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**COMMISSION STAFF WORKING DOCUMENT**

**Revised Action Plan on Terrorism**

## COMMISSION STAFF WORKING PAPER

### Revised Action Plan on Terrorism: Update June 2005

No.	Measure/Action	Competent Commission Service	Deadlines	Status/Observations
<b>Objective 1: To deepen the international consensus and enhance international efforts to combat terrorism.</b>				
<b>1.1</b>	<b>Support the key role of the United Nations in sustaining the international consensus and mobilizing the international community as a whole, in particular the General Assembly and the work of the Security Council, inter alia, through its Counter-Terrorism Committee and the Taliban/Al Queda Sanctions Committee, as well as the Terrorism Prevention Branch of the UN Office of Drugs and Crime</b>	Presidency/HR and EU Coordinator/ Commission	Ongoing	Ongoing discussion within the Council on possibilities for improving co-ordination mechanisms between the EU and the UN.
1.1.1	Establish and develop contacts between the CFSP Working Group on Terrorism and the Counter-Terrorism Committee	COTER/PSC Presidency, Co-ordinator, Commission, MS	Ongoing	The EU has stepped up its cooperation with the Counter-Terrorism Executive Directorate (CTED) and participated in CTED assessment missions to Morocco, Kenya and Albania. The Executive Director of CTED also addressed COTER in June 2005.
1.1.2	Establish and develop contacts between the CFSP Working Group on Terrorism and the 1267 Committee	COTER/PSC Presidency/ EU Coordinator/ Commission, MS	Ongoing	The head of the 1267 monitoring group and a delegation of the 1267 committee visited EU institutions in April and May 2005. Chairman of the 1267 Committee met with Vice-President Frattini in May 2005. Contacts continue in New York.
1.1.3	Share information on EU priority countries, as appropriate, with the relevant Committees and/or their structures for assisting in the implementation of commitments under UN Security Council Resolutions 1267 and 1373	EU Coordinator/MS/ Commission	End 2005	Discussed with the Executive Director of CTED in June 2005. EU participation in CTED missions has contributed to ensure cooperation.  EU participated in CTC mission to Morocco in April 2005.
1.1.4	Identify ways to work in a more coordinated way with UNODC including consideration of the signing of a Memorandum of Understanding between the UNODC and the EU	Council/MS/ Commission	Ongoing	(i) UNODC is providing a matrix of its assistance programmes. UNODC is also in talks with the EU concerning its participation in EU counter-terrorism assessment missions. Further contacts should be pursued.

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				(ii) MS should inform the Commission and other MS of any support they are providing to UNODC projects (iii) Commission has had meetings with UNODC in March and May 2005 to discuss further cooperation
1.2	<b>Work to ensure universal adherence to, and full implementation of, existing United Nations Conventions on Terrorism, and to agree on the Comprehensive UN Convention on terrorism and on the UN Convention on Suppression of Acts of Nuclear Terrorism</b>	All	Ongoing	The EU has raised the issue of universal adherence to and full implementation of the UN Conventions and Protocols on Terrorism in the political dialogue with several countries and international, regional and sub-regional organisations and will continue to do so. The EU supports early ratification of the UN Convention for the Suppression of Acts of Nuclear Terrorism.
1.2.1	All Member States to ratify 12 International Conventions against Terrorism and continue to lobby for this in third countries both bilaterally and at EU level	MS	1 Jan 2005	<b>Partially Achieved</b> Not all Member States yet have a full record on ratification/implementation.
1.2.2	Identify and demarche, on the basis of agreed mandates, Third Countries which are failing to meet their commitments under UNSCR 1373	Council/HR/ EU Coordinator and Commission	Ongoing	COTER to continue identification of target countries in close coordination with CTED.
1.2.3	Coordinated EU position on reservations to Conventions should be encouraged	COUNCIL/MS/ Commission	Ongoing	This issue is regularly discussed in COTER and COJUR.
1.2.4	Promote the adoption in the UN of an International Convention on the Suppression of Acts of Nuclear Terrorism	MS at UNGA and the 6 <sup>th</sup> Committee of the UNGA	<b>Achieved</b>	The UN Convention was adopted (13 May 2005) and will be open for signature on 14 September 2005.
1.2.5	Promote the adoption of Comprehensive UN Convention against Terrorism	MS at UNGA and the 6 <sup>th</sup> Committee of the UNGA	Ongoing	Progress on this draft remains blocked at the UN on the issue of the scope of the Convention. The EU should agree a coordinated strategy aimed at reaching agreement on a UN definition on terrorism.
1.3	<b>Work with and within regional and international organisations to ensure their effective contribution to combating terrorism in accordance with UN obligations</b>	All	Ongoing	
1.3.1	Support the Council of Europe's work on combating terrorism and in particular support the CoE Committee of Experts on Terrorism (CODEXTER) in their work on formulating an instrument dealing with the prevention of terrorism and covering existing lacunae in international law	MS/EU Coordinator/ Commission	<b>Achieved</b>	CODEXTER has adopted the Convention on the prevention of acts of terrorism (16 May 2005) that provides, inter alia, for a criminalisation of public provocation to commit acts of terrorism and of recruitment and training of terrorists.

