



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 14 May 2002 (22.05)  
(OR. fr)**

**8547/02**

**POLGEN 18  
JAI 77  
ECOFIN 160  
TRANS 126  
RELEX 73  
ECO 140**

**PRESIDENCY NOTE**

---

to: Permanent Representatives Committee (Part 2)  
Subject: European Union action plan to combat terrorism  
– Update of the "road map"

---

1. Delegations will find attached the update for May 2002 of the "road map" of all the measures and initiatives implemented under the action plan decided on following the events of 11 September 2001.
2. The Presidency will make a point of keeping in close contact with the European Parliament in order to ensure optimum cooperation between the Council and the Parliament in their work on the rapid adoption of legislative measures, particularly in those areas where accelerated procedures are envisaged.

**"ROAD MAP" OF ALL THE MEASURES AND INITIATIVES TO BE IMPLEMENTED UNDER  
THE ACTION PLAN DECIDED ON BY THE EUROPEAN COUNCIL ON 21 SEPTEMBER 2001**

	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
<b>GENERAL AFFAIRS COUNCIL</b>						
1.	Extend the anti-terrorist coalition and make it more effective	Political dialogue/Troika or SG/HR visits/use of multilateral fora/concerted ministerial visits	Ongoing	Presidency/SG/HR/Commission	Inclusion of the subject of terrorism in all political-dialogue meetings since 11/9/01	Continuation of systematic and ongoing dialogue at all levels with various partners
2.	Strengthen the partnership with the United States <sup>1</sup>	Various contacts at all levels	Ongoing	Presidency/SG/HR/Commission	<ul style="list-style-type: none"> <li>– Regular contacts with US at Ministerial level (PRES/SG/HR/Cion)</li> <li>– Bilateral contacts between PSC/COTER sectoral experts and their United States counterparts</li> <li>– Third pillar mission to Washington on 18/10/01</li> <li>– PRO-Eurojust mission to Washington on 19/11/01</li> <li>– Working meeting with Assistant Attorney-General Michael Chertoff with EUROJUST in Brussels on 21 March 2002</li> </ul>	<ul style="list-style-type: none"> <li>– Continued dialogue, exchange of views at all levels and follow-up to cooperation in the framework of the New Transatlantic Agenda</li> <li>– COTER/JHA Troika meeting with the US on 17 June 2002</li> </ul>

<sup>1</sup> See also points 50 to 57 and 66.

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
	(continued)				– Signing of EUROPOL–USA strategic agreement in the presence of Secretary of State Powell at the JHA Council on 6/12/01	– Examination of progress on the two dossiers by CATS with COTRA
3.	Strengthen the Union's relations with certain countries of Asia particularly concerned by the current situation					

	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
3a.	<u>Pakistan</u>	Strengthen relations, in particular by: – Community assistance (trade package) – signing the third-generation Cooperation Agreement – Political dialogue	Ongoing	Presidency/SG/HR/ Commission	Meeting at ministerial Troika level in New York on 14/11/01 Cooperation agreement signed at Islamabad by Presidency/ Commission/President Musharraf on 24/11/01 Proposals adopted by the Council to facilitate trade First disbursement in the framework of the social action programme (December 2001)	– Implementation of the Agreement; disbursement of additional financial aid (EUR 50 million) and accelerated disbursement in the framework of existing programmes; – Assistance for legislative elections in October 2002
3b.	<u>Iran</u>	Strengthen relations, in particular by consultations with a view to negotiation of a Trade and Cooperation Agreement	Ongoing	Presidency/SG/HR/ Commission	Recommendation for a Council Decision regarding the negotiating directives for a Trade and Cooperation Agreement adopted by the Commission on 19/11/2001.	Council adoption of negotiating directives for a Trade and Cooperation Agreement
3c.	<u>Countries of Central Asia</u>	Strengthen commitment and relations, substantial contribution to the Bishkek Conference (13-14/12/01), definition of a strategy for the strengthening of cooperation	Ongoing	Presidency/SG/HR/ Commission	– Troika visit 30/10 to 3/11/01 – Conclusions of GAC on 10/12/01 – Contribution to Bishkek Conference (13–14 December 2001)	– Increase and adaptation of Tacis technical assistance; – Establishment of JHA sub-committees for certain countries; – Strengthening of EU presence in Central Asia; – Strengthening of contractual links with Tajikistan

