

**5657/1/05
REV 1**

LIMITE

**JAI 32
ECOFIN 21
TRANS 9
RELEX 34
ECO 7
PESC 66
COTER 3
COSDP 41
PROCIV 8
ENER 13
ATO 13**

OUTCOME OF PROCEEDINGS

from : Presidency in association with Counter-Terrorism Co-ordinator

Subject : Fight against terrorism: Programme and priorities for 2005

Introduction

The present document sets out the priority issues for action in 2005, in the light of the decisions taken in 2004, notably the revised EU action plan on combating terrorism and the conclusions of the December European Council, as well as the comments made by delegations in Coreper on 26 January 2005.

Priority areas for 2005

1. Information sharing and law enforcement cooperation

- Prepare for adoption before end of 2005
 - Framework Decision on Retention of Telecommunications Traffic Data [*Political agreement in June; discussions in WP and CATS*]
 - Framework Decision on simplifying the exchange of information and intelligence between law enforcement authorities [*discussions in MDG and CATS; proposal from the Commission on the availability principle awaited*]
 - Framework Decision on European Evidence Warrant [*Political discussion in June and adoption in December; discussions in WP and CATS*]
 - EU crisis management arrangements for crises with cross-border effects [*Joint initiative LU/UK/AT on the basis of The Hague Programme; to be discussed by the Police Chiefs Task Force in March; workshop to be organised in June*]

- Member states to
 - report on implementation of interim recommendations of peer review into domestic arrangements in the fight against terrorism [*The 15 Member States evaluated have been invited by the President of the Council and the Counter-Terrorist Co-ordinator to report by 1 May*]
 - appoint participants in Counter-Terrorism Task Force Europol [*as soon as possible*]
 - ratify the 2000/2002/2003 Protocols to the Europol Convention [*as soon as possible*]

- Council to
 - Conclude the peer review of domestic arrangements in the fight against terrorism for the EU 25 with appropriate best practice recommendations [*final report by September/October*]
 - hold six monthly meeting of chairpersons of SCIFA, CATS, Commission, Europol, Eurojust, EBA, CPTF, SitCen [*discussion in CATS and at the informal meeting of JHA Ministers*]

- Commission to
 - Make proposals on the protection of victims and witnesses
 - Make proposals on explosives (transport/storage/tracking of industrial precursors) *[May]*

2. *Financing of terrorism*

- Adopt
 - Third Money Laundering Directive *[to be adopted by December]*
 - Regulation on controls of cash entering EU *[Political agreement by June]*
 - Framework Decision on Execution of Confiscation Orders *[to be adopted in February]*

- Ratify
 - International Convention for the Suppression of the Financing of Terrorism of 9 December 1999 *[IE and CZ]*

- Implement the joint strategy against the financing of terrorism, including
 - improving effectiveness of the EU's asset freezing mechanism *[discussion to be initiated in External Relations Counsellors' group]*
 - assessing the need for additional measures with regard to transparency of legal entities in the non-profit sector in implementation of FATF Special Recommendation VIII *[Report from the Commission due in December]*
 - taking forward work on the implementation of FATF SR VII on funds transfers *[Commission to present a proposal for a regulation taking into account the work of FATF]*
 - taking forward work on implementation of FATF SR VI on alternative remittance systems *[Commission to present a proposal for a Directive on payments in the internal market by June 2005]*
 - examination of SitCen and Europol reports on terrorist financing *[reports due in May]*
 - assessing the need for strategy to be updated *[Counter-Terrorism Co-ordinator, in co-operation with the Commission, to report on implementation of strategy in June]*
 - developing the dialogue with the GCC *[Seminar held in Abu Dhabi on 5/6 March 2005]*
 - providing a legal basis for the extension of the funding of the FIU-NET project to the new Member States *[Commission's proposal by June 2005]*

3. Civil Protection and Protection of Critical Infrastructure

Council¹ to:

- Further assess, in the light of the second Commission report expected for May 2005, the capabilities that Member States could make available to the Civil Protection Mechanism in the event of a terrorist attack *[by June 2005]*.
- Develop civil protection capabilities, including through ESDP/Community Mechanism exercises
- Consider solutions for improved availability of medical resources *[by June 2005]*.
- Review proposals by Council Secretariat on interoperability between civil and military capabilities to protect civilian populations following a terrorist attack, including in crisis management operations under Title V of the TEU *[proposals to be developed by June 2005]*
- Review PSC recommendations on the role of the database of military assets relevant to civil protection, in the context of the Headline Goal 2010 *[recommendations to be based on analysis by EUMc; PROCIV to be consulted]*
- Establish a programme for protection of critical infrastructure with potential trans-boundary effects on the basis of proposals from the Commission *[programme to be adopted by end 2005]*.

4. External relations

Mainstream counter-terrorism concerns into political dialogue with third countries, underlining the necessity that the fight against terrorism be conducted in full compliance with the rule of law and the protection of fundamental rights

- Target and focus message. Further develop cooperation with UN (i.a. on Conventions) and US as well as other partners *[COTER in consultation with geographical groups as appropriate]*

¹ These initiatives will be co-ordinated with the Plan of Action on the earthquake and Tsunami in the Indian Ocean

- Implement counter-terrorism clauses in external agreements through detailed agendas and targeted actions with third countries on case-by-case basis

Aid

- Improve coherence and impact of EU approach to building third countries' capacity to combat terrorism, beginning by developing a joint approach to the provision of technical assistance to priority countries, beginning with Morocco [*discussions ongoing in COTER and with the countries concerned*]
- Set up network of national experts on preventing and combating terrorism and on border control, to respond to requests from third countries for technical assistance [*Council Secretariat to consult with Member States, Europol, the Border Agency and Commission on modalities for establishing network and precise fields of expertise required*]

Crisis management (Title V) - see also under civil protection

- Implement action points agreed in conceptual framework on the ESDP dimension of the fight against terrorism, including:
 - incorporation of terrorist threat in all relevant illustrative scenarios in the Headline Goal 2010 and inclusion of corresponding military requirements in elaboration of Requirements Catalogue 2005 [*June 2005*];
 - improvement of protection of personnel, material and assets deployed for crisis management operations under Title V of the TEU [*PSC to submit preliminary recommendations by June 2005*];
 - development of rapid response protection capability in crisis management operations under Title V TEU on the basis of voluntary contributions by Member States [*PSC to elaborate a concept by June 2005, which should also address interaction with existing EU instruments*];
 - continuation of work on consular protection and evacuation of EU citizens in third countries, including this in HLG 2010 and in EU exercises;

- holding a seminar under auspices of ISS on ESDP contribution to the fight against terrorism
[seminar took place on 7 March]
- development of the Civilian Headline Goal, including support to third countries should be considered in order to prevent as well as to counter the terrorist threat

5. Radicalisation and Recruitment

- Initiate follow-up to conference about integration policy (best practices)
- SitCen to produce an analysis on recruitment and radicalisation by May
- Presidency to organise a seminar with security services on 3/4 May
- Commission to submit a Communication by May
- SG/HR and Commission to prepare strategy to combat recruitment for adoption before December 2005
- Develop and implement a strategy to promote cross-cultural and inter-religious understanding between Europe and the Islamic world; implement Inter-Faith Dialogue with Indonesia.
