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Revised Action Plan on Terrorism

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INTRODUCTION

PREVENTION

- Prevent people turning to terrorism within the EU and internationally;
- Identify and address the factors which can contribute to radicalisation and recruitment to terrorism;
- Prevent terrorists from gaining access to finance
- Promote use of financial intelligence to disrupt terrorist activity

PROTECTION

- Protect citizens;
- Protect infrastructures;
- Address vectors of threats to both citizens and infrastructures;
- Protect borders;

PROSECUTION

- Establish EU and international legal framework for fighting terrorism;
- Sustain international consensus on fighting terrorism and support third countries;
- Enhance law enforcement, intelligence and customs cooperation;
- Enhance judicial cooperation

RESPONSE

- Enhance EU's crisis and consequence management;

ACTION PLAN

	Measure/Action	Competent Body	Deadline	status/observations
1.	**PREVENT**			
1.1.	**DISRUPT THE ACTIVITIES OF THE NETWORKS AND INDIVIDUALS WHO DRAW PEOPLE INTO TERRORISM**			
1.1.1	Effective action against misuse of the Internet, inter alia, by sharing expertise, and exchanging national assessments and analyses and, where relevant, acting in common against extremist websites.	MS/ Commission/Europol / Council	Ongoing	Contained in the policy recommendations drawn up on the basis of SitCen reports.
1.1.2	Promote community policing including through improved training.	MS/ CEPOL/ Council	Ongoing	Task undertaken by CEPOL.
1.1.3	Put in place a legal framework to prevent individuals from inciting violence and exchange information on incitement.	MS/ Council / Commission	Ongoing	Obligation according to UNSC 1624 as well as under the European Convention on the Prevention of terrorism
1.1.4	Enhance political dialogue and technical assistance including police training to help others outside the EU to disrupt the activities of networks and individuals who draw people into terrorism.	MS/ CTC/ Council / Commission	Ongoing	Terrorism is at the center of political dialogue with third countries. Police training has been provided at regional level (by CEPOL to Balkans and Mediterranean countries).
1.1.5	Tackle radicalization in particular in key environments, for example prisons, places of religious training or worship.	MS/ Council	Ongoing	
1.1.6	Measures against illegal extremist literature and other media.	MS/ Commission	Ongoing	

1.1.7	Implementation of the Council strategy and action plan on radicalisation and recruitment.	Council/MS/Commission/ Commission	Ongoing	Deadlines are set according to the individual measures in the R&R action plan. Commission is now working on: – First report on the state of play of research in the field expected for June 2006; – organising conference on role of media in countering violent radicalisation; – journalist training programmes and, regional language broadcasts of European television and radio news in Middle Eastern and North African countries. A research project on Transnational terrorism and rule of law- funded within the 6th Framework Programme for RTD, to start in June 2006 will address radicalization.
1.1.8	Make more efficient use of 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.	MS/Council/Commission	Ongoing	EC assistance mainly consists of capacity building assistance in the fields of good governance and the rule of law thus addressing factors contributing to the support for terrorism. Examples of this work can be foundin Euromed, Western Balkans and ASEM context or with Morocco and Algeria.
1.2. ENSURE THAT MODERATE VOICES PREVAIL OVER THOSE OF EXTREMISM				
1.2.1	Empower moderate voices by engaging with the different religions practiced in the EU and providing support for their communities.	MS/ Commission/ Council	Ongoing	
1.2.2	Support the availability of moderate religious literature.	MS/ Commission	Ongoing	
1.2.3	Encouraging religious communities to embrace the fundamental norms and values of European society including through training of religious leaders.	MS	Ongoing	
1.2.4	Develop a non-emotive lexicon for discussing radicalization.	Commission/ Council/ CTC	June 2006	

1.2.5	Develop a comprehensive communication strategy to explain EU policies and hold a conference with media professionals and terrorist experts to discuss radicalisation. Put in place funding for journalist training programmes and regional language broadcasts of European television and radio news and other initiatives in ME and North African countries.	MS/Commission/ Council/ CTC	June 2006	Commission to start work on eg organizing a conference on role of media in countering violent radicalisation.
1.3. PROMOTE SECURITY, JUSTICE, DEMOCRACY AND OPPORTUNITY FOR ALL				
1.3.1	Target inequalities and discrimination where these exist within the EU and promote long-term integration where appropriate.	MS/ Commission	Ongoing	
1.3.2	Make proposals for enhancing inter-cultural dialogue.	Commission	Ongoing	Ongoing dialogue in e.g. Euromed. Research projects funded under the 6th Framework Programme for RTD address inter-cultural dialogue (e.g. RAMSES project in the Mediterranean area) and more research is planned in the 7th Research Framework Programme (2007-2013).
1.3.3	Promote good governance, democracy, education and economic prosperity outside the EU.	MS/ Commission/ Council	Ongoing	
1.4. ASSESSMENTS AND ANALYSIS				
1.4.1	Annual Review of the Radicalisation Strategy assisted by Strategic analysis of the radicalization process.	Council/ SitCen	Annual (end 2006)	Gathering of best policy practices in fighting radicalization.
1.4.2	Enhance co-operation between research institutions in the context of the EU multi-annual research programme.	Council/ Commission	Mid-2006	Expert network and research project launched.
1.4.3	Conduct more detailed studies, including academic studies, of recruitment in specific contexts such as prisons, schools, places of religious worship; studies in the role of the media, including the internet.	Council/Commission		

1.4.4	Continue to investigate the links between extreme religious or political beliefs, as well as socio-economic and other factors, and support for terrorism, building on work already undertaken in this area, and identify response measures.	Council/Commission		Sitcen to include relevant material in assessments. Working Groups to make policy recommendations as appropriate. Research projects ongoing in the 6th Framework Programme include research on links between socio-economic and other factors contributing to terrorism.
1.5. TERRORIST FINANCING (see also Strategy Terrorist Financing (16089/04) and its updates (11325/05 and 14349/05)				
1.5.1	Review the EU's performance on Terrorist Financing in particular in respect of FATF special recommendations and act on recommendations.	Commission/ Council	End 2006	Commission has awarded a Study to assess EU performance against the nine Special Recommendations of the FATF. Study will complete before end 2006.
1.5.2	Take forward national codes of conduct for Non-Profit Organisations (implementation FATF SR VIII).	MS/ Commission	June 2006 Middle of 2007	Council Declaration of July, 13th 2005 called for agreement on a code of conduct for non-pofit organizations (doc. 11158/1/05 REV 1) Council agreement on principles on 1-2 December 2005. Commission communication in November 2005. . FATF members agreed on an Interpretative Note to SR VIII in February 2006. Produce a public version of the two Commission Internal reports: Analysis of the non profit sector in the EU10/15 for Monitoring and Control. Work to be coordinated by JRC with JLS and MSs
1.5.3	Conduct research on risk indicators to identify vulnerable entities in the non profit sector for terrorist financing	Commission	End 2007	A questionnaire has been created after full discussions with JLS and the process of validation of the questionnaire is underway. The validated questionnaire will be sent out to all MSs for their input that will help extract risk indicators. This research outcome will be useful to law enforcement authorities, the FIU net and the donor community.
1.5.4	Adopt Regulation on information on the payer accompanying transfers of funds (FATF SR VII).	Council/ EP	June 2006	Council general approach agreed on 6 December 2005. Discussions underway in Parliament.

1.5.5	Improve the effectiveness of EU asset freezing procedures, including non-financial economic resources, in accordance with UN obligations and the need to respect due process and rule of law.	Council/ Commission / CTC	2006	Coreper noted a revised Best Practices paper on restrictive measures including on the application of Community freezing measures.
1.5.6	Ensure national asset freezing capability and improve implementation of freezing procedures.	MS	End 2006	Guidelines on sanctions and Best Practices Paper under constant review. Latest updates adopted in December 2005. Various seminars organised by Presidencies and will continue. FATF start in 2006 discussion on implementation of SR III among its members.
1.5.7	Adopt Directive on regulating the alternative remittance system (inter alia, implementation FATF SR VI).	Council/ EP/ Commission	End 2006	Commission proposal for a draft Directive on a New Legal Framework for Payments in the Internal Market was adopted in December 2005.
1.5.8	Improve co-operation between investigation/law enforcement community including FIUs and financial supervisory authorities, including through the use of FIU.Net.	MS/Commission	Ongoing	Commission assessed the best practices in EU in the communication adopted on 29th November 2005 which contain a series of recommendations. Follow-up could take place in context of new Peer Evaluation round. 3rd AML/CTF Directive provides strong basis for cooperation.
1.5.9	Ensure that financial investigation is a core part of all terrorist investigations.	Commission/MS		Commission organized an EU Forum meeting in March 2006 to which EU 25 and Candidate Countries were invited on Commission/Europol project to promote use of FI. Common training standards in Financial Investigation under elaboration in conjunction with Member State stakeholders.
1.5.10	Implement the Third Money Laundering Directive.	MS/Commission	December 2007	Directive entered into force on 15 December 2005. Implementation by MS before mid-December 2007. Commission to adopt the implementing Directive by mid-June 2006, pending vote by Committee on the Prevention of Money Laundering and Terrorist Financing in May 2006.

1.5.11	Initiate outreach programmes to EU financial private sector to coordinate procedures to combat terrorist financing.	Council/Commission		The Commission Communication adopted on 29 November 2005 addresses various ways in which public and private sector cooperation should be enhanced to ensure more effective fight against the financing of terrorism.
1.5.12	Implement Regulation (EC) No. 1889/2005 of 26 October 2005 on controls of cash entering or leaving the Community	MS	15 June 2007	Regulation entered into force in December 2005. It shall apply from mid-June 2007.
1.5.13	Ratification and full implementation of the 1999 UN Convention for the Suppression of the Financing of Terrorism and to give increased effect to the provisions of UNSCR 1373 directed to the freezing of assets.	MS	1 January 2005	All Member States have ratified the 1999 UN Convention for the Suppression of the Financing of Terrorism.
1.6.	**LIMIT TERRORISTS' ACCESS TO WEAPONS AND EXPLOSIVES**			
1.6.1	Action on explosives, detonators, bomb-making equipment and fire arms in the context of the Commission Communication.	MS/ Commission/ Europol/ Council		Discussed in TWP during UK Presidency with policy recommendations agreed by Council. Next steps are for Commission to organize conference of all major stakeholders in first half of 2006. Analyse possibilities of making transmission of bomb-making expertise a crime under the Framework Decision on Combating Terrorism. Examine modification of related directives, eg Fertilizer regulation. Consideration of a monitoring regime regarding the precursors for home-made explosives. Consideration of improving the exchange of information on lost and stolen explosives.
1.6.2	Control of access by terrorists to dual use items relevant to the production, development, handling and dissemination of weapons of mass destruction.	Commission	Mid 2006	Modification of Regulation 1334/2000 setting up the community regime for export control of dual use items. Proposal to the Council is foreseen in mid 2006.
1.6.3	Raise the importance of the adoption and enforcement of rigorous security regimes relating to weapons and explosives in bilaterals with third parties.	MS/ Council	Ongoing	Addressed in the policy recommendations based on the SitCen reports.