	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
3d.	<u>India</u>	Definition of the strengthening of cooperation	Ongoing	Presidency/SG/HR/Commission	COTER Troika on 29/05/01 and 9/11/01 Joint communiqué and action plan adopted by the summit on 23/11/01 (with separate statement on terrorism)	Implementation of the action plan COTER Troika on 15/05/02
4.	Strengthen humanitarian aid in Afghanistan and adjacent countries	Financial support for NGOs and international organisations (in particular UNHCR and WFP) through ECHO	Depends on humanitarian needs taking account of security constraints	Commission (ECHO)/Member States	Cumulated allocation of EUR 559,5 million (between 11/09/01 and 05/08/02) Opening of an ECHO office in Kabul	– Additional contributions depending on needs and developments
5.	EU support for a political and reconstruction process in Afghanistan	Various instruments	Depends on latest political and military developments	Member States/Presidency/SG/HR/Commission	Continued involvement of the EU in the process resulting in the Bonn Agreement (Petersberg, 6/12/01) – Meetings of the Steering Committee (reconstruction): Washington 20/11/01, Brussels, 20–21/12/01: – Appointment of an EU special representative by GAC on 10/12/01; – EC rapid reaction mechanism: EUR 4,7 million to support the Bonn/Petersberg agreement process; – Donors Conference, Tokyo, 21-22/1/02:	– COASI will take account of this in discussions on the Commission communication on a new strategy for Asia – Aid will be provided, in particular through the Afghan Interim Administration

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
5.	(continued)				<p>EU pledged EUR 550 million for 2002;</p> <ul style="list-style-type: none"> <li>– Opening of Commission office in Kabul</li> <li>– Adoption of first Community rehabilitation (quick impact) programme with a budget of EUR 57,5 million on 26/2/2002</li> </ul>	
6.	UN: ensure follow-up to Resolution 1373 adopted by the UN Security Council			Member States/Commission GAC and other Councils	<ul style="list-style-type: none"> <li>– Common Position 2001/930/CFSP on combating terrorism</li> <li>– EU report to the Committee established under Article 6 of Resolution 1373(2001) sent to the UNSC</li> <li>– Catalogue of current and future Community assistance to third countries in the areas covered by Resolution 1373 (justice, home affairs, money laundering, governance, etc.), sent as a Commission document to the Secretariat of the UNSC Counter-Terrorism Committee</li> </ul>	– Continuing action in all areas covered by Resolution 1373

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
6a.	Combat all forms of funding of terrorist activities (implementation of Resolution 1373 (2001))	<ul style="list-style-type: none"> <li>– New Common Position</li> <li>– New Decision</li> </ul>		GAC	<ul style="list-style-type: none"> <li>– Adoption by the Council on 2 May 2002 of a Common Position updating the Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and a Decision implementing Article 2(3) of Council Regulation (EC) No 2580/2001 on the adoption of specific restrictive measures directed against certain persons and entities with a view to combating terrorism</li> <li>– Regulation (EC) No 2580/2001: adoption of specific restrictive measures directed against certain persons and entities with a view to combating terrorism</li> </ul>	<ul style="list-style-type: none"> <li>– Update the list in the Annex to Common Position 2001/931/CFSP (activities of the clearing house)</li> <li>Item on the agenda of the special COREPER meeting of 29/04/02: examination of the outcome of the proceedings of the "Clearing house" and of the Working Party on External Relations</li> </ul>

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
7.	UN: ensure follow-up to Resolution 1390 (2002): – visa ban – embargo on arms sales and military assistance – freezing of assets: implement decisions to freeze the assets of Usama bin Laden, Al-Qaida, the Taliban and associates taken by the Sanctions Committee set up under Resolution 1267 (1999)	– New CFSP Common Position – New EC Regulation	As soon as possible	GAC/Member States/Commission	Commission proposal of 6/3/02 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	– Commission amendments to the new Regulation, depending on decisions taken in New York – Adoption of the Common Position and Regulation planned for a Council meeting in May 2002.
8.	UN: conclusion of a UN General Convention on International Terrorism	Negotiations with the UN partners with a view to reaching global agreement	None	GAC/Member States	– Demarches by the Troika in New York and in the capitals of certain countries – 6th Committee Working Party meetings on 28/1/02 and 2/2/02 (on-the-spot coordination among the 15)	– Negotiations to be monitored by COTER in close collaboration with CATS