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1.3.2	Identify avenues for expert exchanges between the CFSP Working Group and Regional and Sub-Regional Organisations	COTER/PSC	Ongoing	The EU has developed its contacts with a number of regional and sub-regional organisations, notably OSCE, ASEAN, AU and OAS. The EU is considering the issue of providing support to CT initiatives of regional organisations (such as the JCLEC and the AU Centre for the Study and Research on Terrorism) as possible fora for information exchange and cooperation.
1.3.3	Develop further Technical Assistance projects aimed at Counter-Terrorism capacity building for Regional and Sub-Regional Organisations	Commission/MS/Council	Ongoing	(i) Council, Commission and Member States to develop proposals for assistance to such organisations (ii) MS to supply expertise and funding to the maximum extent possible (iii) a network of experts is being set up (iv) EU organised a seminar on financing of terrorism with Gulf Cooperation Council in March 2005
1.3.4	Ratify the UN-Convention against Transnational organised crime and Protocols thereto and lobby for this in third countries both bilaterally and at the EU level	MS/Council	Ongoing	<b>Partially Achieved</b> All Member States have signed the Convention, 17 Member States have ratified it. The European Community has signed and approved it. All Member States and the European Community have signed the Protocol on Trafficking in Persons, Especially Women and Children, 14 Member States have ratified it. All Member States and the European Community have signed the Protocol against the Smuggling of Migrants, 12 Member States have ratified it. 18 Member States and the European Community have signed the Protocol on Firearms, 8 Member States have ratified it and 1 MS has acceded to it.
1.3.5	Accession to the IAEA Convention on Early notification of a nuclear accident by the European Atomic Energy Community	Commission/Council	December 2005	The Council adopted the COM 2004/560 on 23/5/2005. A Commission Decision for adoption of the Convention is under preparation
1.3.6	Accession to the IAEA Convention on Assistance in the case of a nuclear Accident or radiological Emergency by the European Atomic Energy Community	Commission/Council	December 2005	The Council adopted the COM 2004/560 on 23 <sup>rd</sup> May 2005. A Commission Decision for adoption of the Convention is under preparation
1.3.7	Proposal for a Council Directive on the supervision and control of shipments of radioactive waste and spent fuel. COM 2004/716	Commission/ECOSOC/Council	October 2005	COM 716 has been adopted by Commission on 12/11/2004. ECOSOC and Council follow-up. Commission proposal may be adopted by October 2005.

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1.4	<b>Strengthening further cooperation with the US and other parties in countering the threat posed by terrorism, building on the solidarity and cooperation enshrined in the 2001 Plan of Action to combat terrorism</b>	EU Coordinator/Commission	Ongoing	Outstanding elements of the 2001 Plan of Action to Combat Terrorism are included in this Action Plan
1.4.1	Enhance counter terrorism dialogue at political and official level with the US	All	Ongoing	<p>An informal EU-US ad-hoc Troika meeting on terrorist financing took place in May 2005. COTER Troika held a meeting with the US in May 2005. There have also been contacts in the field of justice and home affairs. The EU Coordinator and the Commission also met with key US administration personnel.</p> <p>The third meeting of the High Level Policy Dialogue on Border and Transport Security with the US was held in May 2005. The EU participated in US evaluation mission to Tanzania in April 2005.</p>
1.4.2	Implement decisions following the review of COTER Troika criteria	COTER/PSC	Ongoing	COTER Troika criteria review completed in June. The SG/HR document on integrating the fight against terrorism into EU external relations policy identifies additional concrete steps to enhance effectiveness of troika dialogues.

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<b>Objective 2: To reduce the access of terrorists to financial and other economic resources</b>				
2.1	<p><b>Ensure the effectiveness of EU asset freezing procedures, including the non-financial economic resources, in accordance with UN obligations and the need to respect due process and the rule of law</b></p> <p><b>Mechanisms for designation of terrorists and asset freezing should be kept under constant review with a view to improving their effectiveness</b></p>	<p>COTER/Commission/  EU Coordinator</p>	<p>Ongoing</p> <p>  Ongoing See below</p>	<p>The new comprehensive strategy on combat against financing of terrorism proposed by the SG/HR and the Commission puts forward proposals in this regard.</p>
2.1.1	<p>Ratification and full implementation of the 1999 UN Convention for the Suppression of the Financing of Terrorism and to give increased effect to the provisions of UNSCR 1373 directed to the freezing of assets</p>	<p>MS</p>	<p>1 January 2005</p>	<p><b>Partially achieved</b> Action also under Objective 1.2.1. Encouragement needs to be provided to the two MS who have not yet ratified the 1999 UN Convention for the Suppression of the Financing of Terrorism.</p>
2.2	<p><b>Establish operational links and improve cooperation between relevant bodies to facilitate enhanced exchange of information on terrorist financing</b></p>	<p>MS/JRC (Crisis Room and Open Source technologies)</p>		<p>The Commission Communication on the Prevention of and Fight against Terrorist Financing of 20 October 2004 (COM (2004) 700/final) and the Joint Strategy Paper on Terrorist Financing of 14 October 2004 (16089/04) highlighted the need to strengthen cooperation and information exchange structures among relevant actors engaged in the fight against terrorism financing. The Joint Strategy Paper has tasked the Commission to produce a report assessing best practice in this area and to report on possible improvements. In March 2005 the Commission sent a questionnaire on national cooperation structures to the EU 25 requesting replies by mid May. The Commission will assess them and report on possible improvements to national coordination structures in a Communication in the second semester of 2005.</p>
2.2.1	<p>Establish specific intelligence capacity in relation to terrorist financing within SitCen to inform the work of relevant bodies</p>	<p>HR/SitCen JRC (Crisis Room and Open Source technologies)</p>	<p><b>Achieved</b> September 2004</p>	
2.2.2	<p>Increase cooperation between national competent authorities, Financial Intelligence Units and private</p>	<p>MS/Coordinator/ Private Sector</p>	<p>Ongoing</p>	<p>The Commission proposal for a Council Decision on the exchange of information and cooperation concerning terrorist offences</p>

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	financial institutions to facilitate improved exchange of information on terrorist financing	JRC (to support Europol with data mining tools)		<p>extends to information exchange on all terrorist offences, convictions and disqualifications, including those connected with the financing of terrorist acts. Among other things it proposes that MS must designate a specialised service within the Police responsible for collection and dissemination of all relevant information. [COM(2004)221] The proposal for a Council Decision was the subject of political agreement at the JHA Council of 2<sup>nd</sup> and 3<sup>rd</sup> December 2004 and is currently before the European Parliament for opinion.</p> <p>Member States shall ensure the full implementation of the Council Decision of 17 October 2000 concerning arrangements for cooperation between financial intelligence units of the Member States in respect of exchanging information</p> <p>The FIU-NET project, co-financed by the Commission, is designed to establish a fully operational computer network linking all MS Financial Intelligence Units (FIUs) for the processing and exchange of financial information, including intelligence suspected to be associated with terror financing. Currently 21 MS have adhered. According to the strategy against terrorist financing, all MS should be fully functioning members of FUI.NET by end 2005.</p> <p>See also point 2.2.</p>
2.2.3	Establish an electronic list of persons, groups and entities in relation to which restrictive measures apply	Commission/Private Sector		In June 2004, the European Commission, in partnership with the four European Credit Sector Federations have established an electronic database containing all relevant data concerning persons, groups and entities, subject to European Union financial sanctions.
2.3	<p><b>Develop and implement an EU strategy on the suppression of terrorist financing, including the regulation of charitable organisations and alternative remittance systems and wire transfers</b></p> <p><b>Tools for improving traceability and transparency of the movement of funds by terrorists, terrorist organisations and those who finance terrorism,</b></p>	Commission	<p><b>Achieved</b></p> <p>Ongoing</p>	<p>October 2004 – Commission produced a <b>Communication on the prevention of and fight against terrorist financing</b> (COM2004 700 final). Based on this Communication the Secretary General/High Representative and the Commission produced the <b>EU joint strategy paper on the fight against terrorist financing.</b></p> <p><b>To do:</b></p>

