



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 21 August 2012

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**COTER 62
COASI 103
COPS 193
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JAIEX 41
COSDP 465**

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Subject: EU Counter-Terrorism/Security Strategy on Pakistan

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.



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NOTE

From : Political and Security Committee
Dated : 8 June 2012
to : COREPER/Council

Subject : EU Counter-Terrorism/Security Strategy on Pakistan

Delegations will find attached the EU Counter-Terrorism/Security Strategy on Pakistan as agreed by the PSC on 2 May 2012.

EU CT/ security strategy on Pakistan

The EU counterterrorism/security Strategy on Pakistan will address internal and external aspects of CT/security cooperation between EU and Pakistan responding to the mutual commitment to cooperate on security and development under the EU-Pakistan political framework: the 5-year Engagement Plan.

Under the EU-Pakistan 5-year Engagement Plan, both sides commit to comprehensive cooperation on counter-terrorism and in a number of related areas. The purpose of this paper is to draw up a concept as to how the EU and the Member States could contribute to this process. It sets out a platform which can feed into regular discussions with Pakistan on how to frame our cooperation in this field, using all the instruments at our disposal. Therefore the proposals should be guided by the following principles:

- EU and Member States' support should be provided in consultation with Pakistan and should build on and complement Pakistan's approach of Dialogue, Deterrence and Development.
- Cooperation between the EU and Pakistan in security should incorporate both internal and external aspects, bearing in mind national and regional aspects.
- Capacity-building in governance-related areas including law enforcement, public prosecution and access to justice should be an important element in our cooperation, and should be implemented in a coordinated way both through EU instruments and those of Member States.

The strategy is part of the overall framework of political cooperation within the Engagement Plan in the area of security cooperation and the established regular high-level EU-Pakistan CT political dialogue. It also complements existing and future cooperation between the EU and Pakistan in relevant international fora such as the GCTF and UN. It recognises the security challenges Pakistan faces while acknowledging the positive contribution that development cooperation can make in the improvement of the security climate through actions in areas such as rule of law, education, vocational training, civil society and human rights. This comprehensive overall long-term strategy needs to combine all EU and Member States political, development and financial assistance efforts in the CT/security sector. There is a need for a long-term comprehensive strategic approach to support the development of a rule of law and criminal justice approach on CT, aiming to build

further the effectiveness of the civilian law enforcement and judicial institutions to consolidate counter-insurgency achievements as well as enhancing and supporting activity to counter violent extremism in the country.

1. Objectives

The EU is committed to pursue a comprehensive long-term engagement with Pakistan on CT/security. Building on the existing work supported by the EU and Member States, the objective of this strategy is to help Pakistan meet its social and security challenges: creating an enabling environment for security-related work, strengthening the government of Pakistan's ability to disrupt terrorist threats and have perpetrators of terrorist acts lawfully and effectively brought to justice, prosecuted and convicted, and reduce extremist and terrorism threats in the longer term. It will establish a more comprehensive policy framework and combine all EU and Member States political and financial assistance efforts in a single coherent long-term strategy. The key issues are to:

- Prioritise EU engagement based on full Pakistani ownership;
- Unite EU political efforts in support of the reform of the security sector Pakistan;
- Unite EU and Member States' efforts on CT and related development assistance to Pakistan to ensure a whole-of-EU approach and to enhance the nexus between development and security;
- Make full and coordinated use of EU and Member States financial instruments to support Pakistan in its security/CT efforts and related development;
- Steer Pakistan's CT efforts in the direction of a civilian-led approach on CT, in particular on law enforcement and criminal justice, as well as countering violent extremism through engagement with local communities and the Diaspora;
- Contribute to regional cooperation in Central and South Asia on law enforcement, prosecution, judiciary, development and countering violent extremism.

The added value of the EU in this context is to ensure that CT threats are addressed in a joined up and effective manner while complying at the same time with due process and protection of human rights. The focus of the EU is to support Pakistan on law enforcement/rule of law/criminal justice, including capacity building. EU support for CT will be civilian in nature in particular on law enforcement, criminal justice and rule of law. The EU will work closely with all relevant governmental institutions at federal and provincial level as well as with civil society and media.