	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
9.	UN: signing and ratification of the Convention for the Suppression of the Financing of Terrorism		Ratification by all Member States as soon as possible	Member States	All Member States have signed the Convention (7/10/01). 3 ratifications (3 others planned)	Monitoring of progress of ratifications by the COTER Working Party
10.	UN: Speeding up of the signing, ratification and rapid implementation of all relevant international Conventions <i>(NB: there are 12 sectoral Conventions)</i>	Political dialogue/demarches	Ratification by all Member States as soon as possible. Demarches with third States as soon as possible	GAC/SG/HR/Member States	– Troika demarches – Use of Ministerial meetings during the UNGA Ministerial week	Monitoring of progress of ratifications by the COTER Working Party
11.	– Systematic evaluation of the Union's relations with third countries in the light of their possible support for terrorism – inclusion of a terrorism clause in agreements with third countries	Reference framework ("benchmarks" and "analysis grid") Secretariat policy document (5763/02) Presidency note to GAC (6332/02)		GAC/Member States	– Examination of any measures to be taken, particularly in the following areas: a) Incorporation of a terrorism clause into agreements with third countries b) Technical assistance to third countries c) Strengthening of political dialogue (bilateral, regional and multilateral) d) Other trade instruments ("carrot and stick") – COREPER 17/4/02: agreement on the language to be used in the anti-terrorism clause in agreements with third countries (7750/02) – Commission document on	– Continuation of the systematic evaluation of the relations between the Union and third countries

<sup>1</sup> See also point 6.

	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
					technical assistance to third countries in the fight against terrorism submitted to Working Party on External Relations <sup>1</sup> – Adoption by the Council on 22/04/02 of a cooperation agreement between the EU and Lebanon in the form of an exchange of letters concerning cooperation in the fight against terrorism (7642/02)	
12.	Adjustment of EU policies on non-proliferation and disarmament	<ul style="list-style-type: none"> <li>– Joint consideration</li> <li>– Contacts with the United States</li> <li>– GAC conclusions</li> <li>– Joint action on non-proliferation and disarmament in Russia</li> <li>– Targeted initiative</li> </ul>		Presidency/GAC Commission	<ul style="list-style-type: none"> <li>– Adoption of GAC conclusions on 10/12/01 and 15/04/02 on targeted initiatives.</li> <li>– EU-USA consultations on non-proliferation, disarmament and arms control (Madrid, 20/2/02)</li> <li>-- EU-USA CODUN/CONOP Troika on 27/03/02</li> </ul>	– EU-USA experts meeting on the coordination of our assistance regarding export controls in June 2002

	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
13.	Step up scrutiny of candidate countries' activities to combat money laundering	Peer evaluation	None	Commission	New PHARE project on measures to combat money laundering (February 2002)	No meetings of PAPEG (Pre-accession Pact Expert Group) during the Spanish Presidency
13a.	Council of Europe: Amendment of the European Convention of 27 January 1977 on the Suppression of Terrorism	Negotiations with partners in the Council of Europe with a view to reaching agreement	None	GAC/Member States	Meetings of COTER and the expert group on 18-19/3/02 (on-the-spot coordination between the 15)	Negotiations to be monitored by COTER in close collaboration with CATS

### JUSTICE AND HOME AFFAIRS (JHA) COUNCIL

*NB: This "road map" contains only actions and measures endorsed in principle by the European Council or the Council. Some Member States have suggested other initiatives which could be incorporated into the "road map" depending on how they are received (see 13176/01). At its meeting on 6 and 7 December 2001 the Council (JHA) noted the German delegation's proposals set out in 13176/01 and instructed the Article 36 Committee and the Strategic Committee on Immigration, Frontiers and Asylum to examine them as soon as possible.*

### LEGISLATIVE MEASURES

14.	Make Eurojust operational	– Framework Decision – Decision on Headquarters		Council/European Council	– Adoption of the Council Decision setting up Eurojust (28/2/02) – Designation of the provisional Administrative Director – Several coordination meetings have been held	– The Presidency is discussing with NL the arrangements for locating Eurojust provisionally in The Hague – Rules of procedure and financial regulation to be adopted – Appointment of an Administrative Director
15.	European arrest warrant	Framework Decision		Council	– The President of the Council noted political agreement at the JHA Council on 6-7/12/01 (14876/01 + COR 1) – EP Opinion 6/2/02	Parliamentary reservations DK/S/IRL/NL

