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on the external dimension of the fight against international terrorism
(2006/2032(INI))

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The European Parliament,

– having regard to the Treaty establishing a European Constitution,

– having regard to Article 6 and 7 and Triple V of the EU Treaty,

– having regard to the Universal Declaration of Human Rights of 10 December 1948,

– having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms signed in Rome on 4 November 1950,

– having regard to the thirteen United Nations Conventions currently in force relating to the prevention and eradication of international terrorism, Security Council Resolutions 1368 and 1373 (2001) and 1267 (1999) as well as the General Assembly Resolution on the United Nations Global Counter-Terrorism Strategy and the annexed Plan of Action of 8 September 2006,

– having regard to the European Security Strategy - a secure Europe in a better world - adopted by the European Council on 12 December 2003, and the EU Strategy Against Proliferation of Weapons of Mass Destruction of the same date,

– having regard to the conclusions of the Brussels European Council of 25 and 26 march 2004, in particular the European Council Declaration of 25 March 2004 on combating terrorism which included a solidarity clause,

– having regard to the revised Action Plan/Roadmap adopted by the European Council at its meeting on 17 and 18 June 2004,

– having regard to the European Union Counter-Terrorism Strategy adopted by the European Council at its meeting of 14 and 15 December 2005 and the European Union Strategy for Combating Radicalisation and Recruitment to Terrorism adopted by the European Council on the same date,

– having regard to the conclusions of the International Summit on Democracy, Terrorism and Security held in Madrid from 8 to 11 March 2005,

– having regard to the report of the Secretary-General of the United Nations of 27 April 2006 'Uniting Against Terrorism: Recommendations for a global counter-terrorism strategy' (A/60/825),

– having regard to the Euro-Mediterranean Code of Conduct on Countering Terrorism, adopted at the Euro-Mediterranean Summit of 27 and 28 November 2005 in Barcelona,

– having regard to the EU-USA declarations on the fight against terrorism and the strengthening of mutual cooperation with regard to non-proliferation and combating

terrorism of 26 June 2004 and 20 June 2005,

– having regard to the European Union-Russia Road Map for the Common Space of External Security signed on 10 may 2005 on the occasion of the XVth EU-Russia Summit,

– having regard to the Joint EU-ASEAN Declaration on Terrorism signed on 27 January 2003 on the occasion of the XIVth EU-ASEAN Ministerial Meeting,

– having regard to the Joint EU-OUA Declaration on terrorism signed on 2001,

– having regard to the Rome Statute of the International Criminal Court adopted on 17 June 1998 by the United Nations Diplomatic Conference of Plenipotentiaries,

– having regard to its Recommendation of 7 June 2005 to the European Council and the Council on the EU anti-terrorism Action[1],

– having regard to Rule 45 of its Rules of Procedure,

– having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on Development(A6-0000/2006),

A. whereas international terrorism now constitutes one of the greatest threats to security, peace, stability and the democratic values of the international community and in particular a direct threat to European citizens, EU Member States, democracy and the rule of law, values on which the European Union is founded,

B. whereas, pursuant to the European Security Strategy, the fight against terrorism constitutes a priority for the European Union and a key element in its external action,

C. whereas the European Union has its own strategy for combating terrorism which must be integrated in a multilateral strategy and be firmly based on the unconditional respect of human rights and of the principles underlying states governed by the rule of law, whereas terrorism constitutes precisely a direct attack on these rights and principles and whereas any violation of these rights and principles by governments and democratic forces would be tantamount to a political and media victory for terrorists and their supporters,

D. whereas terror is always criminal and unjustifiable and whereas it may never be used in the pursuit of political objectives,

E. whereas extreme poverty, collective frustration and social exclusion are factors which can have an impact on the emergence of terrorist groups and can foster support for them,

F. whereas societies which suffer from high levels of fragmentation, inequality, discrimination and social, ethnic and political heterogeneity constitute an ideal breeding ground for terrorism,

G. whereas in order for terrorism to be fought effectively, a detailed knowledge is required of the social, political, economic and religious context from which terrorism emerges and on

[1] OJ C 124, 25.5.2006, p. 241.

which its perpetrators and supporters feed,

H. whereas the threat of terrorism is not restricted to specific geographic zones and whereas terrorist organisations are to be found both within and outside of our borders and have provided sufficient proof of their ability to carry out attacks and acts of violence in any continent and against various countries simultaneously,

I. whereas the Member States individually and the European Union and its institutions have already been or may be direct targets of international terrorism,

