

Preventing, preparing for and responding to terrorist attacks

European Parliament recommendation to the European Council and the Council on terrorist attacks: prevention, preparation and response (2005/2043(INI))

The European Parliament,

- having regard to the proposal for a recommendation to the Council tabled by Alexander Nuno Alvaro on behalf of the ALDE Group, on an integrated approach at EU level to preventing, preparing for and responding to all types of terrorist attacks and dealing with their consequences (B6-0081/2005),
- having regard to Title V of the Treaty on European Union,
- having regard to Title VI of the Treaty on European Union, and in particular its Articles 29, 30, 31, 32, 34, 39 and 42,
- having regard the Treaty establishing a Constitution for Europe, and in particular its Articles I-43 and III-284,
- having regard to the twelve United Nations Conventions on fighting terrorism,
- having regard to the Rome Statute of the International Criminal Court, adopted on 17 July 1998 by the United Nations Diplomatic Conference of Plenipotentiaries,
- having regard to the Action Plan against terrorism adopted by the extraordinary European Council held in Brussels on 21 September 2001,
- having regard to the declarations of the informal meeting of heads of state and government held in Ghent on 19 October 2001,
- having regard to the conclusions of the Laeken European Council of 14 and 15 December 2001,
- having regard to Council Decision 2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime¹,
- having regard to Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States²,
- having regard to Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism³,

¹ OJ L 63, 6.3.2002, p. 1.

² OJ L 190, 18.7.2002, p. 1.

³ OJ L 164, 22.6.2002, p. 3.

- having regard to Council Framework Decision 2002/465/JHA of 13 June 2002 on joint investigation teams¹,
- having regard to Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence²,
- having regard to the Presidency Conclusions of the Brussels European Council of 25 and 26 March 2004,
- having regard to the Declaration of the Brussels European Council of 25 March 2004 on combating terrorism,
- having regard to the Presidency Conclusions of the Brussels European Council of 17 and 18 June 2004,
- having regard to the EU's revised Action Plan on combating terrorism taken note of by the Council at its meeting of 17 and 18 June 2004,
- having regard to the Presidency Conclusions of the Brussels European Council of 4 and 5 November 2004,
- having regard to the Hague programme: strengthening freedom, security and justice in the European Union³, adopted by that European Council,
- having regard to the Presidency Conclusions of the Brussels European Council of 16 and 17 December 2004,
- having regard to the Commission communications on the prevention of and the fight against terrorist financing through measures to improve the exchange of information, to strengthen transparency and enhance the traceability of financial transactions (COM(2004)0700), preparedness and consequence management in the fight against terrorism (COM(2004)0701), and critical infrastructure protection in the fight against terrorism (COM(2004)0702),
- having regard to the Commission Communication to the Council and the European Parliament on measures to be taken to combat terrorism and other forms of serious crime, in particular to improve exchanges of information (COM(2004)0221),
- having regard to the draft Council Framework Decision on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union, in particular as regards serious offences including terrorist acts (10215/04),
- having regard to Rules 114(3) and 94 of its Rules of Procedure,

¹ OJ L 162, 20.6.2002, p. 1.

² OJ L 196, 2.8.2003, p. 45.

³ OJ C 53, 3.3.2005, p. 1.

- having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A6-0166/2005),
- A. whereas the main priority for the European Union in preparing for and responding to terrorist attacks is the ability of Community institutions and of the Member States to prevent terrorist attacks,
- B. whereas in order to tackle terrorism it is not sufficient merely to have a lengthy, generic list of proposals for action,
- C. whereas the fight against terrorism, whether in response to terrorist attacks or not, must at all times include the protection of human rights and respect for fundamental freedoms, an essential element and symbol of identity of our institutions, and whereas any emergency legislation must be in accordance with respect for human rights, fundamental freedoms and data protection requirements,
- D. whereas the fight against terrorism calls for a specific strategy with regard to each terrorist organisation, for which reason the strategy of the organisation should be taken into account when new means of pursuing that fight are being devised,
- E. whereas the diffuse and unpredictable nature of terrorist organisations is always an advantage to the organisations, since no-one knows with certainty the precise scope of their activity or the extent of support they enjoy, it is essential, in order to combat them effectively, to understand the organisations themselves and the social context which nurtures and sustains them,
- F. whereas these organisations are not limited by borders or to specific geographical areas, often abuse the lack of transparency in ‘failed and failing states’ and are capable of having devastating effects in different countries at the same time,
- G. whereas, as regards evaluating the threat to the Union, terrorism in all its manifestations is an emerging phenomenon which remains imperfectly understood in terms of its operational structures and the timing of its attacks,
- H. whereas vigorously standing for pluralism, diversity, human rights and peaceful dialogue is the best means of preventing and remedying the radicalisation and harmful social polarisation that are often part and consequence of the terrorist phenomenon,
- I. whereas prevention should be based on information, on an ongoing public debate on the terrorist threat, on a collective rejection of terrorism as a political strategy, on an analysis of the reasons used by some to justify a refusal to reject terrorism, bearing in mind that there is always a need to try to avoid causing undue alarm and misrepresenting the true nature of the threat,
- J. whereas it regards itself as the main European forum for dialogue with society and between the various EU institutions and therefore is in a position to share information regarding terrorist organisations and their modus operandi, and the Union’s efforts to fight them,