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
16.	Definition of terrorist offences	Framework Decision		Council	– Political agreement by the Council on the draft Framework Decision on 6-7/12/01 (14845/1/01) – EP Opinion 6/2/02	Parliamentary reservations DK/S/IRL
17.	Freezing of assets	Framework Decision		Council	The Council agreed on the content of the Framework Decision on 28/2/02, subject to a number of parliamentary reservations and reconsultation of the EP	
18.	Entry into force of the two Extradition Conventions of 1995 and 1996	Ratification by Member States	1/1/02	Member States	The 2 Conventions are awaiting ratification by F/IRL and I (1996 Convention) and B/F/IRL and I (1995 Convention)  The 2 Conventions already apply between the Member States which have made a declaration to that effect	
19.	Entry into force of the Convention on Mutual Assistance in Criminal Matters	Ratification by Member States	In the course of 2002	Member States	– At CATS meeting on 17-18/1/02, all Member States confirmed that they intended to meet the deadline set for the Convention and the Protocol thereto – Convention ratified by PORT	To be ratified by the other 14 Member States

	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
20.	Mutual assistance in respect of money laundering and financial crime	Protocol to the Convention on Mutual Assistance		Council	The Protocol was signed on 16/10/01 (JHA Council)	To be ratified by the Member States
21.	Examination of legislation with reference to the "terrorist threat"	Commission report	By the end of 2002	Commission/Council/Parliament	Commission working paper of 5/12/01: The relationship between safeguarding internal security and complying with international protection obligations and instruments	
22.	Setting up joint investigation teams  <i>For operational implementation, see point 33.</i>	Framework Decision		Council	– Agreement by Coreper on 3/10/01 – EP Opinion: 13/11/01	Adoption of the Framework Decision planned ("A" item) for JHA Council on 13-14 June 2002
23.	Prevention of crime involving the use of electronic communication systems	(1) Framework Decision on attacks targeting information systems  (2) Framework Decision on mutual recognition of measures on the taking of evidence (which will also cover investigations into computer crime)	As soon as possible	Commission/Council	(1) Referral to the Council by the Commission of a draft framework decision on 22/04/02 (8586/02)	(2) Proposal will be forwarded by Commission end of 2002

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
24. <sup>1</sup>	Ensure a balance between data protection and police efficiency	Directive concerning the processing of personal data and the protection of privacy in the electronic communications sector	Barcelona European Council asked for this Directive to be adopted quickly	Commission/ Transport Council/ Parliament	Common Position adopted by the Transport/Telecommunications Council on 25/1/02	
25. <sup>2</sup>	Setting up a Community mechanism for the coordination of civil protection measures	Decision		Council	Adoption by the Council on 23/10/01 The mechanism has resulted in: – the setting up of an NBC group of experts – the strengthening of the network of contacts between civil protection services – the exchange of information on accidents or threats of terrorist attacks	
<b>OPERATIONAL MEASURES</b>						
26.	Identification of suspected terrorists in Europe and of the organisations which support them in order to draw up a common list of terrorist organisations	Cooperation between services of Member States/Europol		– Council (JHA) – Persons responsible for anti-terrorist units, intelligence and Europol	A common list of terrorist organisations was submitted to the Council on 6-7/12/01	List in the process of updating with a view to submission to the Council (JHA) on 13-14/6/02

<sup>1</sup> See also point 68.

<sup>2</sup> See also point 47.

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
27.	Systematic transmission to Europol of any piece of data relevant to terrorism	Member States/Europol cooperation	None	Member States	<ul style="list-style-type: none"> <li>– The Director of Europol reported to the Council meeting on 6-7/12/01</li> <li>– The Working Party on Terrorism on 30/1/02 noted significant progress in this field</li> </ul>	Multidisciplinary Group on Organised Crime to study possibility of launching a 3rd evaluation round on the exchange of information between Member States and between Member States and EUROPOL
28.	Strengthening cooperation between the heads of anti-terrorist units	Meetings		Presidency/Police Chiefs Task Force (PCTF)	<ul style="list-style-type: none"> <li>– PCTF agreement on a set of proposals (13747/01) on 30-31/10/01</li> <li>– Discussion of recommendations on terrorism by the WP on Terrorism on 15/11/01 and by the CATS on 22-23/11/01</li> <li>– Proposals to strengthen cooperation drawn up by the PCTF incorporated into 14574/1/01</li> <li>– During the meeting of PCTF on 8-10/4/02: Decision to create a structure to follow up the PCTF recommendations composed of the previous, current and forthcoming presidencies, Europol, the Commission and the GSC. That structure will meet once between the PCTF meetings. The GSC will provide the permanent secretariat of the PCTF.</li> </ul>	Outcome of proceedings of PCTF to CATS on 21-22/05/02