1.6.4	Improve control over illicit arms and explosives in the Balkans.	MS/ Commission/Council	Ongoing	

	Measure/Action	Competent Body	Deadline	status/observations
2.	**PROTECT**			
2.1.	**THREAT AND RISK ASSESSMENTS**			
2.1.1	Carry out strategic assessments of terrorist threat	SitCen/Europol/MS	Regular	
2.1.2	Make structured use of threat assessment and analysis for the risk assessment, prevention and consequence management, Stimulate, where necessary and through the appropriate channels, improved cooperation between intelligence services, national authorities and relevant emergency services such as civil protection, health and police. Improve the bilateral exchange of information on cross-border risks	Council/ Council Secretariat/ Cion/ Europol and MS	Ongoing	Undertake expert meetings with a view to developing a common understanding of the methodologies of risk assessment.
2.1.3.	In the framework of the Conceptual Framework on the ESDP dimension of the fight against terrorism: – Elaboration of a report on interoperability between military and civilian capabilities. – 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.	Council	ongoing	In this framework, a bidding process to incorporate Member States voluntary contributions in an addendum to the current Force Catalogue has been launched.
2.2.	**SECURITY OF THE SUPPLY CHAIN**			

2.2.1	Reinforce security of the global supply chain	MS/ Commission	June 2006	Adoption of the Implementing Regulation to the security amendments of the Community Customs Code (Regulation EC no. 648/2005).
2.2.2	Reinforce security of the global supply chain	MS	Ongoing	Implementation of the security amendments to the Community Customs Code that relate to checks on the flow of goods by introducing a system of pre-arrival and pre-departure declarations and by using an improved system of data communication and information sharing between Member States.
2.2.3	Modernisation of the customs code/ Decision on e-customs	Commission	Ongoing	Proposals for a complete modernisation of the customs code and a Decision on e-customs– ongoing discussion in Council and EP. Aim i.a. to further strengthen and structure the measures to secure the supply chain and to speedily introduce the supporting IT systems.
2.2.4	Bilateral and multilateral activities reinforcing supply chain security.	Commission/ Presidency/ MS	Ongoing	EC-US Expanded Customs cooperation on maritime container transport, WCO SAFE framework for securing and facilitating trade;, multi-agency Joint Customs Operation ("Protect"), CCWG's informal counter-terrorism project group "second action plan to take forward customs counter-terrorism initiatives" (14054/05).
2.3. PROTECTION OF CRITICAL INFRASTRUCTURE				
2.3.1	Establish a European Programme for Critical Infrastructure protection (EPCIP), including the Critical Infrastructure Warning and Information Network (CIWIN).	Council/Commission	Mid 2006.	See Council conclusions of EPCIP of 1/12/2005 (14766/05), which set out the key principles for this purpose. See Commission Green Paper, introducing a consultation phase until February 2006. Task of ProCiv in a special composition. Commission plans to draft a proposal on the establishment of CIWIN by end 2006.
2.3.2	Put in place adequate protective measures against electronic attack on key computer systems.	MS	16 March 2007	Council Framework Decision 2005/222/JHA of 24 February 2005, OJ L 69, 16.3.2005, p. 67 sets a deadline for 16 March 2007.

2.3.3	Continue to improve security of networks and information systems. In this context and under the umbrella of EPCIP, launch a multi-stakeholder dialogue to develop an ICT sector specific approach to enhancing the security and the resilience of networks and information systems.	Commission	Ongoing	A Communication from the Commission on a strategy for a secure Information Society is scheduled for adoption by the end of May 2006.
2.3.4	A Communication from the Commission on a strategy for a secure Information The Communication sets out a policy approach for identifying and meeting security challenges through an open and inclusive multi-stakeholder dialogue		Ongoing	
2.3.5	Ensure full implementation of the EU Health Security Strategy and CBRN programs.	Council/Commission/ MS	Continuous action	Partially Achieved The 2002 CBRN-programme (Doc. 14627/02) was replaced by the 2004 Solidarity Programme.
2.4.	**TRANSPORT SECURITY**			
2.4.1	Implement provisions of Regulation 2320/02 establishing common standards on civil aviation security, including staff screening, baggage, cargo and aircraft security.	MS/Commission	Ongoing	Ongoing legislative work to develop detailed implementing legislation (by comitology) to complement Regulation 2320/2002. Two implementing Regulations were adopted in 2004: – Commission Regulation (EC) N°68/2004 of 15 January 2004 amending Commission Regulation (EC) N°622/2003 – Commission Regulation (EC) N°1138/2004 of 21 June 2004 establishing a common definition of critical parts of security restricted areas at airports. In 2005 – Commission Regulation (EC) N°781/2005 of 25 May 2005 amending Commission Regulation (EC) N°622/2003 Commission Regulation (EC) N°857/2005 of 6 June 2005 amending Commission Regulation (EC) N°622/2003

2.4.2	Reinforce common standards on aviation security by adopting revised common rules in the field of civil aviation security (12588/05). Revision of Regulation 2320/2002.	Commission/Council/ EP	Mid 2006	A revised Reg.2320/2002 is in the process of co-decision. After deadline continuing action is expected.
2.4.3	Implement agreed EU standards on maritime security (Regulation) and security in ports (Directive).	MS/ Commission	Ongoing	a) Regulation (EC) No 725/2004 of the European Parliament and of the Council 2004 on enhancing ship and port facility security. b) Directive 2005/65/EC of 26.10.2005 of the European Parliament and of the Council on enhancing port security.
2.4.4	Report on transport security and its financing	Council/Commission		Commission to publish a report on transport security, including financing issues.
2.5.	**BORDER CONTROL**			
2.5.1	Council Decision and Regulations on the SIS II.	Commission/ Council/ EP	July 2006	Presently being discussed by Schengen Acquis working party and the European Parliament. Question of wider access for other authorities are under discussion.
2.5.2	Regulation of the European Parliament and of the Council concerning the VIS and the exchange of data on short stay-visas	Council/ EP / Commission	July 2006	Under negotiation in Council and EP. SCIFA reviewed the proposal and agreed on a number of PRES amendments. LIBE will review the amendments submitted by MEPs.
2.5.3	(Technical) Establishment of the VIS Roll out the use of biometrics under the VIS to countries/regions of high risk.	Council/ Commission	Begin operational End 2006	As regards VIS, there are two different actions: 1) Implementation of the central VIS; this is for COM to do. 2) Roll-out: This is for MS to do, following a coherent approach on the consular roll-out agreed in council.
2.5.4	(Technical) Establishment of the SIS II	Council/ Commission/MS	Begin operational March 2007	As regards SIS II, there are two different actions: 1) Implementation of the central SIS; this is for COM to do. 2) National Projects: This is for MS to do. Beware: SIS II can only get operational if all MS completed their projects in due time.

2.5.5	Improve security of EU passports by use of biometrics, including facial image and fingerprints in order to prevent identity fraud.	MS	August 2006 (facial image)	The introduction of biometrics in all relevant ID documents. 36 months after the adoption of the technical specification (finger-prints).
2.5.6	Develop and implement a common EU approach to the exchange and analysis of passenger information: agree Directive on airline passenger name records.	Commission/ Council/ EP	End 2006	The Court of Justice will issue a judgment on the applicable legal framework on the European level regarding an obligation on air carriers to provide passenger information, including PNR. The future initiative from the Commission will depend on the outcome of the judgment. The Commission will ensure an appropriate follow-up on this matter.
2.5.7	Feasibility Study on appropriate measures to register entries and exits of third country nationals at the common external border, and developing the use of biometrics at entry and exit controls of third country nationals at the Schengen borders.	Commission	June 2007	As set out in doc 11910/1/05 Commission is undertaking this feasibility study taking into account the proportionality and practicality of additional checks at the borders against the potential advantages of recording and using the resulting information.
2.5.8	Effective risk analysis of the EU external border, discussion of the contribution which border security makes to the CT effort, and effective information exchange with Europol.	Frontex / SitCen	Regularly	
2.5.9	Prevention of illicit trafficking of dual use items.	Commission/MS		In line with the UN Resolution 1540, the Commission has made an impact assessment on the possibilities to allow MS competent authorities to stop dual use items in transit when they are aimed at WMD weapons in third countries.
2.6. PROTECTION OF OTHER POTENTIAL TARGETS				
2.6.1	Improve protection of other potential targets of terrorist attack, other than critical infrastructures (ie soft targets, crowded places, public transport) on the basis of relevant research.	MS/ Council/ Commission	Ongoing	

2.7.	**RESEARCH**			
2.7.1	Make best use of EU research level activity, and in particular the 6th and 7th R&D Programmes, including the Security Research Programme (8087/05).	Council/Commission	2007-13	The three-year Preparatory Action (2004-2006) will lay the ground for a fully fledged "European Security Research Programme" in 2007 being proposed by the Commission one of the research themes in the 7th Framework Programme for research.
2.7.2	Develop a consistent research activity in the field of trust and security	Commission	2007-2013	In addition and in continuation of the 6th Framework Programme, ICT for trust and security is proposed to be an important priority in the IST theme of the 7th Framework programme. This includes ICT for CIP, information and network security, digital identity management and biometrics
2.7.3	Scientific Support to Policies.	Commission/ MS	6th Framework Programme for Research (2002-2006)	In the field of biological and chemical terrorism, the 6th Framework Programme's Scientific Support to Policies activities covers "Civil protection (including biosecurity and protection against risks arising from terrorist attack) and crisis management". Research is currently ongoing on biological agents, risk assessment, crop bioterrorism and modelling the propagation of bioterrorist agents. In addition, nanotechnological approaches for the detection of harmful substances in water, air and with persons are developed.
2.8.	**INTERNATIONAL DIMENSION**			
2.8.1	Deliver assistance on protective security as a component of technical assistance to priority third countries.	MS/ Commission	Ongoing	Border Security a component of proposed assistance to a number of third countries in particular to priority country Morocco.
2.8.2	Implement the Economic Initiative of the June 2005 EU-US Summit: Joint EU-US Work Programme (PDBTS).	Commission/ MS/ Council	Ongoing	Continue the implementation of the various actions e.g. dialogue on AML/CFT issues, enhancing Trade, Travel and Security. Prepare implementation report for the 2006 Summit.
2.8.3	Raise the importance of responsible and robust aviation security in bilaterals with third parties.	MS/Commission/Council		Contained in the policy recommendations drawn up on the basis of SitCen reports.

