



10.2.2015

B8-0122/2015 }  
B8-0125/2015 }  
B8-0126/2015 }  
B8-0127/2015 }  
B8-0132/2015 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 123(2) and (4) of the Rules of Procedure

replacing the motions by the following groups:

ALDE (B8-0122/2015)  
EFDD (B8-0125/2015)  
ECR (B8-0126/2015)  
S&D (B8-0127/2015)  
PPE (B8-0132/2015)

on anti-terrorism measures  
(2015/2530(RSP))

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Teresa Jiménez-Becerril Barrio**

on behalf of the PPE Group

**Jörg Leichtfried, Birgit Sippel, Knut Fleckenstein**

on behalf of the S&D Group

**Timothy Kirkhope, Charles Tannock, Helga Stevens, Branislav Škripek,**

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on behalf of the ECR Group

**Sophia in 't Veld**

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on behalf of the EFDD Group

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**EN**

## **European Parliament resolution on anti-terrorism measures (2015/2530(RSP))**

*The European Parliament,*

- having regard to Articles 2, 3, 6, 7 and 21 of the Treaty on European Union (TEU) and to Articles 4, 16, 20, 67, 68, 70, 71, 72, 75, 82, 83, 84, 85, 86, 87 and 88 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Charter of Fundamental Rights of the European Union, in particular Articles 6, 7, 8, 10(1), 11, 12, 21, 47-50, 52 and 53 thereof,
- having regard to the Commission communication of 20 June 2014 on the final implementation report of the EU Internal Security Strategy 2010-2014 (COM(2014)0365),
- having regard to Europol's EU Terrorism Situation and Trend Report (TE-SAT) for 2014,
- having regard to the resolution adopted by the UN Security Council on 24 September 2014 on threats to international peace and security caused by terrorist acts (Resolution 2178 (2014)),
- having regard to the EU Internal Security Strategy, as adopted by the Council on 25 February 2010,
- having regard to its resolution of 14 December 2011 on the EU Counter-Terrorism Policy: main achievements and future challenges<sup>1</sup>,
- having regard to its recommendation to the Council of 24 April 2009 on the problem of profiling, notably on the basis of ethnicity and race, in counter-terrorism, law enforcement, immigration, customs and border control<sup>2</sup>,
- having regard to its resolution of 12 September 2013 on the second report on the implementation of the EU Internal Security Strategy<sup>3</sup>,
- having regard to Europol's Threat Assessment on Internet Facilitated Organised Crime (iOCTA) 2014,
- having regard to Europol's EU Serious and Organised Crime Threat Assessment (SOCTA) 2013,
- having regard to its plenary debate of 28 January 2015 on anti-terrorism measures,
- having regard to the informal Justice and Home Affairs (JHA) Council held in Riga on 29 and 30 January 2015,

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<sup>1</sup> OJ C 168 E, 14.6.2013, p. 45.

<sup>2</sup> OJ C 184 E, 8.7.2010, p. 119.

<sup>3</sup> Texts adopted, P7\_TA(2013)0384.

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- having regard to its resolution of 17 December 2014 on the EU’s renewed internal security strategy<sup>1</sup>,
- having regard to the statement of the informal JHA Council of 11 January 2015,
- having regard to the JHA Council conclusions of 9 October and 5 December 2014,
- having regard to the report of the EU Counter-Terrorism Coordinator to the European Council of 24 November 2014 (15799/14),
- having regard to the Commission’s Work Programme 2015 published on 16 December 2014 (COM(2014)0910),
- having regard to the Commission communication of 15 January 2014 entitled ‘Preventing Radicalisation to Terrorism and Violent Extremism: Strengthening the EU’s Response’ (COM(2013)0941),
- having regard to the opinion of the Article 29 Data Protection Working Party on the application of necessity and proportionality concepts and data protection within the law enforcement sector (Opinion 01/2014),
- having regard to the judgment of the Court of Justice of 8 April 2014 in joined cases C-293/12 and C-594/12, *Digital Rights Ireland Ltd and Seitlinger and others*, and the opinion of Parliament’s Legal Service on the interpretation of this judgment<sup>2</sup>,
- having regard to Rule 123(2) and (4) of its Rules of Procedure,