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
29.	Strengthening cooperation between anti-terrorist magistrates	Meetings	None	Eurojust	Following an initial meeting on 10/10/01, there are regular contacts between anti-terrorist magistrates, with Eurojust acting as intermediary	
30.	Better cooperation and exchanges of information between all intelligence services	Regular meetings of heads of intelligence services	None		A meeting of heads of intelligence services was held in Madrid on 20/2/02, with a Europol representative present	
31.	Strengthening cooperation between police services, including Europol and intelligence services		None	Presidency/CATS	<ul style="list-style-type: none"> <li>– Methodology discussed by the CATS on 19/12/01</li> <li>– Draft Council Decision on the Spanish initiative for implementation of specific measures for police and judicial cooperation to combat terrorism taken under Article 4 of Common Position 2001/931/CFSP (7756/02 and 8695/02)</li> </ul>	



	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
32.	Setting up of a team of anti-terrorist specialists within Europol	Decision adopted by Brussels European Council (21/09/2001)	Urgent	Member States/Europol Management Board	<ul style="list-style-type: none"> <li>– All Member States have sent police or intelligence specialists to Europol. Team operational in November 2001</li> <li>– Head of team reported to the WP on Terrorism on 30/1/02 and 08/04/02</li> </ul>	
33.	Setting up of one or more joint investigation teams <i>See also point 22</i>		None	Member States (police, magistrates/ intelligence services)/Europol/ Eurojust	<ul style="list-style-type: none"> <li>– Seminar in Madrid, 27-28/2/02 (7029/02)</li> <li>– Adoption by the JHA Council on 25/04/02 of a Council Recommendation for the establishment of multinational ad-hoc teams for gathering information on terrorists (5715/6/02)</li> </ul>	
34.	Better coordination between Europol/Eurojust and the Police Chiefs Task Force		None	CATS	Initial discussion by the CATS on 17-18/1/02 based on a report prepared by the heads of the three bodies (15389/01)	Chairman of Eurojust and Director of Europol will explain their views to the CATS (date still to be determined)
35.	Speeding up the linking of the EJM to the VPN secure electronic network		None	General Secretariat of the Council	Technical examination under way by GSC. Pilot project finished.	Evaluation of the pilot project by the EJM at its meeting on 3-5/06/02 in Murcia

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
36.	Updating of the list of Europol competences	Implementation of a joint action	None/ongoing	Europol/Council	– Letter from the Presidency to the Director of Europol on 9/10/01 – Europol report to the JHA Council on 6-7/12/01	
37.	Possible extension of SIS access to other public services		None	Council	– Agreement by JHA Council on 6-7/12/01 on the new SIS II functionalities	Political agreements to be worked out within the SIS Working Party (and possible legislative act) (5698/1/02 and 5969/1/02)
38.	Peer assessment of national arrangements for combating terrorism <sup>1</sup>		Evaluation report before end 2002	Council/General Secretariat of the Council	Two national experts have been recruited	
39.	Inventory of national measures and early warning plans		Urgent	Working Party on Terrorism and Police Chiefs Task Force	– Meeting of Police Chiefs Task Force on 30 and 31/10/01 – Report to JHA Council on 6-7/12/01	The report drawn up by Europol will be submitted shortly to the Council The CTF (Europol's Counter-Terrorism Task Force) is drawing up a list of national security measures.
40.	Send TE-SAT report to the European Parliament			Council	Report approved by the Council on 26/3/02 and forwarded to the EP	New TE-SAT report in preparation

<sup>1</sup> See in this connection the letter sent on 26/9/01 by the Permanent Representative of Germany to his colleagues asking to be informed of the measures and general policy plans adopted by each Member State for combating terrorism.

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
41.	Intensify cooperation on and harmonisation of legislation on arms and explosives		None	Commission/Council	Recommendations annexed to 10564/2/01 REV 2, submitted to the Council meeting on 28/1/02	Initiative to be taken by the Commission before June 2002
42.	Strengthening of external border checks	Report		Presidency/Member States/Police Chiefs Task Force/Immigration Services	<ul style="list-style-type: none"> <li>– 08/04/02: Meeting of the Chiefs of Border Police: presentation of a feasibility study on a European Border Police.</li> <li>– RIO (Risk Immigration Operation) carried out between 2 and 4 April at the main EU airports. Report submitted to JHA Council of 25-26 April 2002 (8085/02)</li> <li>– Comprehensive plan (6621/1/02 REV 1)</li> <li>– SCIFA meeting with heads of border control services on 11/04/02</li> <li>– SCIFA meeting with USA on 12/04/02</li> </ul>	<ul style="list-style-type: none"> <li>– Preparation of a new operation under way between the Presidency and Europol.</li> <li>– Commission communication on border management expected</li> </ul>