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	<p>especially with respect to transactions through the informal banking sector and via non-profit organisations should be developed</p>			<p>The Counter-terrorism Coordinator and Commission</p> <ul style="list-style-type: none"> <li>- To produce regular reports on the follow-up to the EUI counter terrorist financing strategy.</li> </ul> <p>Commission</p> <ul style="list-style-type: none"> <li>- Initiated a screening exercise aim of which is to assess and map the non-profit sector in the EU along several dimensions (classification/typology, legal basis, accreditation, sector monitoring, sectors being monitored, frequency of monitoring and registration). Interim results were presented in April 2005.</li> <li>- Work on a draft “Code of Conduct” addressing vulnerabilities of the charitable/non-profit sector (adopt by the second semester 2005).</li> <li>- Discussing the reanimation of the proposed Regulation on a Statute for European Associations in order to out a series of transparency and accountability measures</li> <li>- Proposal for a Directive on a New Legal Framework for Payments in the Internal Market expected to be adopted in September 2005.</li> <li>- Adoption of the Regulation on wire transfers expected in June/July 2005.</li> </ul> <p>Commission is also developing prototype tools that may be used by law enforcement authorities to enhance transparency in the use of funds by the non-profit sector.</p>
2.3.1	<p>Identification of measures to improve effectiveness and efficiency of the mechanism set up to freeze the assets of terrorists and terrorist organisations and to identify the holders and true beneficiaries of bank accounts, irrespective of their place of residence</p>	<p>Council/Commission/ EU Coordinator</p>	<p>Ongoing</p>	<p><b>Partly achieved</b> during Irish Presidency. On 22 April 2004 Commission Communication on Organised Financial Crime addressed transparency issues. The Framework Decision on the Execution of Orders Freezing Property and Evidence includes terrorist offences within its scope. It facilitates intra-EU freezing measures by establishing the principle of mutual recognition of freezing orders which must be recognised and enforced directly by the competent judicial authorities of the MS. The Draft Framework Decision on the Execution of Confiscation Orders includes acts of terrorism within its scope. Political agreement reached on 16 November 2004. The proposal is currently for second reading with the European Parliament and is expected to be finally adopted at short term.</p>



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	<p>Proposal for a Third Money Laundering Directive, which addresses terrorist financing, requires MS to ensure that credit and financial institutions are able to respond fully and rapidly to enquiries from national Financial Intelligence Units or other authorities about any business relationship such institutions have or have had with a specified person.</p> <p>Proposal for a Regulation on controls of cash entering or leaving the Community</p>		Agreed in first reading	<p>Proposal adopted by the Commission on 30.6.2004 and Directive agreed by ECOFIN Council on 7 June 2005. Formal adoption expected in July 2005.</p> <p><b>To do:</b> Commission - Examine scope for a legal instrument to set up a system for registering bank accounts (see Communication on measures to be taken to combat terrorism and other forms of serious crime, in particular to improve exchanges of information. COM (2004) 221). See also 2.3.2</p> <p>The Proposal is currently under discussion in the Council.</p>
2.3.2	Review capacity of EU institutions and legal instruments to respond to the problem of aliases/front organisations and apply sanctions against leaders of terrorist organisations	Council/Commission	<p>Ongoing</p> <p><b>Achieved</b></p> <p>Ongoing</p>	<p>The Commission is looking into the area of transparency of legal entities focusing in particular on measures to help identify the <i>beneficial owner</i> of legal entities.</p> <p>- A Scoping Study completed in February 2005 (outlines issues to be addressed in a planned <i>Cost Benefit Analysis</i> on an up-front beneficial ownership disclosure obligation with appropriate data kept on public national registries).</p> <p><b>To do:</b> Commission - An Open Tender will be announced in the Official Journal before the end of the first semester 2005. - To present results of the Study in early 2006. - To examine scope for measures to prevent terrorist groups infiltrating legitimate activities (see Communication on measures to be taken to combat terrorism and other forms of serious crime, in particular to improve exchanges of information COM (2004) 221). - To complete Commission analysis of regulatory dimension of non-profit/charitable sector for EU-15 and is now in the course of</p>

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			End 2006	extending it to 10 new MS. -To prepare and plan work on non-profit risk management sector to include establishing methods for producing early warning signals for potential misuse of non-profit financing, and derivation of minimum requirements/standards for non-profit risk management.
2.4	<b>Cooperate closely with the Financial Action Task Force (FATF) on all issues regarding the financing of terrorism and ensure that the EU framework is adapted to the nine special recommendations on terrorist financing</b>	All		
2.4.1	All Member States to implement the FATF 9 special recommendations on terrorist financing	MS	July 2005	According to the 2002-2003 assessment undertaken by FATF members, two MS were in full compliance. Only one MS was in non-compliance relative to any of the special recommendations. Other MS were in full compliance or partial compliance of seven of the eight Special Recommendations on terrorist financing. The one Special Recommendation that was not considered is SR VIII on non-profit organizations.
2.4.2	Review EU and terrorist financing legislation and structures in particular on their compatibility with FATF standards.	COUNCIL/MS/ EU Coordinator/Commission	December 2005	(i) FATF Special Recommendation VI requires States to ensure that alternative remittance systems are licensed or registered and that they are subject to the same FATF recommendations as apply to banks. The FATF Working Group on Terrorist Financing is leading a project to establish an early warning system to promote information exchange and joint action to disrupt illegal international funds transfers  (ii) Commission Communication on a New Legal Framework for Payments in the Internal Market, favours integrating Special Recommendations VI on alternative remittance and VII on wire transfers into Community law. This would help ensure a level EU playing field in the approach to these Recommendations which both deal with payments issues.  (iii) Special Recommendation IV: Reporting suspicious transactions related to terrorism – The Third Money Laundering Directive will oblige banks and other persons subject to the