J. whereas the painful experiences to date show that no Member State can on its own successfully face terrorism and whereas it is therefore of fundamental importance that, on the one hand, there be a common Union policy to combat terrorism, making use of all the instruments and resources at the disposal of states governed by the rule of law and of the Union itself, and, on the other hand, effective and determined international cooperation in the fight against international terrorism,

K. aware that the global dimension of terrorism also requires a global response, tackling terrorism in all its dimensions, including the security, political, economic social and cultural aspects,

L. concerned at the fact that while intelligence reports prior to the attacks in New York and Madrid indicated that there was imminent danger, they were not correctly interpreted in the fight against terrorism,

M. whereas in order for the actions of the Union in the fight against terrorism to be effective, close cooperation and an enhanced exchange of information between the Member States and the institutions of the Union is vital,

N. whereas the Union must develop a pro-active rather than just a reactive prevention policy to combat international terrorism,

O. whereas in order to be effective, the fight against international terrorism must be backed by real conviction and determination within the Union and the Member States and have the backing of an aware and well-informed public,

P. convinced that demonising a given the culture, civilisation or religion in the name of combating terrorism is counter-productive and a mistake,

Fundamental principles of the external dimension of the fight against international terrorism

1. Supports unreservedly the strategic objective of combating terrorism globally, whilst strictly respecting human rights, with the ultimate objective of achieving a more secure European Union, allowing its citizens to enjoy a true area of freedom, security and justice; shares the view of the Council and that, other forms of terrorism notwithstanding, the

most serious threat to Europe at the moment is posed by violent radical groups claiming to defend Islam, first and foremost Al Qaeda;

2. Emphasises the need for the European Union and its Member States to base their global counter terrorism strategy on the fundamental principles which also serve to guide the actions of the United Nations, on a constructive and serious dialogue between civilisations, taking account of the respective perceptions and concerns, and on the absolute respect of international law;

3. Stresses the urgent need to fully and properly implement all the political measures adopted at the highest political level in the European Union Counter-Terrorism Strategy, the Action Plan and the Strategy for Combating Radicalisation and Recruitment to Terrorism, so that the ambitious mechanisms and proposals set out in these documents result in specific and effective practical measures to combat terrorism as soon as possible;

4. Welcomes the recent adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy and annexed Plan of Action; expresses concern at the delay in the adoption of the global convention on international terrorism; encourages the Institutions of the European Union and the various Member States to continue working unstintingly to achieve an international consensus permitting, on the one hand, the adoption of the global convention and, on the other, the effective implementation of the measures set out in said Strategy and Plan of Action;

5. Regrets the fact that, despite evidence of the terrorist threat, some Member States have not yet signed and/or ratified some of the 13 United Nations conventions on combating terrorism; notes that as yet only two countries have ratified all 13 conventions and 78 other countries have ratified or joined 12 of them; considers it particularly worrying, however, that 33 other countries have ratified or joined 6 or fewer such international conventions;

6. Calls on the Member States of the European Union to adopt the national legislation necessary for the effective implementation of these conventions;

7. Emphasises that the European Union's external actions to combat international terrorism should in the first place be aimed at dissuading radical or extremist groups from engaging in terrorism and from supporting it as a strategy in the pursuit of their objectives; considers that in broad terms the objectives relating to prevention set out in the European Union Counter-Terrorism Strategy are in keeping with this objective;

8. Reiterates the need to send the message at all times that terrorism is unacceptable in all circumstances and in all cultures and to eliminate all factors which may be exploited by terrorists such as the dehumanisation of victims, the outbreak and persistence of violent conflicts, bad governance, the lack of civil rights and violation of human rights, religious and ethnic discrimination, political exclusion and socioeconomic marginalisation;

9. Considers it also fundamental that the European Union's external actions to combat international terrorism should aim to make it difficult for terrorists to gain access to the means for carrying out their attacks, depriving them of the opportunity to travel, gain access to means of communication and their ability to proselytise, to use the Internet for

their purposes, to receive financial support, to gain access to arms, be they conventional, nuclear, biological, chemical or radiological, and to easily reach their objectives and achieve their aims;

10. Considers, in this connection, that the protective measures included in the European Union Counter-Terrorism Strategy are in line with this objective but that their actual effectiveness varies greatly and that there are various other options in terms of the Union's external action;

11. Recommends that determined use be made of the instruments at the disposal of the Union in its external actions in order to make countries which support terrorist groups and which organise, finance, encourage or support terrorist activities by any other means desist, if necessary through the imposition of sanctions or through coercive measures;