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
43.	Coordinated recourse to Article 2(2) of Schengen Convention (re-establishment of border checks)		None	Council	<ul style="list-style-type: none"> <li>– First examination in the WP on Terrorism on 26/10/01</li> <li>– on 23/11/01 the CATS approved a definition of a terrorist threat of exceptional gravity proposed by the WP on Terrorism (14181/1/01 REV 1)</li> </ul>	Commission requested to make proposals for Article 2(2)
44.	<ul style="list-style-type: none"> <li>– Establish network for exchanging information on visas issued</li> <li>– Establish visa data base (applications – issued, rejected)</li> </ul>		JHA Council on 13-14/6/02	Commission	<ul style="list-style-type: none"> <li>– Communication from the Commission to the Council and the European Parliament on development of the Schengen Information System II (5472/02)</li> <li>– Proposals for guidelines submitted by the Presidency (7309/2/02 REV 2)</li> </ul>	– A feasibility study will be carried out by the Commission on the basis of guidelines currently being examined by the Council's working parties, and which will soon be adopted by the JHA Council. This study covers the technical, financial and organisational aspects of the development and setting up of SIS II (7309/3/02 REV 3).

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
45.	Improve input of alerts into SIS (Articles 95, 96 and 99)		None	Member States	– Discussion has begun on all the new SIS functionalities and issues of data quality and updating the system	Development of political agreements in SIS and SIRENE Working Parties (possible legislative act) and discussion of Presidency proposal for technical improvements
46.	Internal security and compliance with international obligations regarding protection of fundamental rights	Working document	Urgent	Council/Commission	The Commission has adopted a working document on the relationship between safeguarding internal security and complying with international obligations regarding the protection of fundamental rights	
47.	<sup>1</sup> Increase cooperation in civil protection and health	Programme designed to improve cooperation between Member States  Designation of a European coordinator for civil protection action		Commission, Council, Member States: DG for civil protection	The COREPER meeting on 14/11/01 instructed various committees and working parties to make contributions, several of which have already been submitted (Environment, Health, CIVCOM, Civil Protection and Research). The Military Committee is continuing its work.	– COREPER has reserved the possibility of examining the profile of the coordinator and of any necessary agency – The Presidency submitted to the Working Party on Civil Protection a draft Resolution on a work programme for improving Union cooperation in responding to bacteriological, chemical and nuclear terrorist attacks

<sup>1</sup> See also point 25.

	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
48.	Increase security standards at airports and on board aircraft <i>(see point 64)</i>		Urgent	Council/Member States	– Proposal for a Regulation laying down common rules in the field of civil aviation safety – Austrian proposal at the Council on 28/2/02 (Sky marshals programme)	
49.	Extension of machinery for automatic information exchange between the Financial Intelligence Units (FIUs)		Urgent	Council	Meeting of Task Force of 7 FIUs taking part in the FIU.NET project in Brussels on 12/4/02 (8517/02)	– A meeting with heads of FIUs is planned under the Spanish Presidency.

**COOPERATION IN THE JHA FIELD WITH THE UNITED STATES**

*NB: A delegation made up of representatives of the Ministry of the Interior (including the Department for State Security and the Aliens Department), the Ministry of Justice and the Police Services of the present and incoming Presidencies, the Commission, the Council General Secretariat, Europol and Pro-Eurojust travelled to Washington on 18 October 2001 to discuss arrangements for implementing the measures described below. All of these points were discussed during the trip to the United States.*

*Practical steps have been taken (designation of contacts, attendance by US delegates at some meetings, concrete proposals for cooperation between departments, documents describing various aspects of the problems sent for examination, particularly as regards data protection).*

50.	Assessment of all aspects of terrorist threat	Meetings/contacts	Urgent	Europol/Council		Several contact points identified : – Joint COTER/ Working Party on Terrorism Troikas twice every six months – Team of counter-terrorism specialists within Europol must work closely with its US counterparts
-----	---	-------------------	--------	-----------------	--	--

