



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 13 February 2002 (19.02)
(OR. es)**

**5712/1/02
REV 1**

ENFOPOL 18

NOTE

from:	Chair of the Working Party on Terrorism
to:	Working Party on Terrorism
No. prev. doc.:	5712/02 ENFOPOL 18
Subject:	Initiative by the Kingdom of Spain for the adoption of a Council Decision introducing a standard form for exchanging information on incidents caused by violent radical groups with terrorist links

Representatives and experts from agencies, under JHA Ministers, responsible for combating terrorism in the European Union meet in the Working Party on Terrorism for the purpose of improving cooperation between such agencies.

In the course of its proceedings, the Working Party has noticed a gradual increase, at various European Union summits and other events, in violence and criminal damage orchestrated by radical extremist groups, clearly terrorising society, to which the Union has reacted by including such acts in Article 1 of the Framework Decision on combating terrorism, where the offence is defined. Such vandalism has attracted widespread media coverage and alarmed the Union's citizens.

These acts are the work of a loose network, hiding behind various social fronts, by which we mean groups taking advantage of their lawful status to aid and abet the achievement of the aims of terrorist organisations recognised as such within the European Union. Such clear manipulation poses a serious present threat, liable to increase substantially in the very near future.

With the aim of helping to prevent such situations arising at summits and other events arranged by various international organisations as well as the Community, the Spanish Presidency proposes the adoption of a **Council Decision introducing a standard form for exchanging information on terrorist incidents**. This would provide a very helpful tool in preventing and, where appropriate, prosecuting violent urban youthful radicalism, which is increasingly being used as a cat's-paw by terrorist organisations in order to achieve their criminal aims.

The information to be exchanged will concern individuals with a police record in connection with terrorism, although any country may, in accordance with its national law, exchange information on individuals not fulfilling that requirement.

The information will not relate to people exercising their constitutional rights to express their views and demonstrate at such events, such as the rights enshrined in Article 6 of the TEU, but rather to members of actual organised groups run by terrorist organisations for the purpose of achieving their own destabilisation and propaganda aims.

The form would be used to exchange such information as is considered necessary or desirable by participating Member States. The information exchanged could also include other data, supplied by Europol.

As a swift, secure communications system for exchanging information on such groups, we would suggest that use be made of the BDL network, with its proven effectiveness and security.

The above proposal is being submitted to delegations for consideration.

DECISION (UNDER ARTICLE 34(2)(c))

Spanish Presidency draft

COUNCIL DECISION .../.../JHA

introducing a standard form for exchanging information on incidents caused by
violent radical groups with terrorist links

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 30(1)(d) and (2)(b) and Article 34(2)(c) thereof,

Having regard to the initiative from the Spanish Presidency,

Having regard to the Opinion of the European Parliament,

Whereas:

- (1) Representatives and experts from agencies, under JHA Ministers, responsible for combating terrorism in the European Union meet in the Working Party on Terrorism for the purpose of improving cooperation between such agencies.
- (2) In the course of its proceedings, the Working Party has noticed a gradual increase, at various European Union summits and other events, in violence and criminal damage orchestrated by radical extremist groups, clearly terrorising society, to which the Union has reacted by including such acts in Article 1 of the Framework Decision on combating terrorism, where the offence is defined.
- (3) Such vandalism has attracted widespread media coverage and alarmed the Union's citizens.

- (4) These acts are the work of a loose network, hiding behind various social fronts, by which is meant groups taking advantage of their lawful status to aid and abet the achievement of the aims of terrorist organisations recognised as such within the European Union.
- (5) Such clear manipulation poses a serious present threat, liable to increase substantially in the very near future,

HAS DECIDED AS FOLLOWS:

Article 1

A standard form shall be introduced for exchanging information on incidents caused by violent radical groups with terrorist links, as a tool of unquestionable value in preventing and, where appropriate, prosecuting violent urban youthful radicalism, increasingly used by terrorist organisations to achieve their criminal aims, at summits and other events arranged by various Community and international organisations.

Article 2

The information to be exchanged shall concern individuals with a police record in connection with terrorism.

Notwithstanding the preceding paragraph, any country which so wishes may, in accordance with its domestic law, exchange information on individuals not fulfilling that requirement, but known to have links with terrorist organisations.

Article 3

Information shall not be exchanged on people exercising their constitutional rights and freedoms to assemble, demonstrate or express their views at such events, or the rights and freedoms recognised in Article 6 of the Treaty on European Union.

This Decision shall apply to members of actual organised groups run by terrorist organisations for the purpose of achieving their own destabilisation and propaganda aims.

Article 4

The standard form shall be used to exchange such information as is considered necessary or desirable by participating Member States.

The information exchanged may also include other data, supplied by Europol in its analysis role.

Article 5

As a swift, secure communications system with proven effectiveness, the BDL network should be used for exchanging information on such groups and individuals.

This Decision shall take effect on ...

Done at ..., ...

For the Council
The President

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