A. whereas terrorism and violent extremism are among the major threats to our security and our freedoms;

B. whereas the recent tragic events in Paris stood as a reminder that the European Union is facing a continuous and evolving terrorist threat which over the past decade has severely hit several of its Member States with attacks targeting not only people but also the values and freedoms on which the Union is based;

C. whereas security is one of the rights guaranteed by the EU Charter of Fundamental Rights, but fundamental rights, civil liberties and proportionality are essential elements in successful counter-terrorism policies;

D. whereas prevention strategies to combat terrorism should rely on a multifaceted approach aimed at directly countering the preparation of attacks on EU territory, but also at integrating the need to address the root causes of terrorism; whereas terrorism is a global threat that needs to be tackled on the local, national, European and global levels in order to strengthen our citizens’ security, to defend the fundamental values of freedom, democracy and human

<sup>1</sup> Texts adopted, P8\_TA(2014)0102.

<sup>2</sup> SJ-0890/14.

rights and to uphold international law;

- E. whereas the several severe terrorist attacks on European soil since 9/11, most recently in January this year, have had a significant impact on the sense of security among EU citizens and residents; whereas the security situation in Europe has changed dramatically in recent years owing to new conflicts and upheavals in the EU's immediate neighbourhood, the rapid development of new technologies, and the worrying rise of radicalisation that is leading to violence and terrorism both within the EU and in neighbouring countries;
- F. whereas the spread of terrorist propaganda is facilitated by the use of the internet and social media; whereas cyberterrorism enables terrorist groups to establish and maintain links without the physical obstacle of borders, thus reducing the need to have bases or sanctuaries in countries;
- G. whereas the EU is facing the severe and growing threat posed by the so-called 'EU foreign fighters', namely individuals who travel to a state other than their state of residence or nationality for the purpose of perpetrating or planning terrorist acts, or providing or receiving terrorist training, including in connection with armed conflicts; whereas an estimated 3 500 to 5 000 EU nationals have left their homes to become foreign fighters with the outbreak of the war and violence in Syria, Iraq and Libya, posing an immense challenge to the security of EU citizens;
1. Condemns in the strongest terms the atrocities in Paris, and reiterates its deepest sympathy with the people of France and the families of the victims, and its unity in the global fight against terrorism and the attack upon our democratic values and freedoms;
  2. Strongly and categorically condemns all terrorist acts, the promotion of terrorism, the glorification of those involved in terrorism and the advocacy of extremist violent ideologies, wherever they take place or are advocated in the world; stresses that there is no freedom without security and no security without freedom;
  3. Notes with concern the rapidly rising number of EU nationals who travel to conflict areas to join terrorist organisations and later return to EU territory, presenting risks to the Union's internal security and the lives of EU citizens; asks the Commission to propose a clear and common definition of 'EU foreign fighters' in order to increase legal certainty;
  4. Underlines the need for more specialised measures to tackle the problem of EU citizens travelling to fight for terrorist organisations abroad; affirms that while prosecution can be pursued in some cases, other measures should be applied to prevent radicalisation leading to violent extremism, to disrupt the travel of European and other foreign fighters and to deal with returnees; calls on the Member States and the Commission to develop best practices based on those of Member States that have adopted successful strategies, action plans and programmes in this field;

***Combating the root causes of terrorism and radicalisation leading to violent extremism:***

5. Stresses that addressing the threat posed by terrorism in general requires an anti-terrorism strategy based on a multi-layer approach, which comprehensively addresses the underlying

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factors of radicalisation leading to violent extremism, such as developing social cohesion, inclusiveness and political and religious tolerance, and avoiding ghettoization, analysing and counterbalancing online incitement to perform terrorist acts, preventing departures to join terrorist organisations, preventing and stemming recruitment and engagement in armed conflicts, disrupting financial support to terrorist organisations and individuals aiming to join them, ensuring firm legal prosecution where appropriate and providing law enforcement authorities with the appropriate tools to perform their duties with full respect for fundamental rights;