2.8.4	Work to develop further EU transport security standards, in coordination with relevant international organizations and third countries.	Council/Commission		On 11 March 2004 the Council 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 a working paper on establishing an international framework for the transfer of PNR data to the ICAO 35th Assembly (28/09-8/10/04).
2.8.5	Encourage and support non-EU states to comply fully with the ICAO and IMO standards.	Council/Commission/ MS		In the field of maritime security, the Community has launched a review of the implementation of the IMO's security measures for the EUROMED partners through a program called SAFEMED (2006/2008). Morocco is benefiting from a twinning program financed by the Community for the enhancement of maritime safety and security. Member States support the EU's multinational initiative on PNR at ICAO with a view to promoting the development of global standards.

.2.8.6	Follow up to U.S. Container Security Initiative (CSI) Examination of extension to other regions.	Commission/MS	Phase I has been concluded on 31/1/2006 Phase II until 31/12/2006	EC/US Agreement allows for co-operation on exchange of advance cargo information and creation of equal levels and standards of controls for US and EC operators. At the 5th EU-US Joint Customs Cooperation Committee, the EC and the US agreed to implement the recommendations elaborated by the Working Group and to continue work in the areas that need further deliberations. The Working Group Action Plan indicates the different actions for further implementation of the ten recommendations, providing operational standards and working methods which will enable the EU and U.S. customs services to improve the controls on security in the transatlantic maritime transport and also provides possibilities to closely study each other's trade partnership programs. At the 6th EU-US Joint Customs Cooperation Committee, the results and recommendations of the working group were endorsed. In the second phase of the action plan EU feeder ports will implement minimum requirements for container security to participate in the US CSI. A joint set of risk rules will be finalized and tested. A common list of advanced cargo data requirements should be agreed.
2.8.7	Strengthen international cooperation at the level of WCO. Encourage and support non-EU states to comply fully with the Framework of Standards from WCO.	Commission		The WCO adopted in July 2005 a framework of standards with the objective of increasing the supply chain security. Adoption of the implementing provisions of the Community customs code that are in principle in line with these standards Provide support on capacity building to priority non-EU members.
2.8.8	Strengthen international cooperation in R&D between developed countries on Critical Infrastructures Protection, and other fields of common interest	Commission / MS	2006 and further	Cooperation started in 2006 between research teams funded by IST programme and NSF in EU and US on CIP and related issues.

2.8.9	Improve the role of international export control regimes in particular with the view to prevent access by terrorists to WMD weapons via the acquisition of dual use items. Enhance information sharing in those regimes and within the EU.	Commission/MS		Reference to the Thessaloniki Action Plan.

	Measure/Action	Competent Body	Deadline	status/observations
3.	**PROSECUTE**			
3.0.1	Implementation of Framework Decision on Combating Terrorism.	Commission / MS	End 2006	Partially achieved 20 Member States have reported completion of implementation measures. The Council has adopted the Presidencies report on the implementation (11687/2/04 DROIPEN 40 REV 2) which is based on the report from the Commission. The Commission plans to submit a new report by the end of 2006.
3.0.2	MS to report on how they have responded to the recommendations of the Peer Evaluation process to strengthen national CT arrangements and –assess need for further evaluation once MS have reported on follow up to recommendations during 2006.	MS/ CTC	2006/7	Member States to report in the Working Party on Terrorism how they have responded to the recommendations of the relevant country report and, where appropriate, the recommendations of the final report.
3.1.	**INFORMATION GATHERING, ANALYSIS, AND EXCHANGE**			
3.1.1	Framework Decision on simplifying the exchange of information and intelligence between law enforcement authorities of the MS (Swedish proposal).	Council	achieved	General approach at 1-2 December 2005 Council.
3.1.2	Framework Decision on the principle of availability.	Council	End 2006	Presently being discussed in the MDG/Article 36 Committee
3.1.3	Framework Decision on Data Protection.	Council	End 2006	Presently being discussed in the MDG.
3.1.4	Ensure access of authorities competent for internal security matters and Europol to VIS.	Council	End 2006	Commission proposal on access to VIS by authorities competent for internal security matters and Europol (COM (2005) 600) tabled on 24 November 2005 and is presently being discussed in the PCWG.
3.1.5	Enhancing the interoperability of VIS, SIS II, and EURODAC	Commission/ Council/ EP	As soon as possible	Commission Communication was presented in Council December 2005.

3.1.6	Improve information sharing on lost and stolen passports.	MS	December 2006	Common Position adopted 24-05-05, report on implementation December 2006.
3.1.7	Implement Directive on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or a public communication network and amending Directive 2002/58/EC.	MS		Adopted in February 2006.
3.1.8	Ensuring that Europol is provided by MS law enforcement authorities with all relevant terrorist related criminal information as soon as it is available and that Eurojust is provided with all relevant prosecutorial information, in the context of the Council Decision on the exchange of information concerning terrorist offences adopted in September 2005.	MS/ CTC	Ongoing	Second CTTF evaluation report was endorsed by the Council. Only a few Member States exchange information on terrorism matters with Eurojust regularly and in a structured way, according to Eurojust annual report for 2005.

3.1.9	Work to improve the exchange of information on convictions.	Council/ Commission	ongoing	On 25 January 2005 the Commission presented a White Paper analysing the main difficulties in exchanging information on convictions and making proposals for a computerised information exchange system COM (2005) 10. 25.1.2005. The Commission presented in October 2004 a first proposal on criminal records, adopted by the Council in November 2005 (Council Decision 2005/876/JHA of 21 November 2005 on the exchange of information extracted from the criminal record). Following discussions on the White Paper, the Justice and Home Affairs Council of 14 April 2005 agreed on a way forward. On that basis, the Commission adopted on 22 December 2005 a proposal for a Council Framework Decision COM (2005) 690 2005/0267 (CNS) on the organisation and content of the exchange of information extracted from criminal records between MS. Further proposals will be made to improve access to information on convictions handed down in the European Union against third country nationals (a Commission Working Paper should be adopted in May-June 2006). The work to improve the exchange of information on convictions shall take into account the results of the German-French-Spanish-Belgian pilot project of interconnection of their national judicial registers. See also Commission Communication on measures to be taken to combat terrorism and other forms of serious crime, in particular to improve exchanges of information [COM (2004) 221] Discussion by Council on 2 June 2005.
3.1.10	Identify legal and practical blockages to the co-operation between Eurojust and Europol, in particular regarding the exchange of information and the full involvement of Eurojust in Analytical Work Files of Europol, with a view to finding practical solutions.	Europol / Eurojust	December 2006	Despite the agreement concluded on 9 June 2004, the exchange of information with Europol is limited by its legal framework. Europol and Eurojust should present proposals in due course.

3.1.11	Make full use of Europol analysis capability (including CTTF).	Europol/MS	Ongoing	
3.1.12	Developing a common approach to the exchange of information on deportations and expulsions related to terrorism, including radical imams.	Council	2006	
3.1.13	Enhance information sharing, as to action 2.8.9.	Commission/MS		Reference to the Thessaloniki Action Plan.
3.1.14	Ensure the setting up of a secure network between Eurojust and MS for the exchange of information in the field of terrorism.	MS/ Eurojust		
3.2.	**IMPEDING TERRORISTS' MOVEMENTS AND ACTIVITIES**			
3.2.1	Monitor travel to and from conflict zones.	MS	Ongoing	SitCen to draw up report.
3.2.2	Prevent individuals from gaining access to terrorist training.	MS/ Europol	Ongoing	Addressed in the policy recommendations based on the SitCen reports.
3.2.3	Maximise the capacity of existing border systems to monitor, and, where relevant, counter the movement of suspected terrorists across our internal and external borders (see also Protect).	Frontex	Ongoing	FRONTEX Agency will: 1) set up centralised records of technical equipment and 2) launch joint operations at the borders.
3.3.	**POLICE CO-OPERATION**			
3.3.1	Develop the European Crime Intelligence Model with the assistance of the Police Chiefs Task Force.	PCTF/ Council	OCTA April 2006.	Europol will present 1st OCTA in April 2006.
3.3.2	Review how operational capacity of the PCTF can be reinforced.	PCTF/ Council	Ongoing	PCTF set up 6 action plans under COSPOL one of which on terrorism. Continuation of this action plan will be decided upon in connection with OCTA.

3.3.3	Report on enhancing mutual trust between law enforcement authorities.	CEPOL/Europol, with input from Sitcen	Mid 2006	CEPOL and Europol to produce joint report on what CT related training they have so far provided and what more could be done.
3.3.4	Proposal for a Council Decision on the improvement of police cooperation between the Member States of the European Union, especially at the internal borders, including proposals to improve police co-operation on cross border hot pursuit, and amending the Convention implementing the Schengen Agreement.	Council	End 2006	Currently being discussed in PCWG and Article 36 Committee.
3.3.5	Member States to consider their participation in the Treaty of Prum; consideration to be given to implementation of its provisions, eg on exchange of information on potential terrorists.	MS	Ongoing	Details of this issue are included in doc 11910/1/05. Decisions are for individual Member States to be taken. 7 MS have so far signed the Treaty.
3.3.6	Enhanced co-operation against terrorist use of the internet.	MS/ Europol	June 2007	Addressed in the policy recommendations based on the SitCen reports.
3.3.7	Further develop legal framework to remove illegal material from the internet.	Council / Commission / MS	June 2007	Subject of concern are e.g. manuals or instructions for homemade explosives or bombs. Commission is preparing seminars on legal and practical possibilities of regulations.
3.4. JUDICIAL CO-OPERATION				
3.4.1	Framework Decision on a European Evidence Warrant.	Council	As soon as possible	Further work by Coreper.