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				<p>Directive, to report transactions suspected to be linked to terrorist financing.</p> <p>(iv) Special Recommendation V: International cooperation in the fight against terrorist financing - at EU level this is ensured through a series of instruments and Financial Directives including those on mutual recognition and the Council Decision on the exchange of information among Financial Intelligence Units</p>
2.4.3	Initiate outreach programmes to EU financial private sector to coordinate procedures to combat terrorist financing	Council/Commission	Commence by September 2004	<p>The Commission Communication of 29 March 2004 calls for the need to bring in measures to improve transparency of bodies corporate in order to counter the infiltration of the legitimate sector by terrorist organisations.</p> <p>The need for greater outreach to the private sector will also be addressed in the planned EU Code of Conduct on non-profit organisations.</p>
2.5	<b>Pursue political and technical dialogue with Third Countries, in order to step up the fight against the financing of terrorism</b>	Presidency/ Commission/ EU Coordinator	Ongoing	<p>Measures to combat terrorism, including the financing of terrorism, already play a priority role in EU relations with Third Countries and EU technical assistance programmes.</p> <p>See also Objective 7</p>
2.5.1	Pursue ad hoc expert level dialogue with third countries on financing in line with EU priorities	COTER/Commission/ EU Coordinator	Ongoing	<p>An informal EU-US ad-hoc Troika meeting on terrorist financing took place in September 2004.</p> <p>Contacts continue between Presidency and GCC on an EU-GCC seminar on TF to be held in the Gulf region.</p>

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<b>Objective 3: To maximise capacity within EU bodies and Member States to detect, investigate and prosecute terrorists and prevent terrorist attacks</b>				
3.1	<b>Developing and implementing the legislative framework for combating terrorism</b>			
3.1.1	Framework Decision on the European Arrest Warrant  Implementation	MS	June 2004	<b>Partially Achieved</b> All the Member States have reported completion of implementation measures.  According to the Commission report on the implementation of the FD on the EAW from February 2005, the legislation of 9 MS does not fully comply with the FD.
3.1.2	Framework Decision on Joint Investigation Teams  Implementation	MS	June 2004	<b>Partially achieved</b> 21 Member States have reported completion of implementation measures  Commission JIT Report has been submitted to Council. The Report suggests that fewer Member States have implemented the Framework Decision.
3.1.3	Framework Decision on Combating Terrorism  Implementation	MS	June 2004	<b>Partially achieved</b> 19 Member States have reported completion of implementation measures  The Council has adopted the Presidencies report on the implementation (11687/2/04 DROIPEN 40 REV 2) which is based on the report from the Commission. The Commission plans to submit a new report by the end of 2005.
3.1.4	Framework Decision on money laundering, the identification, tracing, freezing and confiscation of instrumentalities and the proceeds of crime  Implementation	MS SCLWG (to report)	June 2004	<b>Partially achieved</b> 20 Member States have reported completion of implementation measures  The Council has adopted the Presidency report (10369/2/04

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				DROIPEN 24 REV 2 + COR 1) which is based on the report from the Commission. The Commission is invited to submit a follow-up report to the Council by 30 June 2005.
3.1.5	Framework Decision on the execution of orders freezing property or evidence  Implementation	MS	December 2004	<b>Partially achieved</b> 4 Member States have reported completion of implementation measures. Commission report on implementation due in August 2006.
3.1.6	Convention on Mutual Assistance in Criminal Matters and its Protocol  Ratification	MS	December 2004	<b>Partially achieved</b> 12 Member States have reported completion of ratification measures; 4 additional Member States have reported completion of ratification, but no official ratification has been received so far.  9 Member States have reported completion of ratification measures relating to the Protocol; 4 additional Member States have reported completion of ratification, but no official ratification has been received so far.
3.1.7	Draft Framework Decision on the Confiscation of crime related proceeds, instrumentalities and property  Adoption (and implementation)	JHA Council	<b>Achieved</b> June 2004  June 2006 (Implementation)	Adopted by Council on 24 February 2005  <b>To do</b>
3.1.8	Draft Framework Decision on Attacks against Information Systems	JHA Council	<b>Achieved</b> December 2004	Adopted by Council on 24 February 2005
3.1.9	Draft Framework Decision on the application of the principle of mutual recognition to Confiscation Orders  Completion of negotiations of text.	JHA Council/ CATS/ Cooperation in Criminal Law Matters Working Party	June 2004	Political agreement on substantive text on 29 April 2004 and on certificate on 8 June 2004.  Parliamentary scrutiny reserve remains on the part of one Member State.
3.1.10	Draft Framework Decision on the retention of telecommunications traffic data.  Conclusion of negotiations and adoption.	JHA Council/ CATS/ Cooperation in Criminal Law Matters Working Party	June 2005 (adoption)	The proposal presented by France, Ireland, Sweden and United Kingdom (8958/04) is examined by Council (JHA) on 2 December 2004.  <b>To do:</b> New draft proposal for a directive expected by the Commission during 2005.

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3.1.11	Draft Council Decision on the exchange of information and cooperation concerning terrorist offences.  Conclusion of negotiations and adoption.	JHA Council/ CATS	June 2005 (adoption)	The Council agreed on a general approach on 2 December 2004 (15871/04). European Parliament opinion to be examined.
3.1.12	Draft Framework Decision on a European Evidence Warrant  Conclusion of negotiations.	JHA Council/CATS / Cooperation in Criminal Law Matters Working Party	December 2005	Commission presented proposal on 14 November 2003 [COM/2003/688 of 14 November 2003]. This proposal is currently being discussed in the Working group. Negotiations are still at a relatively early stage and will continue during LU and UK Presidencies.
3.1.13	Cross border hot pursuit  Preparation of proposals for consideration by Council	Commission	Beginning of 2005 (Presentation)	Before 1 July 2005 Commission expects to be able to present the proposal for a Council Decision on the improvement of police cooperation between the Member States of the European Union, especially at the internal borders and amending the Convention implementing the Schengen Agreement. The proposal is mentioned in the Legislative and Working Programme of the Commission (CLWP) for 2005, ref. IRMS 2004/JLS/036 (carry over from 2004).
3.1.14	A) Measures to improve the exchange of information on convictions  B) Proposal on mutual recognition of conviction  C) European register on convictions and disqualifications  Preparation of proposals for consideration by Council	JHA Council   JHA Council/ Commission	June of 2005  [Early 2005]	The Commission presented a proposal for an emergency measure in October (13742/04). The Council agreed on a general approach on the text of the draft Decision on the exchange of information extracted from the criminal record.  A linked proposal from Belgium on exchange of information on disqualification has been tabled and may be discussed in the working group during next months.  See also Commission Communication on measures to be taken to combat terrorism and other forms of serious crime, in particular to improve exchanges of information [COM (2004) 221] Discussion by Council on 2 June 2005,
3.1.15	European Protection Programme for the protection of witnesses in terrorist cases  Preparation of proposals for consideration by Council	Commission	[As soon as possible] (Presentation)	<b>To do:</b> Commission to present proposal in due course
3.1.16	Draft Framework Decision on simplifying the exchange of information and intelligence between	Sweden/Commission	December 2005	<b>To do:</b> The proposal presented by Sweden (10215/04) on 4 June 2004 is