6. Calls on the Member States to invest in schemes which address the root causes of radicalisation, including educational programmes, promoting integration, social inclusion, dialogue, participation, equality, tolerance and understanding among different cultures and religions, and rehabilitation programmes;
7. Points with grave concern to the phenomenon of radicalisation in prisons, and encourages the Member States to exchange best practices on the matter; asks that special attention be given to prisons and detention conditions, with targeted measures to address radicalisation in this environment; calls on the Member States to do more to improve prisons' administrative systems so as to facilitate detection of detainees who are involved in the preparation of terrorist acts, monitor and prevent radicalisation processes and set up specific programmes of disengagement, rehabilitation and deradicalisation;
8. Stresses the urgent need to intensify the prevention of radicalisation and foster deradicalisation programmes by empowering and engaging with communities and civil society at national and local level to stop the spread of extremist ideologies; calls on the Commission to strengthen the Radicalisation Awareness Network (RAN), which brings together all the actors involved in developing anti-radicalisation campaigns and setting up deradicalisation structures and processes for returning foreign fighters, and to directly challenge the extremist ideologies by providing positive alternatives;
9. Supports the adoption of a European strategy for countering terrorist propaganda, radical networks and online recruitment, building upon the efforts already made and the initiatives already taken on an intergovernmental and voluntary basis with a view to further exchanges of best practice and successful methods in this area;
10. Calls for the adoption of a Council recommendation on national strategies for the prevention of radicalisation, which would address the wide range of underlying factors behind radicalisation and make recommendations to the Member States on the setting-up of disengagement, rehabilitation and deradicalisation programmes;

***Implementation and review of existing law enforcement measures:***

11. Calls on the Member States to make optimal use of existing platforms, databases and alert systems at European level, such as the Schengen Information System (SIS) and the Advanced Passenger Information Systems (APIS);
12. Stresses that free movement within the Schengen area is one of the most important freedoms of the European Union, and therefore rules out any proposals to suspend the Schengen

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system, and encourages Member States instead to tighten up existing rules that already include the possibility of temporarily introducing document checks, and to make better use of the SIS II system; notes that certain targeted checks can already be performed on individuals as they cross external borders;

13. Calls on the Commission to immediately and thereafter regularly evaluate the current instruments and undertake a corresponding assessment of the remaining gaps in the fight against terrorism, where the European Council shall regularly assess the threats facing the Union in order to enable the Union and its Member States to take effective action; calls on the Commission and the Council to endorse a renewed roadmap to combat terrorism, which delivers an efficient response to existing threats and ensures effective security for all while guaranteeing the rights and freedoms which are the founding principles of the European Union;
14. Stresses that an essential dimension of the fight against terrorism must be the inclusion of policies to protect and support the victims and their families; calls, therefore, on all Member States to properly implement Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime;
15. Considers that combating trafficking in firearms should be a priority for the EU in fighting serious and organised international crime; believes that, in particular, cooperation needs to be strengthened further as regards information exchange mechanisms and the traceability and destruction of prohibited weapons; calls on the Commission to evaluate as a matter of urgency the existing EU rules on the movement of illegal firearms, explosive devices and arms trafficking linked to organised crime;
16. Welcomes the upcoming adoption at European level of an updated legal framework for combating money laundering, as a decisive step to be implemented at all levels in order to ensure its effectiveness and thus address a significant source of financing for terrorist organisations;
17. Calls on Member States to step up judicial cooperation between them based on the available EU instruments, such as ECRIS, the European Arrest Warrant and the European Investigation Order;

***EU internal security and EU law enforcement and Agency capabilities:***

18. Calls on all Member States to prevent the movement of terrorist suspects by strengthening external border controls, checking travel documents more systematically and effectively, tackling illicit arms trafficking and fraudulent use of identity, and identifying risk areas;
19. Notes with concern the increasing use of internet and communications technology by terrorist organisations in order to communicate, plan attacks, and spread propaganda; asks that internet and social media companies work with governments and law enforcement authorities and civil society in order to combat this problem, whilst ensuring that the general principles of free speech and privacy are respected at all times; underlines that measures limiting the use and spread of data on the internet for counter-terrorism purposes need to be necessary and proportionate;