- K. whereas, in order to deal with terrorism, the EU needs to define and put into practice a European political project that can be easily identified by European citizens and promotes internal and external security, not only a list of general measures,
 - L. whereas a political response can only exist if there is prevention, since otherwise the reaction at European level can only be inadequate and disorganised,
 - M. whereas the EU's internal and external security policies should be coherent and that coherence should be reflected in the functioning of its institutions,
1. Addresses the following recommendations to the European Council and the Council:
- A) as regards prevention:
 - (a) convert the existing list of exhaustive and generic anti-terrorist initiatives into a comprehensive and coherent European political project for fighting terrorism at its roots, both in and outside the Union;
 - (b) support fully the current efforts and, if necessary and appropriate, create new instruments and platforms to enable and promote diagnosis and exchange of information between police forces and between intelligence services regarding terrorist organisations and their modus operandi, while respecting data protection principles;
 - (c) monitor the role played by financial institutions in the transfer of money in order to prevent suspicious financial flows from being used to fund terrorist activities;
 - (d) develop all necessary instruments for the exchange of information regarding suspected terrorists and their organisations with third countries and international organisations, while ensuring respect for privacy and data protection principles;
 - (e) create a forum for the exchange of information between all the European institutions, on the basis of twice-yearly meetings, aimed at furthering the exchange, in this case, not of operational information but of data on the strategy and modus operandi of terrorist organisations and the Union's efforts to fight these organisations;
 - (f) conduct wide-ranging preventive action based on a dialogue between cultures and religions with a view to promoting mutual awareness and understanding;
 - (g) give clear support to the pilot project advanced by the Parliament with a view to facilitating the exchange of information between police forces, taking Community data protection legislation into account;
 - (h) encourage the increasing specialisation of Europol and Eurojust in the fight against terrorism, strengthen their role in diagnosis and in the activation of the European mechanisms for the exchange of information between the European

Union police authorities and the Member States and promote mutual trust in European mechanisms for the exchange of information between European Union police authorities and the Member States;

- (i) ensure that the training and specialisation courses of the European Police College take due account of all forms of terrorism, given its grave implications for the Union's future;
- (j) include representatives of the Parliament, with a view to ensuring their participation in non-operational information, in the twice-yearly meetings bringing together the heads of SCIFA, CATS, EUROPOL, EUROJUST, EBA, CPTF and SitCen;
- (k) promote European legislation designed to provide maximum control over the diversion and stockpiling of chemical precursors which may be used in the manufacture of explosives,

B) as regards response:

- (a) further develop the protocols and measures to be applied automatically after an attack;
- (b) provide the Office of the European Anti-Terrorist Coordinator with the resources it needs in order to devise and coordinate a response to a terrorist attack, thereby ensuring that the response will be as integrated and effective as possible; this response will also take into account the provision of essential care to victims and their families;
- (c) give their backing to the following measures to aid the victims of terrorism:
 - creation of a European Unit to Aid Victims of Terrorism based at the Commission, as a reference and contact point vis-à-vis the EU institutions;
 - support for the Commission's initiative for applying the Solidarity Fund in cases of terrorist attacks and using it as an instrument for compensation;
 - consolidation of the pilot project for aiding victims of terrorism by creating a permanent budget heading;
- (d) support Community programmes offering protection for victims who are witnesses of terrorist acts;

2. Instructs its President to forward this recommendation to the European Council, the Council, and, for information, the Commission, the national governments and parliaments of the Member States, the Council of Europe, and the United Nations and its specialised agencies.