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	law enforcement authorities of the Member States, in particular as regards serious offences including terrorist acts.  Preparation of proposals for consideration by Council			discussed by MDG and by CATS. The upcoming UK presidency confirmed its intention to present this legislation for adoption to Council in December 2005.
3.1.17	Framework Decision to replace Joint Action 1998/733/JHA on Criminal Organisations.  Preparation of proposals for consideration by Council.	Commission	December 2004 (presentation)	Commission presented proposal. Discussed in MDG.
3.1.18	Reinforcing judicial cooperation <ul style="list-style-type: none"> <li>- ensure the execution of any request for mutual legal assistance related to terrorist offences</li> <li>- provide each other with the fullest cooperation</li> <li>- study of concrete measures to propose</li> </ul>	MS		Eurojust has held a coordination meeting at strategic level where specialized Prosecutors were present. Cooperation between Prosecutors and law enforcement is ongoing on a daily basis.
<b>3.2</b>	<b>Ensure optimum and effective use of existing EU bodies such as Europol, Eurojust and the Police Chiefs Task Force</b>			
<b>3.2.1</b>	Europol/Eurojust Agreement  Adoption	JHA Council	<b>Achieved</b> May 2004	Approved by JHA Council on 29 April 2004  Signing by Europol on 9 June 2004 Signing by Eurojust on 9 June 2004  Agreement effective from 10 June 2004
3.2.2	Associating Europol and Eurojust representatives with the work of Joint Investigation Teams as far as possible	MS/Commission	Ongoing	Commission has reported on JIT. Experience is limited because of delayed implementation by MS. Eurojust has no experience in JIT so far, linked to the fact that the FD on JIT has only been implemented in some Member States.

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3.2.2 bis	<p>“To examine the scope for further measures to improve the capacity of Eurojust to contribute to the fight against Terrorism”</p> <p>Concerned bodies should bring forward adequate proposals or recommendations for consideration by the Council by December 2004</p>	JHA Council/ EUROJUST	December 2004	<p>Report issued by Eurojust to adoption by Council by June 2004. Council conclusions are discussed. The issue of Eurojust budget needs also to be addressed. Discussion on information to Eurojust are ongoing in relation to the Commission's draft Decision on improving information to Europol and Eurojust in terrorist cases. On the Council's request, Eurojust has examined and defined the scope of measures to improve its capacity to contribute to the fight against terrorism (see Eurojust's report: Council Document of 01/06/04 No. 10008/04). Despite the agreement recently concluded, the exchange of information with Europol is limited by its legal framework. Thus :</p> <ul style="list-style-type: none"> <li>- Need for more and complete, updated information</li> <li>- Need for own Eurojust analyst(s) (there is no direct access by Eurojust to &gt;&gt;Europol's analysis files).</li> <li>- Need for more budgetary support</li> </ul>
3.2.3	<p>Protocols to the Europol Convention</p> <p><b>Ratification</b></p> <p>2000 Protocol 2002 Protocol 2003 Protocol</p>	MS	December 2004	<p><b>Partially achieved</b></p> <p>22 Member States have reported completion of ratification 19 Member States have reported completion of ratification 14 Member States have reported completion of ratification</p>
3.2.4	Reinforcing Europol counter-terrorism capacities and reactivating the Counter-Terrorism Task Force	MS/Europol		The Counter-Terrorism Task Force (CTTF) is set up. 22 seconded experts to the CTTF (9 at Europol, 4 at the Liaison desks and 9 at the Europol National Units level). Part of the 18 analysts has been recruited. Work has started on 12 projects.
3.2.5	Ensuring that Europol is provided by Member States law enforcement authorities with all relevant criminal intelligence related to terrorism as soon as it is available	MS/EU Coordinator	Presentation of the report at the next JHA meeting- - December 2004	A process of mutual evaluation, within the framework of the Multidisciplinary Group on Organised Crime, is currently under way in relation to the exchange of information and intelligence between Europol and the Member States and also among Member States. An interim report in relation to the evaluation reports in respect of five Member States was approved by CATS on 11/11/04 (doc. 9501/3/04). The report was presented in draft form to the Article 36 Committee at the meeting of 14 September 2004. A new version has been discussed on the article 36 Committee at the meeting of 11/12 November 2004.