3.4.2	Enhance use of Eurojust and consider measures to improve its capacity, to enable more effective co-operation in terrorist investigations and prosecutions including through the practical application of relevant Council Decisions.	MS/ CTC/ Eurojust		The obstacles identified in the letter Eurojust sent to the Council in May 2004 still exist. Eurojust faces ongoing challenges, relating to the lack of information conveyed to it, due to organizational and legal barriers, traditional approaches to co-operation, a lack of human and technical resources, and inertia in Member States. On the Council's request, Eurojust has examined and defined the scope of measures to improve its capacity to contribute to the fight against terrorism (see Eurojust's report: Council Document of 01/06/04 No. 10008/04). Thus : – Need for more and complete, updated information – Need for more budgetary support MS are obliged to taker the necessary measures to comply with the provisions of Council Decision 2005/671/JHA of 20 September 2005 on the exchange of information and co-operation concerning terrorist offences by 30 June 2006 at the latest. This will significantly broaden the scope of information which must be transmitted to Eurojust
3.4.3	Draft Framework Decision on the application of the principle of mutual recognition to Confiscation Orders.	Council	As soon as possible	General approach reached mid 2004, awaiting lifting of one parliament reservation.
3.4.4	Develop best practice in witness protection programmes, including the issue of granting residence permits to foreign nationals who co-operate with CT investigations. European Protection Programme for the protection of witnesses in terrorist cases.	Commission	As soon as possible	Commission Communication on witness protection is planned.

3.4.5	Make use of Joint Investigation Teams, when appropriate involving Europol and Eurojust, and consider options for funding JITs.	MS	Ongoing	Network of national experts on JITs established. First meeting took place on 23 November 2005. Funding issues to be considered in the context of discussions on the Security Framework Programme (prevention and fight against crime) and of the Justice framework programme (Criminal Justice).
3.5. INTERNATIONAL DIMENSION				
3.5.1	Support the key role of the United Nations and its sub-organisations in sustaining the international consensus and mobilizing the international community.	Presidency/ Council/ CTC/ Commission	Ongoing	In light of GAER conclusions of November 2005 and April 2006, it might be useful to add at the end, after "Summit": "which it continues to emphasize during ongoing Summit implementation process".
3.5.2	Ratification of 13 UN legal instruments against Terrorism and continue to lobby for this in third countries both bilaterally and at EU level.	MS	End 2006	Partially Achieved Not all Member States yet have a full record on ratification/ implementation. To do: Work to ensure early ratification and implementation of the UN Convention on the Suppression of Acts of Nuclear Terrorism, which was adopted on 13 May 2005. This convention was signed by all EU MS on 14 September 2005.
3.5.3	Support the adoption of a Comprehensive Convention on Terrorism including through proactive outreach.	Council/Commission/ MS	Ongoing	The EU has been actively arguing in the UN and in its meetings with key third countries in favour of the adoption of the UN Comprehensive Convention on International Terrorism.
3.5.4	Support the adoption of a United Nations Counterterrorism Strategy.	Council/Commission MS	Ongoing	The EU has already sent information and some initial thoughts about this Strategy and stands ready to work further on this issue.
3.5.5	Sign and ratify Council of Europe Convention on prevention of acts of terrorism.	Council/Commission MS		Work to ensure early ratification and subsequent implementation. Lobby for signature and ratification in third countries. Support the Council of Europe's work on combating terrorism in general.

3.5.6	Further develop contacts with the UNODC, UN CTC, the UN CTED, the 1267 Committee, including sharing of information on EU assistance programs and further develop contacts with the UN Special Representative for Human Rights and Terrorism.	Council/ EU CTC/ Commission/ MS	Ongoing	EU participation on CTED missions to Morocco, Kenya , Albania, Algeria, Tanzania and FYROM. Systematic contacts with the UNODC.
3.5.7	Continue to make available voluntary contributions for the UNODC's Global Programme against Terrorism.	MS	Ongoing	
3.5.8	Identify and demarche, third countries which are failing to meet their commitments under UNSCR 1373.	Council/ HR/ EU CTC/ Commission	Ongoing	
3.5.9	Further develop dialogue, including aspects on terrorist financing, with, and provision of technical assistance to, regional and sub-regional organizations.	Council/ EU CTC/ Commission/ MS	Ongoing	(i) Commission has been providing support to JCLEC and is working on the provision of assistance to the AU centre in Algiers and to ASEAN. Council, Commission and Member States to develop proposals for assistance to such organisations [For the ACP countries this kind of measures cannot be financed over the EDF, see foot note 1] (ii) MS to supply expertise and funding to the maximum extent possible (iii) a network of experts has been set up (iv) EU organized the 4th seminar on financing of terrorism with Gulf Cooperation Council in April 2006. (v) EU organized an expert-level seminar on terrorism financing with Israel (March 2006) The Revised Cotonou Partnership Agreement and the Joint Council-Commission Declaration on financial and technical assistance in the area of cooperation in the fight against terrorisms stipulate that targeted assistance to strengthen ACP countries' ability, applies both to national and regional level, to counter terrorism must be financed by resources other than those intended for the financing of ACP-EC development cooperation. See also art. 11 a, the counterterrorism clause inserted in the Revised Coutonou Partnership Agreement

3.5.10	Enhance co-ordination between Member States and the Commission, on technical assistance projects, working closely with the United Nations and other donors.	MS/ Commission/ EU CTC/ Council	Ongoing	See observations in action 3.5.9
3.5.11	Deliver technical assistance to Morocco and Algeria in order to build their CT capacity, working closely with UN and other donors.	MS/ Commission	June 2006 On going	Morocco: project on training for judges launched by Sweden (study visit/workshop); twinning on financing of terrorism/money laundering launched by the Commission; visit of Moroccan officials to Spanish FIUs by Spain. Algeria: Training course for police on Cyber terrorism organised by the Commission and Malta but Algerian officials cancelled at the last minute
3.5.12	Develop and implement technical assistance programmes to other priority countries in order to build their CT capacity, in co-ordination with the UN and other donors and review existing projects in priority countries to identify duplication. Further develop political dialogue with priority countries in order to strengthen political capacity in the fight against terrorism.	MS/ Commission		Partially achieved (i) Commission has been providing support to around 80 third countries and to a number of international organizations . (ii) MS to supply expertise and funding to the maximum extent possible (iii) a network of experts has been set up (iv) EU organised the 4th seminar on financing of terrorism with Gulf Cooperation Council in April 2006 See observations in action 3.5.9
3.5.13	Cooperate closely with the Financial Action Task Force (FATF) on all issues regarding the financing of terrorism.	All		
3.5.14	Take into account CT objectives into the work of geographical working groups and external assistance country strategies to formulate the appropriate policy mix including through the insertion of counter-terrorism clauses into agreements with third countries.	Council/ Commission	Ongoing	Partially achieved. Commission is taking CT objectives into account in external country assistance strategies. CT clauses prepared for insertion into agreements. Terrorism covered in all ENP action plans
3.5.15	Produce country and thematic CT threat assessments as the basis for policy development.	SitCen	Ongoing	First nine reports drawn up by SitCen and presented to the Working Party on Terrorism. The Article 36 Committee has equally dealt with a number of reports. Policy recommendations based on six reports to be endorsed by the Council.

3.5.16	Develop technical capacity for monitoring and analysing open source information relevant to third country CT activities.	SitCen/ MS/ Commission	Ongoing	
3.5.17	Coordinated EU position on reservations to Conventions should be encouraged.	Commission/Council/ MS	Ongoing	This issue is regularly discussed in COTER and COJUR.
3.5.18	Develop dialogue with the OSCE in the fight against terrorism.	Commission	Ongoing	The Commission and the OSCE had an informal meeting in April 2006.
3.5.19	Negotiations between Eurojust and the United States of America on a co-operation agreement.	Eurojust	Autumn 2006	Eurojust is currently negotiating with the US a co-operation agreement aimed at improving judicial co-operation in order to facilitate the co-ordination of investigations and prosecutions covering the territory of the USA and one or more EU MS.
3.5.20	Organize regular tactical meetings with the countries most concerned with terrorism, with a view to strengthen co-operation between the MS and to establish a network between magistrates dealing with terrorist matters.	Eurojust	Immediately	The main objective of these meetings is to provide a platform for Leading Magistrates dealing with terrorist cases, to discuss terrorist matters, exchange information and experiences and to build up a network.

	Measure/Action	Competent Body	Deadline	status/observations
4.	**RESPOND**			
4.1.	**CIVILIAN RAPID EU RESPONSE CAPABILITY TO DEAL WITH THE AFTERMATH OF A TERRORIST ATTACK**			
4.1.1	Strengthen the Community Civil Protection Mechanism on the basis of the Commission's proposal for a recast of the Council Decision establishing the Mechanism (COM(2006) 29 of 26/01/06)	Council/ Commission	Council negotiations ongoing	
4.1.2	Agree a proposal for a Council regulation establishing a Rapid Response and Preparedness Instrument for major emergencies ("financial instrument") (12827/05).	Council	End 2006	
4.1.3	Follow up the Commission report on the assessment of civil protection assistance through the Mechanism in case of major terrorist attack in the EU, including the medical resources required to respond to a bio-terrorist attack.	Commission/Council	Mid 2006	Within the framework of the Community Mechanism, the Commission has developed response scenarios to identify the assistance available in case of terrorist attacks. All Member States have contributed to the database and an assessment of the available capabilities has been finalized. Through its Communication SEC(2005) 1406), the Commission has alerted the Council to a number of possible shortfalls that could undermine the effectiveness of mutual civil protection assistance in the event of major terrorist attacks. The Commission report was noted by the JHA December 2005 Council; no specific follow-up has been agreed by the Council. The report will be taken into account in the framework of the examination of the proposals on a Rapid Response Instrument and on a revision of the civil protection mechanism.
4.1.4	Improve the ability of MS to use a risk based approach to develop their capabilities to respond to national emergencies and those of their neighbours in a spirit of solidarity.	Council	Mid 2006	Two expert seminars were held in September and December 2005.