2. Context

Pakistan faces substantial social and security challenges. It is at the forefront of the fight against terrorism and violent extremism. More Pakistani security forces have been killed fighting extremism in Pakistan than international forces killed in Afghanistan. The security situation has a direct and detrimental effect on the economic and social development of the country. Pakistan faces governance challenges, notably there is a lack of citizen engagement with the state and social and economic exclusion of large parts of the population. The challenge is magnified by demographic challenges the country faces with nearly half the population under the age of 25 and over the next 20 years the population estimated to grow by more than 50%. Sixty million Pakistanis in 40,000 villages have no electricity and more than 17 million children do not go to school. By 2015 energy imports will cost double Pakistan's entire export earnings. These are all heightened by the need for economic and political reform (particularly in the FATA), regional relations and weaknesses in the justice sector. Inadequate rule of law is a top concern for the Pakistani people.

Pakistan's security and development matter to the EU. Security issues in Pakistan can have a direct and negative impact on EU Member States, as demonstrated by successful and attempted terrorist attacks which had links to Pakistan. The EU therefore needs to help counter these social and security challenges at source for its own security, as well as for Pakistan's benefit, linking EU internal and external security. The terrorist threat also has a direct impact on wider regional security in South and Central Asia including Afghanistan. While focusing primarily on Pakistan, this strategy takes into account the complex security situation in the wider South and Central Asia (in particular the impact from the withdrawal of ISAF/NATO forces from Afghanistan in 2014).

Addressing these challenges requires strategic long-term commitment to promote development of the country both by Pakistan itself and by external partners, in which the EU can be considered to have an important role. Development work can help to support longer term factors which, in addition to supporting stability, growth and the government's ability to deliver services for its citizens, can help address the grievances which can be exploited by terrorists to radicalise and recruit and may help create an environment where extremism can flourish. However, a stable security environment is necessary for our broader development ambitions to be realised. Short-term problems can force diversion of funds to more immediate issues unless an overall development and security strategy is in place that also concentrates on strategic long term action.

The EU can add value to security efforts in Pakistan, as it does already on the development front. We can ensure balance between addressing the terrorism threat in an effective manner and compliance with due judicial process and human rights. Our primary focus in the CT/security sector will be on developing counter terrorism capacity through rule of law and civilian government and institutions, recognising that we will also work with all relevant Pakistani institutions. The EU is a supporter of Pakistan's transition to a modern democratic state. The work of the EU's Election Observation Mission in 2008 was widely appreciated in Pakistan.

3. Content of the strategy

- EU action should be based on the following principles:
 - linking EU internal and external aspects of security by involving civil society and Diasporas and thus enhancing the security of EU citizens and residents;
 - addressing the issue of prevention of terrorism especially on countering violent extremism, taking also into account the potential of civil society (rule of law, promote quality and access to education, vocational training, training of media and journalists, improved cooperation with national parliament, human rights);
 - addressing the nexus of development and security by making full and coordinated use of the relevant EU and Member States financial instruments (in particular addressing security, law enforcement, rule of law, criminal justice, preventive measures);
 - ensuring full Pakistani involvement and ownership which requires proper communication and outreach to the Pakistani side including high-level consultations, as required;
 - supporting Pakistan's national CT strategy (building on the current Pakistani 3 'D's approach – Dialogue, Deterrence, Development), its implementation and fostering closer cooperation between federal and provincial authorities including involvement of National and Provincial Assemblies;

- maintaining the EU's focus on criminal justice/rule of law and law enforcement, while respecting human rights including minority rights; and supporting prevention measures, such as countering violent extremism and terrorism financing.
- The EU should continue to support Pakistan via capacity-building depending on the identification and prioritisation of needs which could include:
 - Strengthening the cooperation between law enforcement, protection and judiciary courts;
 - Supporting the police and prosecution in relation to investigation techniques, crime scene and case management including among other aspects addressing the high acquittal rate of terrorists and other serious crime cases in Pakistan and the intimidation of witnesses and judges, prosecutors and police officers;
 - Supporting the long-term goal of a civilian-led approach to tackling issues of instability, such as criminality and terrorism threats;
 - Priority of their geographic engagement of the EU and Member States to work at Federal level and in selected provinces such as Punjab and Khyber Pathunkhwa respecting the limited access of EU and Member States.
- This should be underpinned by international cooperation:
 - Promoting multilateral CT cooperation and international CT standards (in particular UN) and closer EU-Pakistan cooperation at international level in particular at UN framework; (promotion of full implementation of UN Global CT Strategy, UN CT Centre where Pakistan and EU are members of its advisory board, implementation of relevant UNSCRs) and GCTF and its working groups (as both Pakistan and EU are members).