	Measures/Action	Competent Body	Deadlines	Status/Observations
				<p>The EU Counter-Terrorism Coordinator has also presented provisional findings arising from this evaluation process. [Doc 9876/04 JAI 170 CATS 25]</p> <p>The Spanish initiatives (Regulation and Decision) on new functionalities of the SIS, including fight against terrorism, have been adopted. The incoming UK Presidency undertook to put pace behind the interconnection of Europol to the SIS.</p>
3.2.6	Improve the flow of intelligence to Europol in relation to all aspects of terrorism	MS JRC (support Europol with open source data mining tools)		The conclusions of the meeting of the European Chief's of Police Task Force meeting in Dublin on 22-23 March 2004 urges Member States to forward appropriate and relevant intelligence data to Europol and invited Member States to ensure that appropriate and high quality information is made available to Europol [Brussels 24 March 2004 - 7779/04, ENFOPOL 30]
3.2.7	Take forward the further development of the relationship between Europol and intelligence services	MS/Europol		Links between SitCen and Europol have been established. JHA Council has taken decision as to the transformation of the Europol Organised Crime reports.
3.2.8	Implementation of the Europol Information System	Europol/MS	December 2004	Europol Management Board has decided at its meeting on 14/15 December 2004 to implement the alternative EISA system. Implementation is under way.
3.2.9	Decision establishing Eurojust  Implementation	MS	June 2004	<p><b>Partially achieved</b></p> <p>COM reported on implementation of the Eurojust Decision in July 2004 (Doc 11280/04 ADD 1 EUROJUST 66)</p> <p>5 MS had not by this date adopted the required legislation and 1 had partly adopted the required legislation.</p> <p>In the meantime, one more MS has adopted the required legislation.</p> <p>The Council has adopted the Presidencies conclusions. The COM is invited to submit a follow-up report to the Council by mid 2005.</p>
3.2.10	Designation of Eurojust national correspondents for terrorist matters.	MS	<b>Achieved</b> [June 2004]	All MS have designated their Eurojust national correspondent for terrorist matters. Regular contacts between national members and national correspondent for terrorism are encouraged.
3.2.11	Strengthening cooperation between anti-terrorist magistrates	Eurojust	Without delay	Strategic and ad-hoc meetings between anti-terrorist magistrates organised by Eurojust (the first one took place in June 2004; the intention is to ensure a follow-up at a six months interval)

	Measures/Action	Competent Body	Deadlines	Status/Observations
				Establishment of a network between key players in CT. A questionnaire has been sent to all Eurojust national correspondents with a deadline for responses on 15 October 04.
3.2.12	Speeding up the linking of the EJM to the VPN secure electronic network	Eurojust/EJM	Without delay	EJM contact points are being consulted on the precise requirements with a deadline for responses on 15 November 2004 and a decision on what to implement in Early December. In parallel, Eurojust is defining its communication needs so that the technical solution can be combined where possible. Subject to the current discussions on the 2005 Eurojust budget, implementation can start in the second half of 2005.
3.2.13	Police Chiefs Task Force (PCTF)  Review how greater operational capacity can be reinforced, focussing on proactive intelligence	PCTF/JHA Council	November 2004	Decision by the Council on 19/11/04 on the role and positioning of the PCTF (doc. 14938/04)
3.2.14	Preparation of a report on the Terrorist attacks in Madrid from a law enforcement perspective	PCTF	<b>Achieved</b> May 2004	Report completed by PCTF
<b>3.3</b>	<b>Improve mechanisms for cooperation for the sharing of expertise on protective, investigative and preventative security policies between police and security services</b>			The Commission presented first ideas on improving intelligence-led law enforcement; further to COM(2004)429final, Commission has presented a document on the future of a European Intelligence Model. The Upcoming UK Presidency is committed to bring this issue forward during its Presidency.
3.3.1	Decision on the implementation of specific measures for police and judicial cooperation to combat terrorism  Implementation	MS	June 2004	<b>Partially achieved</b> 24 Member States have reported completion of implementation measures (insofar as the designation of Eurojust national correspondents for terrorist offences is concerned). The Commission is monitoring the designation of Eurojust correspondents (Council Decision 2003/48/JHA)
3.3.2	Ensuring that law enforcement agencies (security services, police, customs etc.) cooperate with each other and exchange all information relevant to combating terrorism as extensively as possible	MS	Ongoing	The conclusions of the meeting of the European Chief's of Police Task Force in Dublin on 22-23 March 2004 state that Member States should examine the creation of a coordinating body between intelligence and police services that could be tasked to draw up common analyses. The conclusions also stated that Member States should designate one single point of contact for the EU Coordinator on Terrorism (7779/04). This action resulted in Declaration on Combating terrorism of 24 March 2004, and COM (2004) 429 final of 16 June 2005 on enhancing access to information by law enforcement agencies. The Hague Programme

	Measures/Action	Competent Body	Deadlines	Status/Observations
				introduced further the "principle of availability" to improve the exchange of information in line with action 3.3.2. COM will present legislation by end 2005 in conjunction with data protection legislation.
3.3.3	Interim report on the outcome of the process of peer evaluation of national arrangements in the fight against terrorism in the 15 Member States	JHA Council / CATS/ TWP / EU Coordinator	Sept 2004	National Reports on the 15 "old" Member States are finalised and endorsed under compilation for consideration by TWP. Draft interim report submitted to the Council (JHA) on 2 December 2004. The EU Counter-Terrorism Coordinator has also presented provisional findings arising from this evaluation process (9876/04).
3.3.4	Final report on the outcome of the process of peer evaluation of national arrangements in the fight against terrorism covering the new Member States  Preparation and adoption	JHA Council / CATS/ TWP / EU Coordinator	Sept 2005	
3.3.5	Identification of suspected terrorists in Europe and of the organisations which support them, in order to draw up a common list of terrorist organisations	GAERC/JHA Council		Lists containing the most significant terrorists and terrorist organisations are regularly and appropriately updated.
3.3.6	Study the role of Customs in the Member States in relation to security/anti-terrorism at EU Borders	JHA Council/CCWG/Commission	June 2004	Report approved by CCWG (10238/04) Follow-up actions under way (13793/04)
<b>3.4</b>	<b>Promote effective, systematic collaboration in intelligence exchange between Member States and maximize the effectiveness of information systems</b>			
<b>3.4.1</b>	(i) Draft Council Regulation on the introduction of new functions for the Schengen Information System (SIS)  and  (ii) Draft Decision on the introduction of new functions for the Schengen Information System (SIS)  Adoption	Council	<b>Achieved</b> June 2004  June 2004	Regulation adopted at JHA Council on 29 April 2004.  Decision adopted at JHA Council on 24 February 2005.
3.4.2	Decision on the location, management and financing			