4.1.5	Develop the concept of Civil Protection Modules, capable of rapid reaction, interoperable and trained to work together.	Commission/ Council	Mid 2006	
4.1.6	Carry out training and exercises directed at interoperability in coping with terrorist attacks.	Commission/ Council	Ongoing	1) The Commission has launched a call for proposals for major simulation exercises in the field of civil protection, including exercises focusing on the response to terrorist attacks. 2.) Training activities in the framework of the Civil Protection Mechanism help preparing first responders for assistance in case of major emergencies, including terrorism. 3) Joint Training Programme of Commission with EUROPOL on interaction between Law Enforcement and Public Health (April 2004)
4.1.7.	Agree common insignia for EU intervention teams.	Commission	End 2005	Common vests with European insignia have been developed and are being distributed to Member States' experts participating in EU civil protection assistance interventions in order to increase the visibility of EU assistance.
4.1.8	Improve exchange of information on victim identification	Council	Ongoing	Council in dialogue with Interpol on the use and further development of Interpol's database.
4.1.9	Ensure appropriate consideration is given within Civilian Headline Goal 2008 to the deployment and further development of civilian capabilities (in particular Police, Rule of Law, Civilian Administration and Civil Protection), in order to prevent as well as counter the terrorist threats within the limitations of the mandate.	Council	Ongoing	
4.1.10	Protect minority communities which may be at risk of a backlash in the event of a major attack.	Council/Commission		Continued monitoring by the European Monitoring Centre on Racism and Xenophobia of racial violence and discrimination.

4.1.11	Ensure full implementation of the EU Health Security Strategy and Solidarity Programme.	Council/Commission/ MS		
4.2.	**MILITARY RAPID RESPONSE CAPABILITY TO DEAL WITH THE AFTERMATH OF A TERRORIST ATTACK**			
4.2.1	Adapt the military database of assets and capabilities relevant to the protection of civilian populations against the effects of terrorist attacks (including CBRN) to reflect its expansion to all types of natural and man-made disasters.	Council/Commission	First half 2006.	Develop co-operation between relevant Council and Commission bodies as appropriate.
4.2.2	Elaboration of a detailed report on modalities procedures and criteria to develop the appropriate level of interoperability between military and civilian capabilities in the framework of protection of civilian populations following a terrorist attack, including in crisis management operations under Title V of the TEU.	Council	Mid 2006	
4.2.3	Follow-up the "trilateral initiative" at NATO in the framework of civil emergency planning in crisis management (cf. 14797/04 sub 19.l).	Council/ Commission	Soonest possible	The EU will continue to seek ways to cooperate with NATO in the context of the "trilateral initiative". The Secretariat, with the participation of the Commission, will continue to maintain the necessary contacts with the IS to ensure the exchange of information and to enable PSC-NAC and PMG-PCG meetings to be held with all the Member States.
4.2.4	Ensure the terrorist threat is incorporated into the illustrative scenarios of the Headline Goal 2010 .	Council	Ongoing	

4.2.5	Improve protection of all personnel, material and assets deployed for crisis management operations under Title V of the TEU, including, as appropriate, the ability to protect possible key civilian targets, including critical infrastructure, in the area of operations within available means and capabilities and on a case by case basis based on the threat analysis.	Council/MS	Ongoing	
4.3.	**EARLY WARNING OF TERRORIST ATTACKS**			
4.3.1	Timely analysis of attacks carried out by terrorists.	Sitcen		
4.4.	**CAPABILITIES TO COORDINATE EFFECTIVELY THE MANAGEMENT OF THE RESPONSE**			
4.4.1	Implement EU Crisis Coordination arrangements to share information, ensure coordination and enable collective decision-making at politico-strategic level in the event of an emergency .	Council / Commission	Ongoing Report in June 2006	Agreed by the Council in December 2005.
4.4.2	Agree Integrated Crisis Management Arrangements which develop the necessary procedures for the above EU Crisis Coordination arrangements.	Council / Commission	Mid 2006	
4.5.	**ASSISTANCE TO VICTIMS**			
4.5.1	Ensure that support and assistance is provided to the victims of terrorism.	MS / Commission	Ongoing	Commission will launch in 2006 a call for proposals in the framework of a preparatory action in favour of victims and will evaluate the pilot project run in 2004 and 2005
4.6.	**INTERNATIONAL DIMENSION**			
4.6.1	Establishing working and cooperation methods, concepts and procedures between the EU and the UN.	Council/ Commission	Ongoing	

4.6.2	Deliver technical assistance on consequence management as a component of technical assistance to priority third countries.	MS/ Council/ Commission	Ongoing	
4.6.3	Reinforce the protection of European citizens in third countries.	Commission/MS		In April 2005, the Commission proposed to make the MIC available to facilitate and support consular cooperation in the event of major emergencies in third countries, affecting EU citizens. This was welcomed by the GAERC on 18.07.05.
4.7. RESEARCH				
4.7.1	Implementation of the 6th Framework Programme for Research and Development.	Commission/MS		Research should, in particular, aim at promoting interoperability.
4.7.2.	The Cooperation part of the Commission proposal for the 7th RTD Framework Programme (FP7) , will include a Security and Space theme. After more than a year work, ESRAB (the European Security Research Advisory Board) is finalizing its report. The final report is expected in September 2007. It will advise the Commission on the content and the implementation of security research within FP7, more particularly, the 1st workprogramme of FP7 .	Commission ESRAB, the European Security Research Advisory Board to the Commission	.	In the proposal for the 7th Framework Programme the Commission proposes to include Security as one of the research themes in order to develop multidisciplinary technologies and knowledge for building capabilities needed to ensure the security of citizens from threats such as terrorism and crime. In addition ICT for Trust and Security will remain a priority in the IST programme of the 7th Framework programme. Following the agreement on the next financial perspectives, the Commission will table a revised proposal for FP7 , end of April early May 2006
4.7.3	Scientific support to policies.	Commission/MS		In the field of biological and chemical terrorism, the 6th Framework Programme's Scientific Support to Policies activities cover "Civil protection (including biosecurity and protection against risks arising from terrorist attack) and crisis management". Research is currently ongoing on biological agents, risk assessment, crop bioterrorism and modelling the propagation of bioterrorist agents.

ANNEXES

Annex 1: Implementation of the legislative Instruments listed in the Declaration on terrorism of the European Council of 25 March 2004– state as on 13 February 2006

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK
1. Instruments of the European Union[1]																								
a) Framework Decision of 13 June 2002 on the European Arrest Warrant (initial deadline for old Member States: 31 December 2003; for new Member States: date of accession; deadline set by the Declaration of the European Council: June 2004)[2]																								
y	y	y[3]	y	p[4]	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y

[1] 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;
y= 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;

[2] In February 2005, the Commission submitted a report on the implementation of the FD on the EAW (doc. 6815/05 COPEN 42 + ADD 1) and in January 2006 a revised report taking account of the implementation by IT (doc. 5706/06 COPEN 5 EJN 2 EUROJUST 6 + ADD1). According to this report, the legislation of in particular CZ, DK, EE, IE, IT, LU, MT, NL, SI and UK does not fully comply with the FD.

[3] Following a decision taken by the Supreme Court of Cyprus on 7 November 2005, Cyprus will not be in a position to execute European Arrest Warrants against Cypriot nationals until its Constitution has been changed.

[4] On 18 July 2005 the German Constitutional Court declared the German law to implement the execution of the EAW null and void. During the transitional period until a new German act has been enacted and entered into force, Germany will apply extradition arrangements; the extradition of German nationals to other Member States is not possible during that provisional period. However, German judicial authorities can continue to issue European arrest warrants.

b) Framework Decision of 13 June 2002 on Joint Investigation Teams (initial deadline for old Member States: 1 January 2003; for new Member States: date of accession; deadline set by the Declaration of the European Council: June 2004)[5]																							
y	y	y	y	-	y	-	y	y	y	-[6]	y	y	-[7]	y	y	-[8]	y	y	y	y	y	-	y	y

AT	**BE**	**CY**	**CZ**	**DE**	**DK**	**EE**	**ES**	**FIN**	**FR**	**GR**	**HU**	**IE**	**IT**	**LV**	**LT**	**LU**	**MT**	**NL**	**PL**	**PT**	**SE**	**SI**	**SK**	**UK**

c) Framework Decision of 13 June 2002 on Combating Terrorism (initial deadline for old Member States: 31 December 2002; for new Member States: date of accession; deadline set by the Declaration of the European Council: June 2004)[9]

5 In January 2005, the Commission submitted a report on national measures taken to comply with the FD on JITs (doc. 5448/05 COPEN 10 + ADD 1). According to this report, only the legislation of ES (out of the 19 Member States whose legislation was examined) fully complies with the FD.

6 GR has indicated that its draft legislation to implement the FD on Joint Investigation Teams has been submitted to the Greek Parliament.

7 IT has indicated that its draft legislation to implement the FD on Joint Investigation Teams is currently pending before its Parliament and that no estimate can be given as to when the Parliament will approve it.

8 LU has indicated that its draft legislation to implement the FD on Joint Investigation Teams is currently pending before its Parliament.

9 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 1 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).

10 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.

11 CY has indicated that new counter terrorism legislation is in preparation.

12 CZ has indicated that it has implemented the FD on Combating Terrorism with the exception of the provisions on liability of legal persons.

13 SK has informed the General Secretariat of the Council that it has implemented the FD on Combating Terrorism with the exception of the provisions on liability of legal persons. Criminal liability of legal persons will be established in the framework of the new Criminal Code which is currently in

y[10]	y	-[11]	p[12]	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	p[13]	y

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK
d) Framework Decision of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime[14] (initial deadline for old Member States: 31 December 2002; for new Member States: date of accession; deadline set by the Declaration of the European Council: June 2004)																								

preparation.

