst recognising Israel's right and duty to defend its people from terrorist attacks, strongly rejects the practice of extra-judicial killings as contrary to international law, creating innocent victims and leading to retaliation and more violence;
- V.6 Considers that the fight against terrorism must be carried out within the limits marked by the rule of law, also through international cooperation and in full compliance with international law;

#### EU strategic partnership with the Mediterranean and the Middle East

- V.7 Stresses the need for a broader approach to the situation of the entire Middle East region, notably following the Iraq war and the tensions generated on religious, cultural, social and economic grounds;
- V.8 Remains convinced that this new process should integrate the EU, NATO, the Arab League and other countries involved in the region and must also use the wide variety of instruments already put into practice under the Barcelona process, other cooperation agreements and the EU's Wider Europe strategy;
- V.9 Regrets the failure of the Arab League to meet and the decision to postpone its summit, owing to the differing views on terrorism; encourages its members to persevere and to continue the process of reforms and democratisation throughout the whole region;

#### Iraq

- V.10 Welcomes the recent political developments as a signal that the country is moving forward through a period of transition which should lead to increased stability, full integration into the international community and to a sovereign, democratic and peaceful Iraq, with full respect for its territorial integrity;
- V.11 Reiterates that the UN should play a major role in the reconstruction of the country and considers increased UN involvement in the process of transferring sovereignty, organising the future national elections and appointing the interim government as concrete and determined steps towards the normalisation of the country;

## Afghanistan

- V.12 Welcomes the decision by Germany to organise a further conference on Afghanistan, underlining the EU's commitment to assisting that country, and believes that President Kharzai's decision to hold general, free and fair elections in September constitutes a unique opportunity to move democracy forward in that country;

## VI On the new Financial Perspective

- VI.1 Agrees with the European Council on the timetable which aims at reaching political agreement on the new Financial Perspective at the European Council in June 2005, but reiterates its opinion that this Financial Perspective should cover a five-year period starting from 2007;
- VI.2 Instructs its President to forward this resolution to the Council, the Commission and the national parliaments of the Member States and the accession countries.