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	of SIS II - for development phase - for long term	- JHA Council - JHA Council	- May 2004 - June 2005	- Council Conclusions adopted on 29 April 2004 - Discussions at CATS with a view to submitting conclusions to Council in December 2004
3.4.3	The Visa Information System (VIS)  - Draft Council Decision establishing the VIS  Proposal for a second legal instrument which will define the VIS in all its elements (including the categories and use of data, access right, data protection rules) and its operation.	JHA Council/SCIFA/Visa Working Party/Commission  Commission	Beginning 2005 (presentation of proposal)	Council Decision adopted on 8 June 2004 establishing the Visa Information System (VIS) (2004/512/EC) JO L 213 (15/06/2004)  The VIS is a system for the exchange of visa information and is primarily meant to support common visa policy.  The Commission hopes to submit its 2nd proposal (that shall define in particular the system and its operation, including the categories of data to be entered into the system, the purposes for which it is to be entered and the criteria for its entry, the rules concerning the content of VIS records, the rights of access for authorities to enter, update and consult the data and its control) early 2005. As the legal basis requires co-decision with EP, final adoption should not be expected till end 2005 (and more likely mid-2006).
3.4.4	Enhancing the interoperability between European Databases and of synergies between the existing and future information systems (SIS II, VIS and EURODAC)  Preparation of proposals for consideration by Council	Commission	Early 2005 (presentation of proposal)	Commission propose to present a "Communication on enhanced synergies of existing and future information systems in the field of visa, travel, border and migration management" which would cover these issues, as well as the question of interoperability.  The March declaration of the European Council highlighted under n°5 that "the Commission should also include provisions to enable national law enforcement agencies to have access to the EU systems".
3.4.5	Exchange of personal information (DNA, fingerprints and visa data) for the purpose of terrorism	Commission	June 2004 (presentation of proposal)	Commission to present proposal "Communication on Information Policy for Law Enforcement Purposes" before the June European Council which will address issues arising in this context.

	Measures/Action	Competent Body	Deadlines	Status/Observations
	Preparation of proposals for consideration by Council			
3.4.6	Improving mechanisms for cooperation and the promotion of effective systematic collaboration between police, security and intelligence services	MS		<p>(1) The conclusions of the meeting of the European Chief's of Police Task Force in Dublin on 22-23 March 2004 state that Member States should examine the creation of a coordinating body between intelligence and police services that could be tasked to draw up common analyses. The conclusions also stated that Member States should designate one single point of contact for the EU Coordinator on Terrorism [Brussels 24 March 2004 - 7779/04, ENFOPOL 30]</p> <p>(2) Peer evaluation visits of fifteen Member States have also been completed and national reports are in the process of being compiled for consideration by the Working Party on Terrorism. The Working Party on Terrorism has agreed on the approach to be adopted for the purpose of evaluating the ten new Member States. These arrangements, which envisage a process of visits to the Member States concerned between October 2004 and April 2005, are set out in doc 8519/04 ENFOPOL 41</p> <p>(3) The Commission will present, before the June European Council, a Communication putting forward ideas on improving intelligence-led law enforcement aiming at better connecting intelligence and law enforcement services</p>
3.4.7	Regular updating of the network of contact points in the Member States, with particular regard to the new Member States, in respect of multinational ad hoc teams	JHA Council/ CATS/TWP		
<b>3.4.8</b>	Extension of the BDL system to the 10 new Member States	JHA Council/ CATS/TWP	<b>Achieved</b> December 2004	All 25 Member States are currently connected to the BDL.
<b>3.5</b>	<b>Enhance the capacity of appropriate EU bodies in preparation of intelligence assessments of all aspects of the terrorist threat, with a closer linkage to EU policymaking</b>			
3.5.1	Integration within the Council Secretariat of an intelligence capacity on all aspects of the terrorist threat with a view to informing EU policy  Preparation of proposals for consideration by Council	SG/HR Solana / EU Coordinator JRC (open sources)	June 2004	Report by EU Coordinator to Council on 19 November 2004

	Measures/Action	Competent Body	Deadlines	Status/Observations
3.6	<b>Work to identify, disrupt and dismantle arrangements for supply of weapons to terrorists</b>			
3.6.1	Examine the scope for measures to ensure greater security of <ul style="list-style-type: none"> <li>(i) firearms,</li> <li>(ii) explosives,</li> <li>(iii) bomb-making equipment,</li> <li>(iv) the technologies that contribute to the perpetration of terrorist outrages</li> </ul>	Council/ CATS/ TWP / Commission	<p><b>Achieved</b></p> <p>June 2005 October 2004 December 2004 March 2005</p>	<p>TWP to consider scope for measures in the first instance</p> <p>The Commission has finalised a draft Communication on measures to ensure greater security in explosives, detonators, bomb-making equipment and firearms and expects to have it adopted before 31<sup>st</sup> July 2005</p> <p>The Commission has received answers from almost all countries to its questionnaire to assess the capabilities of MS relevant services to deal with terrorist bomb attacks (Bomb Disposal Squads).</p> <p><i>[The deadlines are those proposed in the Terrorism WP paper: ENFOPOL 43 REV 1 of 7 May, 2004]</i></p>
3.6.2	Examination of legislation with reference to the “terrorist threat”	Commission/ Council/ Parliament	Ongoing	Forthcoming work: Examination of terrorist and criminal threat when examining each new legislative proposal (cf. Commission Communication 8809/02 ADD 3
3.6.3	Examine and report on the requirements in relation to the exchange of information and the coordination of investigations, in particular relating to restrictions on exportation and prevention of WMD  Examination and preparation of a report	JHA Council/ CATS/CCWP/HR-PR WMD	End December 2004	Work to continue in 2005
3.6.4	Strengthen the arrangement for the identification, control and interception of illegal trafficking in WMD materials.	Council, Personal Representative of HR, MS and Commission	[PM]	<p>The Council adopted a Statement of support of the Proliferation Security Initiative (PSI) on 17 May 2004.</p> <p>Follow on work on the EU statement, including a reference the necessity to provide criminal sanctions by Member States in the area of trafficking of WMD and related materials, as appropriate, is underway.</p> <p>Commission maritime container targeting system will play key role in supporting intelligence-based scenario to be tested during PSI interdiction exercise/regional OEG meeting scheduled for October 2005, in Germany</p>