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
51.	Increased EU-US cooperation in relevant international fora	Meetings/contacts	Ongoing	Council/Member States	Discussion at informal JHA meeting (Madrid, 8/2/02)	Monitoring by COTER and transatlantic dialogue bodies
52.	Pressure on countries where banking systems facilitate the generation and transfer of funds which could finance terrorism	Diplomatic contacts	Ongoing	Council/Member States/Commission	<ul style="list-style-type: none"> <li>– At its meeting in Washington (29-30/10/01) the FATF, extending its mandate to cover action to combat the financing of terrorism, adopted 8 recommendations on coordination</li> <li>– Member States' coordination meeting in Hong Kong on 28/1/02</li> </ul>	<p>Monitoring of FATF discussions by ECOFIN and JHA Councils</p> <p>Preparation of EU common positions in the FATF</p> <p>The meeting of the FATF (Rome 7-8/5/02) will discuss the revision of the 40 FATF recommendations, including the financing of terrorism. The plenary meeting of the FATF (19-21/6/02) will examine the implementation of the 8 special recommendations</p>
53.	Share best practices in the fight against terrorism	Contacts	None	Member States	Meeting of Police Chiefs Task Force in Las Palmas de Gran Canaria on 9-10/4/02	

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
54.	Intensify cooperation between Europol and US law enforcement agencies	<ul style="list-style-type: none"> <li>– Informal cooperation</li> <li>– Agreement without exchange of data</li> <li>– Negotiation of an agreement</li> </ul>		Europol/Council	<ul style="list-style-type: none"> <li>– Signing of the agreement between Europol and the US on 6/12/01 (excl. personal data)</li> <li>– Council agreement on 6/12/01 for the Director of Europol to open negotiations for an agreement with the US (incl. exchange of personal data)</li> <li>– Development of a joint Europol/FBI project on the methods used by the perpetrators of the attacks on 11/9/01 (joint Europol/FBI doc. will be available in April)</li> <li>– Designation in April of two Europol liaison officers in Washington</li> <li>– Appointment of an FBI agent on secondment to Europol (since 1/2/02)</li> </ul>	<ul style="list-style-type: none"> <li>– Poss. meetings of ad hoc Working Party with US (FAA)</li> <li>– Meeting mid-June 2002 between PRES/Cion/GSC/EUROPOL/EUR OJUST/EUROPOL Joint Supervisory Body and US experts to continue the examination of the appropriate legal arrangements for personal data protection in the United States</li> </ul>
55.	Intensify cooperation on mutual assistance in criminal matters	EU-US agreement based on Art. 38 TEU	None	Presidency/Council	<ul style="list-style-type: none"> <li>– Adoption by JHA Council on 26/04/02 of the negotiating mandate, for an agreement with the USA on extradition and mutual assistance in criminal matters and agreement on</li> </ul>	Start of negotiations mid-June 2002.



	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
55.	(continued)				02/05/02 between EU and USA to negotiate with a view to concluding a treaty on that matter	
56.	Intensify cooperation between Pro-Eurojust/ Eurojust and US magistrates specialising in counter-terrorism	Contacts	None	Pro-Eurojust	<ul style="list-style-type: none"> <li>– Visit by 3 members of Pro-Eurojust to Washington on 19/11/01</li> <li>– Appointment of a US contact point for Eurojust</li> <li>– Regular meetings between Eurojust and the US contact point</li> <li>– Visit to Brussels by Assistant Attorney General on 21/3/02</li> </ul>	
57.	Intensify cooperation with the United States in the field of illegal immigration, visas and false documents	Contacts	None	Strategic Committee (SCIFA)	<ul style="list-style-type: none"> <li>– Meeting on 8/2/02 in Madrid with the US in the context of the transatlantic dialogue</li> <li>– Adoption by the Council (JHA) of an action plan against illegal immigration on 28/2/02</li> <li>– Submission to USA on 22/04/02 (alongside a SCIFA meeting, see 8066/02) of the Commission's proposals as discussed by SCIFA</li> </ul>	<ul style="list-style-type: none"> <li>– Council adoption of draft conclusions on the exchange of information and increased cooperation between the Working Party on Frontiers/False Documents and EUROPOL, Interpol, US and Canada</li> <li>– Implementation of the measures agreed on 12/04/02</li> </ul>