10 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.

11 CY has indicated that new counter terrorism legislation is in preparation.

12 CZ has indicated that it has implemented the FD on Combating Terrorism with the exception of the provisions on liability of legal persons.

14 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, and a special legislative drafting committee was producing national transposing provisions in GR. Since then, GR has enacted legislation to implement the Framework Decision.

15 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.

16 CZ has indicated that draft legislation to fully implement the Framework Decision is being discussed in Parliament.

17 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 are applicable to offences committed after 1 October 2004.

18 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. Since then, IT has notified the COM and the GSC of legislation that was enacted in order to comply with the Framework

y[15]	y	°	p[16]	y	y	y	y[17]	y	y	y	y	y	y[18]	°	y	-	-	y	y	y[19]	y	y	y	y

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK
e) Decision of 28 February 2002 establishing Eurojust[20] (initial deadline: 6 September 2003; deadline set by the Declaration of the European Council: June 2004)																								
y	y	-	y	y	y	y	-[21]	y	y	-[22]	y	y	y	°	y	y	y	y	y	y	y	y	y	y
f) Decision of 19 December 2002 on the implementation of specific measures for police and judicial cooperation to combat terrorism[23] (deadline set by the Declaration of the European Council: June 2004)																								

Decision.

15 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.

16 CZ has indicated that draft legislation to fully implement the Framework Decision is being discussed in Parliament.

17 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 are applicable to offences committed after 1 October 2004.

19 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.

20 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. 11280/04 EUROJUST 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.

21 ES has indicated that the draft legislation to implement the Eurojust Decision has been submitted to Parliament.

22 GR has indicated that its legislation to implement the Eurojust Decision has been submitted to the Greek Parliament.

23 Designation of a Eurojust national correspondent for terrorism matters by each Member State

y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y
g) Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union (deadline set by the Declaration of the European Council: December 2004); entry into force on 23 August 2005																							
y	y	y	-[24]	y	y	y	y	y	y	-[3]	y	-[25]	-[26]	y	y	-	-	y	y	y	y	y	-[27]	y

AT	**BE**	**CY**	**CZ**	**DE**	**DK**	**EE**	**ES**	**FIN**	**FR**	**GR**	**HU**	**IE**	**IT**	**LV**	**LT**	**LU**	**MT**	**NL**	**PL**	**PT**	**SE**	**SI**	**SK**	**UK**
h) Protocol of 16 October 2001 to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union (deadline set by the Declaration of the European Council: December 2004); entry into force on 5 October 2005																								
y	y	y	-[28]	y	y	-[29]	y	y	y	-[30]	y	-[31]	-[32]	y	y	-	-	y	y	-[33]	y	y	-[34]	-[35]

[24] CZ has indicated that the MLA Convention and the Protocol thereto were approved by its Government and Parliament and have been submitted to the President in order to complete the ratification process.

[25] IE has indicated that legislation to implement the MLA Convention is in preparation.

[26] IT has indicated that a draft law to ratify the MLA Convention is currently pending before its Parliament

[27] SK has indicated that it is preparing its accession to the MLA Convention and the Protocol thereto.

[28] CZ has indicated that the MLA Convention and the Protocol thereto were approved by its Government and Parliament and have been submitted to the President in order to complete the ratification process.

[29] EE has indicated that a draft act will be submitted to the Ministry of Foreign Affairs in February 2006. Thereafter it will be sent to the Government for approval and to the Parliament for ratification.

[30] GR has indicated that an ad hoc committee of the Ministry of Justice has prepared draft laws to implement the FD on JITs, the Eurojust Decision, the 2000 MLA Convention and the 2001 Protocol thereto as well as the FD on freezing orders. Their submission to the Parliament is imminent.

[31] IE has indicated that legislation to implement the instrument is in preparation.

[32] IT has indicated that a draft bill to ratify the 2001 Protocol is being prepared.

[33] PT has indicated that the ratification process has been delayed by the elections of the Parliament.

[34] SK has indicated that it is preparing its accession to the MLA Convention and the Protocol thereto.

[35] UK has indicated that it is in a position to ratify the 2001 Protocol.

i) Protocol of 30 November 2000 amending the Europol Convention (deadline set by the Declaration of the European Council: December 2004)																							
y	y	y	y	y	y	y	y	y	y	y	y	-[4]	y	y	y	-[36]	y	-[37]	y	y	y	y	y	y
j) Protocol of 28 November 2002 amending the Europol Convention and the Protocol on the privileges and immunities of Europol (deadline set by the Declaration of the European Council: December 2004)																							
y	y	y	y	y	y	y	y	y	y	y	y	-[4]	-[38]	y	y	-[9]	y	y	y	-[6]	-[39]	y	y	y
k) Protocol of 27 November 2003 amending the Europol Convention (deadline set by the Declaration of the European Council: December 2004)																							
y	y	y	y	-[40]	y	y	y	y	-	y	y	-[4]	-[41]	y	y	-[9]	y	y	y	-[6]	-[12]	y	y	y

AT	**BE**	**CY**	**CZ**	**DE**	**DK**	**EE**	**ES**	**FIN**	**FR**	**GR**	**HU**	**IE**	**IT**	**LV**	**LT**	**LU**	**MT**	**NL**	**PL**	**PT**	**SE**	**SI**	**SK**	**UK**
l) Framework Decision of 22 July 2003 on the execution of orders freezing property or evidence (initial deadline for Member States (and current Acceding States): 2 August 2005; deadline set by the Declaration of the European Council: December 2004)																								

36 LU has indicated that its draft legislation to implement the Protocols to the Europol Convention is currently pending before its Parliament.

37 NL has indicated that it does not intend to ratify the 2000 Protocol since that Protocol will become obsolete when the 2003 Protocol will enter into force.

38 IT has indicated that a draft bill to ratify the Protocol was examined by the Senate on 30 November 2005.

39 SE has indicated that the ratification procedure is expected to be completed by spring 2006.

40 DE has indicated that its draft legislation to ratify the 2003 Protocol is expected to be sent to the Parliament (Bundestag and Bundesrat) once the new government is in place. The ratification process is expected to be concluded early 2006.

41 IT has indicated that a draft bill to ratify the Protocol was approved by the Council of Ministers and will now be submitted to the Italian Parliament.

42 PT has indicated that a draft bill which is currently being finalised, will soon be submitted to the government and the Parliament for approval.

43 SK has indicated that its draft legislation to implement the FD on freezing orders is currently in preparation.

44 UK has indicated that it has implemented the FD on freezing orders insofar as terrorist assets are concerned. UK is making progress towards full implementation.

y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	-[42]	y	-	-[43]	p°[44]

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK
2. INSTRUMENTS OF THE UNITED NATIONS[45]																								
a) Convention on Offences and Certain Other Acts Committed on Board Aircraft of 14 September 1963																								
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
b) Convention for the Suppression of Unlawful Seizure of Aircraft of 16 December 1970																								
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
c) Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 23 September 1971																								
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
d) Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents of 14 December 1973																								
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	-[46]	r	r	r	r	r	r	r	r

42 PT has indicated that a draft bill which is currently being finalised, will soon be submitted to the government and the Parliament for approval.

43 SK has indicated that its draft legislation to implement the FD on freezing orders is currently in preparation.

44 UK has indicated that it has implemented the FD on freezing orders insofar as terrorist assets are concerned. UK is making progress towards full implementation.

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

46 LU has indicated that the draft law to ratify the Convention was submitted to the Luxembourg Parliament in October 2005.

e) International Convention against the Taking of Hostages of 17 December 1979																							
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
f) Convention on the Physical Protection of Nuclear Material of 3 March 1980																							
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
g) Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 24 February 1988																							
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
h) Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 10 March 1988																							
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	-	r	r	r	r	r	r	r

AT	**BE**	**CY**	**CZ**	**DE**	**DK**	**EE**	**ES**	**FIN**	**FR**	**GR**	**HU**	**IE**	**IT**	**LV**	**LT**	**LU**	**MT**	**NL**	**PL**	**PT**	**SE**	**SI**	**SK**	**UK**
i) Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf of 10 March 1988																								
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	-	r	r	r	r	r	r	r	r
j) Convention on the Marking of Plastic Explosives for the Purpose of Detection of 1 March 1991																								

47 LU has indicated that the draft law to ratify the Convention was submitted to the Luxembourg Parliament in October 2005.

48 PL has indicated that the ratification procedure has been initiated.

49 SE has indicated that work on the ratification of the Convention is ongoing. It is expected that the Parliament will deal with the ratification in spring 2006.

r	s	r	r	r	r	r	r	r	r	r	r	r	r	r	r	-[47]	r	r	-[48]	r	s[49]	r	r	r
k) International Convention for the Suppression of Terrorist Bombings of 15 December 1997																								
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
l) International Convention for the Suppression of the Financing of Terrorism of 9 December 1999																								
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r

47 LU has indicated that the draft law to ratify the Convention was submitted to the Luxembourg Parliament in October 2005.

48 PL has indicated that the ratification procedure has been initiated.

49 SE has indicated that work on the ratification of the Convention is ongoing. It is expected that the Parliament will deal with the ratification in spring 2006.