4. Implementation

The practical implementation of this Strategy will be ensured by two EU Action plans, addressing specifically:

I. Security/law enforcement/criminal justice/rule of law ;

II. Countering violent extremism .

Both Action Plans will focus on closer coordination between EU and Member States efforts on relevant political and operational especially capacity-building measures, taking into account the actions from other bilateral and international donors. The annex of this Strategy contains the main outline of the two Action Plans which will be finalised following approval by the FAC. Due to its scope, the Action Plan on Security/law enforcement/criminal justice/rule of law will be divided into two work-streams covering:

1. Security/law enforcement terrorist financing and IED and
2. Criminal justice/rule of law.

The activities of both Action Plans will be tailor-made and have to be implementable according to needs and available resources.

Review/Monitoring

The regular EU-Pakistan CT political dialogue will ensure monitoring and evaluation of the implementation of the strategy and its two Action Plans. Based on the outcome of this regular CT political dialogue, the strategy and its Action Plans will be revised accordingly, as appropriate.

5. Conclusions and follow-up

The political and operational follow-up of this strategy will be ensured by:

1. Political follow-up and dialogue

- CT is an essential element of the EU-Pakistan 5-year Engagement Plan; thus the EU strategy on counter-terrorism with Pakistan will be an important contribution to the implementation programme for the Plan which is now under preparation. CT political dialogue within the framework of EU strategic dialogue with Pakistan will ensure regular exchange and monitoring on implementation of this strategy and its two Action Plans;
- Establishment of a Steering Committee on security/CT issues in Islamabad (as agreed at EU-Pakistan CT Political dialogue on 16 January 2012);
- High-level consultations with Pakistan in Islamabad to engage Pakistan in discussions on the implementation of this strategy and its two Action Plans;
- Implementation by EU HOMs in Islamabad of joint messaging on countering violent extremism, as agreed in PSC on 25 Oct 2011;
- The implementation of the strategy and its two Action Plans will be reviewed regularly by the EU-Pakistan CT political dialogue and revised accordingly, as appropriate.

2. Cooperation

- Close coordination between EU and Member States locally in Islamabad and at capital level to ensure an all-inclusive EU cooperation approach and implementation of relevant CT/security and development assistance as outlined in the strategy's two Action Plans;
- Coordination between EU institutions and services involved in security and related development aspects to make full and coordinated use of EU financial instruments to support Pakistan in its security/CT efforts (rule of law, prevention, education, human rights, law enforcement, criminal justice);
- Cooperation with other partners on countering violent extremism in particular in Islamabad to improve proper exchange of information and better cooperation including through a CVE working group at expert level;
- Cooperation on related issues such as counter narcotics and combating organised crime as foreseen in the EU-Pakistan 5-year Engagement Plan, and based also on the 2004 EU-Pakistan Cooperation Agreement;
- Active EU coordination of international donors.

ACTION PLANS**I. Security, law enforcement, criminal justice, rule of law, terrorist financing and IED**

This Action Plan is to be divided into two work-streams:

1. Security, law enforcement, terrorist financing and IEDSecurity/law enforcement

Capacity-building in traditional security sectors to prevent and fight against terrorism in a human rights compliant manner, including collaborative inter-agency working. The EU and Member States can also provide further support to Pakistan to enhance its internal coordination of counterterrorism measures and developing and implementing a comprehensive national counterterrorism strategy, both at provincial and federal level, building on the current Pakistani 3D approach – Dialogue, Deterrence, Development.