12. Supports unreservedly the development of the capacity of States to prevent terrorism through the promotion of the rule of law, the respect of human rights and the establishment of effective criminal justice systems as well as through the promotion of high-quality education, religious and cultural tolerance and an inclusive dialogue with those who propagate a radical discourse liable to incite actions outside the democratic process, instead of their repression, persecution and demonisation;

13. Considers that the development of a preventative capacity also requires States to oppose the financing of terrorism, to seek to ensure that transport is safe, to make use of the possibilities offered by the Internet to combat terrorism, to improve the protection of potential terrorist targets and the capacity to respond to attacks as well as to improve their capacity to prevent terrorists from acquiring nuclear, biologic, chemical or radiological materials;

14. Emphasises the need to defend human rights and fundamental freedoms in the fight against terrorism by means of the international instruments available, taking account of the fact that human rights are not just an intrinsic value of our culture and an integral part of European external action but also of the fact that their violation clearly jeopardises the fight against terrorism and constitutes an obvious victory for the terrorists;

15. Considers it fundamental to have sufficient human and budgetary resources available to combat terrorism; supports the various proposals of the Commission in this regard; proposes that, in the event of an ESPD operation to combat terrorism, the cost of the common expenditure be charged to the budget of the European Union; supports the creation of an international fund to provide economic assistance to States with fewer resources in order that they may successfully assume their responsibilities in the fight against terrorism;

Means available to the European Union in the area of its external action to combat terrorism

16. Emphasises the multiple-faceted nature of the responses available to the European Union in the area of external action to combat terrorism and the need to bring together and use in

a coherent manner all its political, preventive and repressive, police and judicial cooperation, intelligence and communication instruments and all other types of responses called for and backed up by the United Nations and forming part of a multilateral strategy;

17. Reiterates, therefore, its proposal to render the Union's anti-terrorist policy more coherent and effective in its relations with third countries through:

a) the enhancement of political dialogue in this regard, in particular with those countries with which the European Union and/or its Member States have concluded or are negotiating Association or Cooperation Agreements,

b) political and commercial support and development aid to moderate Islamic countries;

c) a stepping up of the dialogue on the fight against terrorism with the major partners of the Union (United States, Israel, Japan, Australia, Canada, Russia, etc.) without affecting the level of protection for human rights under any circumstances,

d) the promotion of international consensus for the adoption of the Global Convention on International Terrorism and the development of the Counter-Terrorism Strategy adopted by the General Assembly,

e) the requirement that all third countries with which the Union maintains relations sign and ratify the 13 United Nations conventions on combating terrorism,

f) the strict implementation of the anti-terrorism clause included in agreements with third countries, without any 'ad hoc' modifications which detract from its substance,

g) the establishment of an interinstitutional Code of Conduct for external relations of the Union proposed by the European Parliament in 2002,

h) the strengthening of cooperation with international and regional organisations playing a key role in peace keeping and global security, first and foremost the United Nations (in particular the Security Council and its Counter-Terrorism Committee) the OSCE, the Council of Europe and NATO,

i) the promotion and strict implementation of United Nations Security Council Resolution 1540 (2004), with the aim of preventing non-state actors and states which are not party to the Nuclear Non-Proliferation Treaty from acquiring nuclear, chemical or biological weapons,

j) the stepping up of cooperation as regards the exchange of information and cooperation between security and intelligence services and police, judicial and customs authorities of the Member States, including Europol, Interpol and Eurojust;

18. Calls on the Commission and the Council in their external relations to insist on the universal recognition by all third countries of the binding nature of the jurisdiction of the International Criminal Court (ICC) and that terrorism constitutes a crime against humanity to be tried, where appropriate, by the ICC;

19. Considers it essential to foment greater stability outside the Union through the use of all

available instruments, programmes and means in the ambit of external action, including:

a) the new Stability Instrument, which should provide a new legal basis for long-term aid in the area of the fight against terrorism, the non-proliferation of weapons of mass destruction, the fight against organised crime, conventional disarmament and human security,

b) the support, once said Instrument enters into force, of the aid strategy designed by the Commission to help third countries face the terrorist threat through programmes such as CARDS, TACIS, MEDA, etc.,

c) the extension of said strategy to all areas of the Union's external action and to all the major development aid programmes except for those on humanitarian aid, which by their very nature are unconditional,

d) the strengthening of the use Civilian and Military Rapid Reaction Mechanism,

e) the creation of a European office for assistance for victims of terrorism to serve as a point of reference and contact for European citizens whose fundamental rights are violated as a consequence of the terrorist threat menacing Europe and the rest of the world,

f) the creation of a similar office in the context of the new United Nations Counter-Terrorism Strategy aimed at providing assistance to all victims of terrorism regardless of their citizenship;