Annex 2: List of achieved Measures in the Fight against Terrorism

GENERAL

- The EU Action Plans (June 2004, December 2004, June 2005 and February 2006)
- Communication on prevention, preparedness and response to terrorist attacks
- Communication establishing a framework programme on "Security and Safeguarding Liberties" for the period 2007-2013": Proposal for a Council decision establishing the specific programme "Prevention, Preparedness and Consequence Management of Terrorism" for the period 2007-2013
- Commission financing decision – Pilot Project 'Fight against terrorism
- The EU Counter-Terrorism Strategy

I. PREVENT

1.1 DISRUPT THE ACTIVITIES OF THE NETWORK AND INDIVIDUALS WHO DRAW PEOPLE INTO TERRORISM

Communications

- Communication addressing radicalisation and recruitment of terrorists

Report

- Report on "The Impact of 7 July 2005 Bombs Attack on Muslim Communities in the EU" by the European Monitoring Centre (EUMC)
- Report on recruitment to terrorism including the possible adoption of an agreed set of recommendations

Other

- EU Strategy for Combating Radicalisation and Recruitment to Terrorism
- Coordinated long-term strategy based on the report on recruitment to terrorism
- Establishment of an Expert Group on Violent Radicalisation
- Establishment of the High Level Group on Minorities
- Research Projects in the 6th Framework Programme, key action "Citizens and governance"

1.2 TERRORIST FINANCING

Communications

- Communication on Organised Financial Crime
- Communication on the prevention of and the fight against terrorist financing
- EU Joint Strategy Paper on Terrorist Financing
- Communication setting out (i) best practice advice in cooperation structures and the exchange of financial intelligence and (ii) putting forward a Recommendation to the MS and a framework for a Code of Conduct for NPOs to enhance transparency within the non-profit sector

Adopted legislation

- Framework Decision of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime[50]

[50] [the state regarding implementation as on 3 March 2006 is that in two Member States implementation is not completed (LU, MT), two Member States have informed the General Secretariat of the Council that the instrument has been implemented, but legislation has not been sent to the Council Secretariat (CY, LV), and one Member State has implemented the instrument partially (CZ)]

- Council Act of 16 October 2001 establishing, in accordance with Article 34 of the Treaty on European Union, the Protocol to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union

- Directive amending Council Directive 91/308/EEC on prevention of the use of the financial system for the purpose of money laundering

- Council Decision extending Europol's mandate to deal with serious forms of international crime listed in the Annex to the Europol Convention

- Council Common Position on combating terrorism

- Council Common Position on the application of specific measures to combat terrorism

- Council Regulation on specific restrictive measures directed against certain persons and entities with a view to combating terrorism

- Council Decision establishing the list provided for in Article 2(3) of Council Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism

- Council Common Position concerning restrictive measures against Usama bin Laden, members of the Al-Qaida organisation and the Taliban and other individuals, groups, undertakings and entities associated with them and repealing Common Positions 96/746/CFSP, 1999/727/CFSP, 2001/154/CFSP and 2001/771/CFSP

- Council Regulation imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan

- Directive on Insider Trading and Market Manipulation (Market Abuse)

- Council Framework Decision on the execution in the European Union of orders freezing property or evidence

- Directive on a New Legal Framework for Payments in the Internal Market (regulating inter alia alternative remittance systems, in compliance with FATF SR VI)

- Framework Decision of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences (2005/671/JHA)

- Regulation on controls on cash entering or leaving the Community (Regulation (EC) No. 1889/2005)

- Directive on the prevention of the use of the financial system for the purpose of money laundering, and terrorist financing (also known as the Third Money Laundering Directive) (entered into force 15 December 2005)

Other

- Project to design common minimum financial investigation training standards in EU. The

Commission organised a meeting in March 2006 to which all Member States were invited, the purpose being to raise awareness of the Commission / Europol initiated project and to explain and disseminate a questionnaire to participating Member States and Candidate Countries. A Working Group was established in 2005 to elaborate common minimum training standards in FI. This work is still in progress. The Commission, in partnership with the four European credit sector federations established in June 2004 an electronic database containing all relevant data concerning persons, groups and entities which are subject to European Union financial sanctions

- Completion of a scoping study on the capacity of EU institutions and legal instruments to respond to the problem of aliases/front organisations and to apply sanctions against leaders of terrorist organisations

- Establishment of intelligence capacity in relation to terrorist financing within SitCen to inform the work of relevant bodies

- Informal EU-US ad-hoc Troika meetings on terrorist financing

- Practitioners' seminar on financial investigation

- Study on EU's performance on Terrorist Financing in particular in respect of FATF special recommendations and act on recommendations awarded in April 2006. Study will be completed before end 2006.

1.3 LIMIT TERRORISTS' ACCESS TO WEAPONS AND EXPLOSIVES

Communications

- Communication on ensuring greater security of explosives, detonators, bomb-making equipment and fire-arms

Adopted legislation

- Council Directive on the supervision and control of shipments of radioactive waste and spent fuel

2. PROTECT

2.1 SECURITY OF THE SUPPLY CHAIN

Communications

- Communication and a possible proposal for a legal instrument on supply chain security

Adopted legislation

- Security amendments to the Community Customs Code that relate to checks on the flow of goods by introducing a system of pre-arrival and pre-departure declarations and by using an improved system of data communication and information sharing between Member States (adopted in April 2005 – Regulation (EC) No. 648/2005).

Proposed legislation

- Implementing regulation to the Security amendments to the Community Customs Code.
- Proposals for a complete modernisation of the customs code and a Decision on e-customs

Other

- The World Customs Organisation adopted a framework of standards with the objective of increasing the supply chain security

2.2 PROTECTION OF CRITICAL INFRASTRUCTURE

Communications

- Communication on Critical Infrastructure Protection in the fight against terrorism
- Green paper on European Programme for Critical Infrastructure Protection (EPCIP)

Adopted legislation

- Council Framework Decision on Attacks against Information Systems
- Framework Decision on Attacks against Information Systems

Other

- The Commission has organised three EU Critical Infrastructure Protection Seminars

2.3 TRANSPORT SECURITY

Adopted legislation

- Regulation n° 68/2004 amending Regulation (EC) n° 622/2003 laying down measures for the implementation of the common basic standards on aviation security (January 2004)
- Regulation (EC) n° 724/2004 amending Regulation (EC) No 1406/2002 establishing a European

Maritime Safety Agency

- Regulation (EC) n° 725/2004 on enhancing ship and port facility security
- Council Directive 2004/82/EC on the obligation of carriers to communicate passenger data
- Commission Regulation (EC) n° 1138/2004 establishing a common definition of critical parts of security restricted areas at airports
- Commission Regulation EC 884/2005 laying down procedures for conducting Commission inspections in the field of maritime security
- Commission Regulation (EC) n° 781/2005 amending Regulation (EC) n° 622/2003 laying down measures for the implementation of the common basic standards on aviation security
- Commission Regulation (EC) N°781/2005 amending Commission Regulation (EC) N°622/2003 Commission Regulation (EC) N°857/2005 of 6 June 2005 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°857/2005 amending Regulation (EC) n° 622/2003 laying down measures for the implementation of the common basic standards on aviation security

Proposed legislation

- Proposal for a Directive on enhancing port security

2.4 BORDER CONTROL

Adopted legislation

- Council regulation (EC) n° 871/2004 concerning the introduction of new functions for the Schengen Information System
- Council decision n° 2004/512/EC establishing the Visa Information System (VIS)
- Council Regulation (EC) n° 2007/2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
- Regulation (EC) n° 648/2005 amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code

Proposed legislation

- Proposal for a Regulation of the European Parliament and of the Council concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas
- Proposal for a Council decision on the establishment, operation and use of the second generation Schengen Information System (SIS II)
- Proposal for a regulation on the establishment, operation and use of the second generation Schengen Information System (SIS II)

- Proposal for a Regulation regarding access to the Second Generation Schengen Information System (SIS II) by the services in the Member States responsible for issuing vehicle registration certificates

- Proposal for a regulation laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code. The recently published preliminary draft proposal aims at defining the necessary amendments that must be made to Commission Regulation (EEC) No 2454/93, consequent to the amendments made to Council Regulation 92/2913 (EEC), by Regulation (EC) 648/2005 of the European Parliament and Council, OJ L 117, 04.05.2005, p.13. The deadline for response to the open consultation related to the above mentioned proposal was 16th September 2005.

Report

- Report from study of the role of Customs in the Member States in relation to security/anti-terrorism at EU Borders (approved by CCWG, 10238/04)

Other

- Strategy for Customs Cooperation and related work plan

- Statement of support for the Proliferation Security Initiative

- The Borders Code

2.5 PROTECTION OF OTHER POTENTIAL TARGETS

Adopted legislation

- Commission Regulation (EURATOM) 302/2005 on the application of EURATOM safeguards

Report

- Report to the Council on modalities procedures and criteria to develop the appropriate level of interoperability between military and civilian capabilities in the framework of protection of civilian populations following a terrorist attack, including in crisis management operations under Title V of the TEU

2.6 RESEARCH

Other

- Inventory and analysis of on-going research activities in the field of biological and chemical terrorism and identification of gaps and needs in scientific knowledge and research priorities which contribute to define annual research work programmes and priorities made in collaboration with the R&D Expert Group on Countering the Effects of Chemical and Biological Terrorism set up by the European Commission following a decision of Council of Research Ministers of 30th October 2001 (updated 2005)
    - Funding of eight projects (Scientific Support to Policies) in the area of biological and chemical terrorism within the scope of the 6th Framework Programme for RTD (2002-2006), and one additional project open for funding in 2006"
    - Protection against terrorism and crime: delivering technology solutions for threat

(e.g. CBRN) awareness, detection, prevention, identification, protection, neutralisation and containment of effects of terrorist attacks and organised crime.

– Security of infrastructures and utilities: analysing and securing existing and future public and private critical/networked infrastructure (e.g. in transport, energy, ICT), systems and services (including financial and administrative services)

– Border security: focusing on technologies and capabilities to enhance the effectiveness and efficiency of all systems, equipment, tools and processes required for improving the security of Europe's land and coastal borders, including border control and surveillance issues

– The preparatory action in the field of security research 2004-2006

– Commission proposal to incorporate Security Research in the 7th Framework Programme for RTD in (FP7) with an appropriate budget

2.7 INTERNATIONAL DIMENSION

Other

- Reinforcement of the protection of European citizens in third countries - in April 2005, the Commission proposed to make the MIC available to facilitate and support consular cooperation in the event of major emergencies in third countries, affecting EU citizens.