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
58.	Measures against non-cooperating countries and territories (NCCTs) identified by the FATF and enlargement of FATF action to include measures to combat financing of terrorism. Better coordination between Member States	Coordination in FATF  Implementation by the Member States of 40 FATF recommendations on money laundering		Council/Member States	<p>– Joint JHA/ECOFIN Council decided on 16/10/01 that Member States would take a series of joint counter-measures (12665/01)</p> <p>– Plenary meeting of the FATF in Washington on 29-30/10/01 (at which FATF remit extended to cover funding of terrorism). Decision to identify, as from June 2002, countries which do not combat the financing of terrorism</p> <p>– Examination of the model for standard agreement on mutual assistance in criminal matters by CATS (17/1/02) and COREPER (31/1/02) with a view to its adoption by the JHA Council</p>	– FATF meeting in Paris on 19 to 21/6/02

	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
<b>ECOFIN COUNCIL</b>						
59.	Prevention of use of financial system for money-laundering purposes	Directive	15/6/03	Member States	Directive adopted in December 2001	Transposition in Member States
60.	Measures to counter insider dealing and market manipulation (market abuse)	Directive	None	Council/European Parliament	Submitted to COREPER on 24/04/02	Submission to ECOFIN Council on 07/05/02 with a view to political agreement.
61.	Establishing minimum transparency criteria for various types of legal entities (such as trusts, trust funds and foundations), for the purpose of identifying the beneficial owners more easily	Definition of priorities and measures	Before the end of the year	Commission/Council	Council has taken note of Commission's report	Commission will shortly be proposing possible priority measures
<b>TRANSPORT/TELECOMMUNICATIONS COUNCIL</b>						
62.	Adoption of common rules in the field of civil aviation security	Regulation on ground checks in EU airports	As soon as possible	Council/Parliament	Common Position adopted by the Council on 28/1/02 and forwarded to EP on 6/2/02	2nd reading by EP
63.	Additional security measures in civil aviation	Ad hoc multidisciplinary group		Commission/ Presidency/Member States	Cooperation in CEAC and ICAO	
64.	Compensation for extra security costs	Commission communication of 10/10/01 (12691/01 AVIATION 86)	Ongoing	Member States	Transport Council conclusions on 26/3/02	Examination by Commission of Member States' notifications on case-by-case basis

	OBJECTIVE	MEANS/ INSTRUMENTS	DEADLINE	BODY RESPONSIBLE	PROGRESS ALREADY MADE	FORTHCOMING WORK
65.	Increased international cooperation in the interests of heightened security worldwide	ICAO  Bilateral cooperation with the US	ICAO Council June 2002  Ongoing	Commission/Council/ Member States  Community/ United States	– The high-level ICAO Ministerial Conference (19-20/2/02, Montreal) – acknowledging that aviation security remains the responsibility of States – decided on an Action Plan with a programme to monitor implementation of security measures (Audit). The Member States agreed to contribute to the financing of the audit programme  – Convergent action at multilateral level	ICAO discussions on – development of the action plan – in particular, establishment of international regulations governing cockpit security – implementation of the Audit programme  Commission proposals  Continued Transatlantic dialogue
66.	Increased security standards in the field of shipping – Requirement for all ships to carry an automatic information system (advance implementation) – development of security plans for ships – extension of security rules in ports	– Amendments to the IMO's SOLAS Convention and its extension to cover ports  – Amendments to the International Code for the Security of Ships and Port Facilities	MSC 75, London, 15-24/5/02	Member States (with coordination at Council level)	Broad agreement among Member States on the general principles of the action to be taken within the IMO (including MSC Intersessional meeting, 11-15/2/02, London); generally favourable view of American proposals.  Joint B/FIN/F/D/IRL/P/E/S proposal as well as D and F proposals with a view to MSC-75	Coordination for MSC 75 in Brussels and London

	<b>OBJECTIVE</b>	<b>MEANS/ INSTRUMENTS</b>	<b>DEADLINE</b>	<b>BODY RESPONSIBLE</b>	<b>PROGRESS ALREADY MADE</b>	<b>FORTHCOMING WORK</b>
67.	Additional security measures in the field of shipping – legal force for certain measures not binding on the IMO (Circ. 443)	Community legislation proposal	Proposal expected in the course of the second half of 2002	Commission		Dependent on IMO discussions
68. <sup>1</sup>	Ensure a balance between data protection and police efficiency	Directive concerning the processing of personal data and the protection of privacy in the electronic communications sector	Barcelona European Council asked that this Directive be adopted quickly	Commission/Council/Parliament	Adoption of Common Position by Transport/Telecommunications Council on 25/1/02	Follow-up to the codecision procedure

---

<sup>1</sup> See also point 24.