20. Calls on the Commission to present a communication as soon as possible setting out the existing assistance programmes and mechanisms to reduce and face up to the threats to the security of the Union and its citizens including in particular proposals and recommendations to improve the effectiveness and coherence of the Union's assistance programmes;

21. Recommends that pragmatic use be made of the possibilities offered by the Treaty establishing a Constitution for Europe bringing forward measures such as:

a) the joint elaboration of contingency plans to render the mutual assistance solidarity clause effective to prevent terrorist threats or attacks provided for under Article I-43 of the Treaty,

b) making use, where necessary, of specific military or police operations under the ESDP as part of the Union's response to terrorism,

c) the adaptation to the new tasks of the permanent structured cooperation and the combat units provided under Protocol 23,

d) the establishment of clear criteria on the use of force taking account of the recommendations of the United Nations Secretary-General and of the fundamental role of the United Nations Security Council in seeking, maintaining and re-establishing collective security;

Parliamentary control on the fights against international terrorism by the Institutions of

the Union

22. Highlights the vital importance of prevention in the fight against international terrorism and the need to share in real time with the other Member States and Institutions of the Union all information obtained through reliable and efficient information systems and for a rigorous and professional assessment of the reports drawn up by the various police and intelligence services;

23. Asks the Council for the Interinstitutional Agreement of 20 November 2002 between the European Parliament and the Council on sensitive information of the Council in the area of security and defence policy[1] to be reviewed and brought up-to-date in order to improve the current classified information transmission system and to guarantee the transmission to the European Parliament of all available information relating to the fight against international terrorism, ensuring that under no circumstances it be denied information, which, in the internal sphere, has been or should be transmitted to national parliaments by the respective governments of the Member States or the international organisations of which they form part;

24. Calls on the Council not to limit itself in its annual report on the CFSP to describing the activities of the Union in the area of the fight against terrorism, but rather, on the basis of Article 21 of the Treaty on European Union, to really consult the European Parliament as regards the principal aspects and basic options of this fight, which constitutes a priority under the European Security Strategy, the Union's external action and the CFSP as a whole; considers it indispensable that it be informed and consulted in the event of a large-scale terrorist attack, where necessary through the Special Committee provided for in the abovementioned Interinstitutional Agreement of 20 November 2002;

25. Considers the High Level Political Dialogue on Counter-Terrorism which brings the European Parliament, Commission and Council together on a six-monthly basis to be a good example of the possibilities available for the indispensable interinstitutional cooperation in the fight against terrorism; proposes that such meetings be held at least on a quarterly basis and that the European Parliament Delegation also include the chairmen of the permanent committees on the three main areas of external action (foreign affairs, international trade and development cooperation);

26. Asks for the reports drawn up by the Situation Centre (SitCen) for the Council of the Union to be transmitted regularly to the European Parliament, if necessary pursuant to the modalities provided for in the abovementioned Interinstitutional Agreement;

27. Considers it of fundamental importance that the European Parliament be closely involved in the mechanism to implement the solidarity clause provided for under Article III-329 of the Treaty establishing a Constitution for Europe, including in cases where the decisions adopted have implications as regards the ESDP;

28. Calls on the Commission and on the European Counter-Terrorism Coordinator to submit

[1] OJ C 298, 30.11.2002, p. 1.

an annual report to the European Parliament on their activities in the fight against terrorism and to take due account of Parliament's observations and recommendations in this regard;

29. Calls on the Council anew to inform Parliament on the regular up-dating of Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism[1] (list of terrorist organisations and groups) and on developments since 2001;

30. Pledges to establish an enhanced dialogue with the national Parliaments on the fight against terrorism with a view to guaranteeing joint parliamentary control of the activities of the various security and intelligence services, given that in its capacity as representative of the peoples of the European Union, it is incumbent upon the European Parliament to exercise public and transparent control of the measures adopted by the Union in relation with the fight against terrorism, including the activities of the European Coordinator and of the various bodies dedicated to this task;

31. Instructs its President to forward this resolution to the European Council, the Commission, the Governments and Parliaments of the Member States, the Council of Europe, the United Nations Organisation and its specialised agencies.

[1] OJ L 344, 28.12.2001, p. 93.