- The follow up to the Container Security Initiative (CSI)

- EC/US Agreement concluded expanding customs co-operation to cover CSI and related matters in order to cover transport security aspects

- Joint EC/US JCCC Working Group – comprised of customs exports – is established under the agreement to examine and make recommendations to be adopted by the EU. US Joint Customs Cooperation Committee in November 2004

- The EC and the US agreed to implement the recommendations elaborated by the Working Group and to continue work in the areas that need further deliberations (minimum CSI requirements for feeder ports; Joint Threat Assessment, a mechanism to exchange control information and a comparison of trade partnership programs on supply chain security) at the 6th meeting of the EC-US Joint Customs Cooperation Committee (31/1/2006)

3. PROSECUTE

3.1 INFORMATION GATHERING, ANALYSIS, AND EXCHANGE

Communications

- Communication on Information Policy for Law Enforcement Purposes
- Communication on measures to be taken to combat terrorism and other forms of serious crime, in particular to improve exchanges of information
- Communication on improved effectiveness, enhanced interoperability and synergies among European databases in the area of Justice and Home Affairs

Adopted legislation

- Framework Decision on combating terrorism[51]
- Framework Decision to replace Joint Action 1998/733/JHA on Criminal Organisations
- Council Decision on the exchange of information and co-operation concerning terrorist offences
- Framework Decision on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States, in particular as regards serious offences including terrorist acts
- Directive on the retention of telecommunications traffic data

Proposed legislation

- Draft Framework Decision on information exchange under the principle of availability
- Draft Framework Decision on the processing of personal data in the framework of police and judicial cooperation
- Draft Framework Decision on Data Protection
- Proposal for a Council Decision on the implementation of specific measures for the transmission of information concerning and resulting from the activities of security and intelligence services with respect to terrorist offences

Report

- Interim report on the outcome of the process of peer evaluation on national arrangements in the fight against terrorism in the 15 Member States
- Final report on the outcome of the process of peer evaluation on national arrangements in the fight against terrorism covering the new Member States

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[51] [22 Member States have reported that implementation is completed. The Commission plans to submit a report on the implementation by the end of 2006.]

Other

- The drawing up of common lists containing the most significant terrorists and terrorist organisations, which are regularly and appropriately updated

- All Member States are connected to the BDL

3.2 IMPEDING TERRORISTS' MOVEMENTS AND ACTIVITIES

Adopted legislation

- Council Framework Decision on the European arrest warrant and the surrender procedures between Member States (June 2002)

Other

- SitCen reports addressing among other issues preventing individuals from gaining access to terrorist training

3.3 POLICE CO-OPERATION

Communications

- Communication: Towards enhancing access to information by law enforcement agencies

Adopted legislation

- Council Decision on the implementation of specific measures for police and judicial cooperation to combat terrorism in accordance with Article 4 of Common Position 2001/931/CFSP

- Council Common Position on exchanging certain data with Interpol

- Council Decision establishing the European Police College (CEPOL)

- Framework Decision on Joint Investigation Teams[52]

- Council Decision of 20 September 2005 establishing the European Police College (CEPOL)

Proposed legislation

- Proposal for a Council decision on the improvement of police cooperation between the Member States of the EU, especially at internal borders, and amending the Convention implementing the Schengen agreement

- Proposal for a Council Decision imposing on Member States specific obligations on the supply of information on terrorist organisations to Europol and Eurojust

- Proposal on the protection of personal data in the third pillar

- Proposal on the exchange of information under the principle of availability

[52] According to a Commission report of January 2005, only the legislation of one Member State fully complies with the Framework Decision.

Report

- Report from the Commission on the legal transposition of Council Decision of 28 February 2002 setting up Eurojust, with a view to reinforcing the fight against serious crime
- Report on the Terrorist attacks in Madrid from a law enforcement perspective
- Report on the implementation of the Framework decision on Joint Investigation Teams
- Joint report by CEPOL and Europol on what Counter-Terrorism related training they have so far provided and what more could be done

Other

- Europol/Eurojust Agreement (effective from 10 June 2004)
- Setting up of the Counter-Terrorism Task Force (CTTF) (Europol)
- Establishment of links between SitCen and Europol
- All Member States have designated their Eurojust national correspondent for terrorist matters
- Implementation of the Europol Information System (available in the 25 Member states since 10 October 2005)
- Development of the European Crime Intelligence Model with the assistance of the Police Chiefs Task Force

3.4 JUDICIAL CO-OPERATION

Communications

- White Paper on exchanges of information on convictions and the effect of such convictions in the European Union

Adopted legislation

- Council Decision setting up Eurojust with a view to reinforcing the fight against serious crime
- Framework Decision on the European Arrest Warrant[53]
- Framework Decision on the Confiscation of crime related proceeds, instrumentalities and property
- Council Decision 2005/876/JHA of 21 November 2005 on the exchange of information extracted from the criminal record[54]

Proposed legislation

- Proposal for a framework decision on the fight against organised crime to replace joint action

[53] According to a Commission report of January 2006, the legislation in 10 Member States does not fully comply with the Framework Decision.

[54] OJ L 322, 9.12.2005, p. 33.

1998/733/JHA

- Proposal for a Council framework decision on taking account of convictions in the Member States of the European Union in the course of new criminal proceedings

- Draft Framework Decision on the application of the principle of mutual recognition to Confiscation Orders (when the remaining national parliamentary reservation is lifted).

- Draft Framework Decision on a European Evidence Warrant was proposed by COM in November 2003 and has not been decided, notwithstanding the Hague Programme deadline for adoption of December 2005.

- Proposal for a Council framework decision on the organisation and content of the exchange of information extracted from criminal records between Member States

Reports

- Report by Eurojust on the measures the unit has implemented since December 2004 in the fight against terrorism

- Report on the transposition by the Member States of the Framework Decision on the Execution in the EU of orders freezing Property or Evidence

Other

- Convention on Mutual Assistance in Criminal Matters and its Protocol[55]

- All Member States have designated their Eurojust national correspondent for terrorist matters

- Network on national experts on Joint Investigation Teams established

3.5 INTERNATIONAL DIMENSION

Adopted legislation

- Council Common Position on the transfer of certain data to Interpol

Other

- The UN Convention on the Suppression of Acts of Nuclear Terrorism was adopted 13 May 2005, and signed by all EU MS on 14 September 2005

- Establishment and development of contacts between the CFSP Working Group on Terrorism and the Counter-Terrorism Committee

- Establishment and development of contacts between the CFSP Working Group on Terrorism and the 1267 Committee

- Meeting at the Troika level with the US in order to enhance counter terrorism dialogue at political and official level

[55] This measure is partially achieved, as 13 Member States ratified the 2001 Protocol, which entered into force on 5 October 2005.

- 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.

- Delivering of technical assistance to Morocco, Algeria and other countries in order to build their Counter-Terrorism capacity, working closely with UN and other donors

4. RESPOND

4.1 CIVILIAN RAPID EU RESPONSE CAPABILITY TO DEAL WITH THE AFTERMATH OF A TERRORIST ATTACK

Communications

- Communication on preparedness and consequence management in the fight against terrorism
- Communication on improving Community Civil Protection Mechanism
- Communication on Building Solidarity Through Mutual Assistance: Report on the assessment of civil protection assistance available through the Community Civil Protection Mechanism in case of major terrorist attacks in the Union (EU Restricted)

Proposed legislation

- Proposal for a regulation establishing a rapid response and preparedness instrument for major emergencies
- Proposal for a Council Decision establishing a Community Civil Protection Mechanism (recast)

Other

- Commission Matrix on deciding on health system vulnerabilities, prioritising and resource allocation for facing up to attacks and threats using particular pathogens
- 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
- Guidance on use of vaccines, antidotes and dilution of vaccinia immunoglobulins has been issued and negotiations on vaccines and anti-virals for pandemic influenza have started
- The 2002 CBRN-programme was replaced by the 2004 Solidarity Programme. The implementation of the programme is a continuous process
- The 2004 solidarity programme contains a report on the implementation of the 2002 CBRN-Programme

4.2 MILITARY RAPID RESPONSE CAPABILITY TO DEAL WITH THE AFTERMATH OF A TERRORIST ATTACK

Other

- Adaptation of the military database of assets and capabilities relevant to the protection of civilian populations against the effects of terrorist attacks (including CBRN) to reflect its expansion to all types of natural and man-made disasters
- The database of military assets and capabilities relevant to the protection of civilian population against the effects of terrorist attacks, including CBRN, has been made available to the Community Civil Protection Mechanism.

4.3. EARLY WARNING OF TERRORIST ATTACKS AND CAPABILITIES TO COORDINATE EFFECTIVELY THE MANAGEMENT OF THE RESPONSE

Adopted legislation

- Council Decision approving the conclusion of the Convention on Early Notification of a Nuclear Accident
- Commission Decision for accession to the Convention on Early Notification of a Nuclear Accident

Other

- The Programme on Health, Security aims at setting up EU cooperation and mutual assistance against biological or chemical attacks
- Establishment by the Community Civil Protection Mechanism of procedures for early warning, alert and activation of response through the central MIC
- RAS-BICHAT rapid alert system for deliberate releases of biological and chemical agents, improved co-operation with other alert mechanisms
- Set up of a RASCHEM – exchange of information and warnings between Poison Control Centres
- MediSYS, monitoring of Web-based information to provide advance, real-time, warning of suspicious circumstances or outbreaks
- Guidance on General preparedness and response planning and integration of EU dimension in all national health emergency plans is being prepared
- HEOF - Health emergency operations facility: improvement of the current crisis and communication centre
- Establishment of a secure general rapid alert system (ARGUS)

4.4 ASSISTANCE TO VICTIMS

Adopted legislation

- EU Directives 2000/43/EC and 2000/78/EC protect people against discrimination on grounds of race, ethnic origin, religion and belief
- Council Directive on Compensation to crime victims

Report

- A memorial report dedicated to the victims of terrorism

Other

- A pilot project approved by the EP, allowing the Commission to spend respectively 1 and 2M€ in

2004 and in 2005 on projects aimed at raising public awareness and at improving the situation of victims of terrorism (7 projects for an amount of 1,1 M€ were granted)

- Declaring 11 March as a European day commemorating the victims of terrorism

4.5 INTERNATIONAL DIMENSION

Communications

- The Communication on preparedness and consequence management in the fight against terrorism

Other

- Sponsoring of an ISS seminar on the ESDP contribution to the fight against terrorism in the wider context of the EU approach in this field

4.6 RESEARCH

Other

- Restoring security in case of crisis: focusing on technologies in support of diverse emergency management operations (such as civil protection, humanitarian and rescue tasks, support to CFSP), and on issues such as inter-organisational co-ordination and communication, distributed architectures and human factors.