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20. Reiterates that all data collection and sharing, including by EU agencies such as Europol, should be compliant with EU and national law and based on a coherent data protection framework offering legally binding personal data protection standards at an EU level;
21. Strongly encourages better exchange of information between Member States' law enforcement authorities and EU agencies; further stresses the need to improve, intensify and accelerate global law enforcement information sharing; calls for more effective operational cooperation among Member States and third countries through the use of such valuable existing instruments as Joint Investigation Teams, the Terrorist Financial Tracking Programme and passenger name record (PNR) agreements, as well as more expeditious and efficient sharing of relevant data and information, subject to the appropriate data protection and privacy safeguards;
22. Calls on the Commission and the Council to conduct a comprehensive evaluation of the EU's counter-terrorism and related measures, in particular as regards the implementation thereof in law and in practice in the Member States and the degree to which the Member States cooperate with the EU's agencies in the area, notably Europol and Eurojust, and to undertake a corresponding assessment of the remaining gaps, making use of the procedure provided for in Article 70 TFEU, and to introduce this evaluation process as part of the European Agenda on Security;
23. Underlines the need for European agencies and national law enforcement authorities to combat the main sources of revenue for terrorist organisations, including money laundering, human trafficking, and the illicit arms trade; calls, in this respect, for the full implementation of EU legislation in this area, in order to have an EU-wide coordinated approach; notes that only 50 % of information regarding terrorism and organised crime is given by Member States to Europol and Eurojust;
24. Invites the Member States to make better use of Europol's unique capabilities by ensuring that their national units provide Europol with the relevant information in a more systematic and routine manner; further supports the creation of a European counter-terrorism platform within Europol to maximise its operational, technical and intelligence exchange capabilities;
25. Stresses the need to step up the effectiveness and the coordination of the criminal justice response through Eurojust, to harmonise criminalisation of foreign-fighter-related offences across the EU to provide a legal framework and to facilitate cross-border cooperation, to avoid prosecution gaps and to address the practical and legal challenges in the gathering and admissibility of evidence in terrorism cases, by updating Framework Decision 2008/919/JHA;
26. Calls for strong democratic and judicial oversight of counter-terrorism policies and intelligence work within the EU, with full independent democratic scrutiny, and insists that security cooperation should be strictly in line with international law;

***Adopting an EU external strategy to combat international terrorism:***

27. Calls for the EU to actively promote a global partnership against terrorism and to work

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- closely with regional actors such as the African Union, the Gulf Cooperation Council and the Arab League, and in particular with the countries which are neighbours of Syria and Iraq and countries who have been dramatically impacted by the conflict, such as Jordan, Lebanon and Turkey, as well as with the UN and notably its Counter-Terrorism Committee; calls, in this regard, for increased dialogue between development and security experts between the EU and those countries;
28. Emphasises, in particular, the need for the EU, its Member States and its partner countries to base their strategy for combating international terrorism on the rule of law and respect for fundamental rights; stresses, furthermore, that the Union's external actions to combat international terrorism should in the first place be aimed at preventing, countering and prosecuting terrorism;
  29. Calls on the European External Action Service (EEAS) to adopt an EU external strategy for combating international terrorism, in order to address the sources of international terrorism and mainstream counter-terrorism; calls on the Commission and the EEAS to develop a counter-terrorism cooperation strategy with third countries while ensuring that international human rights standards are respected;
  30. Urges the EU to revise its strategy towards the southern Mediterranean as part of the ongoing European Neighbourhood Policy review, and to focus on supporting those countries and actors who are genuinely committed to shared values and to reform;
  31. Stresses the need to focus on preventing and countering radicalisation in the action plans and political dialogues between the EU and its partner countries, including by increasing international cooperation, making use of existing programmes and capacities, and working with civil society actors in countries of interest on countering terrorist and radical propaganda on the internet and on other means of communication;
  32. Stresses that a comprehensive EU strategy on anti-terrorism measures must also make full use of its foreign and development policies in order to combat poverty, discrimination and marginalisation, to fight corruption and promote good governance and to prevent and resolve conflicts, all of which contribute to the marginalisation of certain groups and sectors of society and thus make them more vulnerable to extremist group propaganda;
  33. Instructs its President to forward this resolution to the Council, the Commission and the parliaments of the Member States.