Building on existing EU and Member States support to law enforcement cooperation in Pakistan, between federal and provincial level in particular in Punjab, the EU and Member States will enhance their support which could include international-agency coordination, investigation skills, crime scene and case management, use of forensic, DNA.

Improvised Explosive Devices (IED) strategy

Assistance to Pakistan's Counter-IED Strategy, providing capabilities to tackle the internal threat Pakistan faces. Given the huge impact of IEDs in conflict affected areas of Pakistan, and the problems IEDs cause directly for law enforcement, countering this threat must be high priority of the strategy. In particular the strategy shall support the capacity for successful evidence collection from IEDs to increase prosecution rate and identify the source.

Terrorist financing/money laundering

Linked to the rule of law context, in order to promote economic development, and counter both the financing of terrorism and other forms of financial crime (including revenue gained from the illegal narcotics trade) there is a need to strengthen Pakistan's Anti-Money Laundering/ Counter Terrorist Financing (AML/CFT) regime in accordance with international standards laid down by UN resolutions and Financial Action Task Force (FATF) recommendations. Action on this could include an EU project to work jointly with Pakistan to provide assistance to address any deficiencies still remaining in its AML/CFT regime since it implemented an action plan to address problem areas highlighted in its 2010 FATF report.

2. Criminal justice and rule of law

The EU is already scaling up its interventions in the Rule of Law sector in Pakistan including support to the civil criminal justice system. There are challenges throughout the criminal process from investigations, law enforcement, case management procedures, to the implementation of justice by the prosecution, and witness protection. There is up to a 90% acquittal rate on serious crime cases including terrorism. There have been some recent positive signs; in 2011 reforms took place under the 18th amendment to the Constitution that promoted devolution of sectoral powers to the regional ministers in the Provinces of Pakistan and under the 19th amendment to the Constitution that promoted a more independent judiciary. These developments enhance local democracy but also a challenge in building capacity in weak areas.

Criminal justice/rule of law

The aim of EU action on criminal justice and rule of law would be to promote access to justice, law enforcement, public prosecution and judiciary capability to successfully prosecute criminals, which will include counter-terrorism cases, and develop the penal system to detain and rehabilitate criminals, including terrorists. This would encompass institution building and more specialised capacity building activity. As well as a counter-terrorism objective, this would also have a positive impact on the democratic transition and human rights agendas in Pakistan. In view of the fluidity of international assistance efforts in the justice and security sector, mapping of current and planned assistance to relevant institutions and stakeholders needs to be a recurrent exercise. This will enable the EU and Member States to establish where they can have greatest impact. It would also develop law enforcement agencies' capability to investigate terrorism, in relation to investigation techniques, intelligence sharing, crime scene, case management, and witness protection leading in the longer term to more successful prosecutions.

II. Countering Violent Extremism

Pakistan has requested EU support in its efforts to combat violent extremism. There are several strands of activity here where the EU can add value:

- Pooling research to avoid duplication and help target counter radicalisation work. Radicalisation on the Afghanistan/Pakistan border would be a particular priority as well as Implementation of regional projects in Central and South Asia;
- Capacity building to create a sustainable global network of victims of terror. This is one of the most powerful means to undermine the narratives that terrorists promulgate, especially in Pakistan with over 30,000 victims of terrorism;
- Promoting civil society organisations, such as providing support to women's groups, human rights networks and Non-Governmental Organisations (NGOs). Developments made recently in the freedom of the press in Pakistan should also be supported and expanded to develop a climate of tolerance for all civil society including religious minorities;
- Assessing, developing, sharing lessons learned and best practices/experience from the current CVE initiatives supported in Pakistan by the international community, including, but not exclusively, the EU and Member States;
- Harnessing transnational community links. Sharing positive experience from cooperation with communities interested in Pakistan to counter terrorist ideology and radicalisation in EU Member States and Pakistan and sharing their insight and assessment. This would include developing a better understanding of the transnational links between Diaspora communities and regions of Pakistan and local communities;
- Addressing radicalisation in Pakistan's prisons in particular sharing experience and best practices accumulated by Member States;
- Building on the joint messaging on CVE as agreed in PSC on 25 October 2011.