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
<b>3.6.5</b>	New Regulation on the application of Euratom Safeguards (302/2005)	Commission	<b>Achieved</b> Entered into force on 20 March 2005	Commission adopted the EURATOM Regulation No 302/2005 of 8 February 2005 on the application of EURATOM safeguards.
<b>3.7</b>	<b>Implement the Conceptual framework on the ESDP dimension of the fight against terrorism, including preventive aspects</b>	Council/PSC Other as indicated in each point	According to deadlines related to each specific action point	The conceptual framework is based on the following principles: solidarity between EU Member States; <ul style="list-style-type: none"> <li>- voluntary nature of Member States' contributions;</li> <li>- clear understanding of the terrorist threat and full use of available threat analysis;</li> <li>- cross pillar co-ordination in support of the EU common aim in the fight against terrorism;</li> <li>- co-operation with relevant partners;</li> <li>- complementary nature of the ESDP contribution, in full respect of Member States' responsibilities in the fight against terrorism and with due regard to appropriateness and effectiveness considerations.</li> </ul> <p>See also objective 5.4.2.2</p>
<b>3.7.1</b>	Support the development of military capabilities for EU-led crisis management operations by incorporating the terrorist threat in all relevant illustrative scenarios in the framework of the Headline Goal 2010.	PSC	Ongoing/First deadline June 2005 with the finalisation of the Requirements Catalogue	Work in this field should take into account possible preventive and protective measures. Possible measures related to prevention of the terrorist threat, including maritime and airspace control-type operations should be considered
<b>3.7.2</b>	The future Civilian Headline Goal should also give appropriate consideration to the deployment and further development of civilian capabilities (in particular Police, Rule of Law, Civilian Administration and Civil Protection), in order to prevent as well as counter the terrorist threats within the limitations of the mandate.	PSC	Ongoing	
<b>3.7.3</b>	Defence Intelligence Organisations (working through the Intelligence Division of the EUMS) should support through increased exchanges of intelligence the Joint SITCEN as it implements the SG/HR's report to June European Council on the establishment of an intelligence capacity to cover the range of terrorist threats affecting EU interests both within and outside of the Union;	PSC, SG/HR, SITCEN		See action 3.5

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
3.7.4	Improve protection of all personnel, material and assets deployed for crisis management operations under Title V of the TEU, including, as appropriate, the ability to protect possible key civilian targets, including critical infrastructure, in the area of operations within available means and capabilities and on a case by case basis based on the threat analysis;	PSC	PSC preliminary recommendations to Council by the 2005 June European Council	These recommendations should also foster ongoing work in the ECAP NBC Project Group, notably on an NBC Centre of Competence, including civilian expertise
3.7.5	Support to third countries in combating terrorism;	PSC		Specific measures could entail the development of appropriate co-operation programmes to promote trust and transparency, the support in planning activities related to the fight against terrorism including consequence management or support in training and exercises
3.7.6	Conceptual work on consular co-operation and evacuation of EU citizens in third countries should continue in the relevant working groups. These cases could be included in the relevant scenarios of HLG2010 as well as in EU exercises.	PSC COCON	Ongoing	
3.7.7	Develop a visible and effective rapid response protection capability to be included as protection component of EU-led crisis management operations under Title V of the TEU;	PSC	Concept to be developed by June 2005	Such capacity to be voluntarily contributed by Member States.
3.7.8	Sponsor an ISS Seminar on the ESDP contribution to the fight against terrorism in the wider context of the EU approach in this field;	PSC, ISS	March 2005	Participation in the seminar would be open to representatives and high level experts (national crisis co-ordinators, academics, etc) of key partners, such as the US, the UN and NATO.
3.7.9	Seek ways of co-operating with NATO in the fields of: <ul style="list-style-type: none"> <li>- non-binding guidelines and minimum standards for the protection of the civilian population against CBRN risks;</li> <li>- framework agreement on the facilitation of cross border transport;</li> <li>- identification of the relevant national points of contact, with a view to creating a common</li> </ul>	PSC	Ongoing	See also Action 5.6



	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	database of points of contact; - cross-participation, on a case-by case basis, in each other's consequence management exercises, as observers			
<b>3.8</b>	<b>Other Related Measures</b>			
3.8.1	Examining measures in relation to a database on forensic material	Council/Commission	Second half 2005 (Presentation of proposal)	Commission to present proposals.
3.8.2	Consideration of need for new committee structures in order to ensure greater operational cooperation on security and terrorism.	Council/ COREPER		Review underway
3.8.3	Adoption of the Strategy for Customs Cooperation and related work plan	JHA Council	May 2004	Adopted by the JHA Council on 30 March
3.8.4	Work together in G8 working groups and other relevant international for a to develop, and co-operate in the fields of, nuclear forensic for investigation and prosecution of perpetrators of illicit trafficking	Commission/Member States	ongoing	

No.	Measure/Action	Competent Body	Deadline	Status/Observations
<b>Objective 4: To protect the security of international transport and ensure effective systems of border control</b>				
4.1	<b>Ensure the integration of counter-terrorism considerations into the work of relevant EU bodies (transport, border controls, identity documents etc)</b>			
4.1.1	Regulation establishing a European Borders Agency  Agency operational	Council / Commission	<b>Achieved</b> May 2005	Regulation adopted by Council on 26 October 2004.
4.1.2	(i) Draft Council Regulation amending Regulation (EC) No 1683/95 laying down a uniform format for visas.  Finalisation of the technical specification to be adopted by the Commission  Adoption of Regulation  (ii) Draft Council Regulation on standards for security features and biometrics in passports and travel documents issued by Member States.  Adoption of Regulation	JHA Council  Commission/Article 6 Committee  JHA Council	[End 2004]  [End 2004]  End 2004	In November 2003 the JHA Council agreed a general approach. "Article 6 Committee" concluded after a debate on the technical feasibility of the decision that the integration of the chip in every visa and residence permit is impossible. The conclusions of the "Article 6 Committee" were agreed by Coreper on 24 November 2004 and are going to be submitted as informative points to the JHA Council on 2 December 2004  A general approach was reached by Council (JHA) in October 2004. The Member States reached agreement on the introduction of one obligatory feature (digital portrait) by 18 months in the JHA Council on the 25 and 26 November 2004. Two Member States made reservations concerning the introduction of the second feature (fingerprints) by 36 months; the decision on this item has not been taken.
4.1.3	Creation of an integrated system for the exchange of information on stolen and lost passports having recourse to the SIS and Interpol database	Council/Commission	December 2004 (Adoption of proposal)  End of 2005 (Implementation of proposal)	Council is examining Commission's proposal.
4.2	<b>Work to develop further EU transport security</b>			On 11 March 2004 the Council agreed to submit to ICAO a

No.	Measure/Action	Competent Body	Deadline	Status/Observations
	<b>standards, in coordination with relevant international organisations and third countries</b>			<p>Working Paper on PNR on behalf of the European Community and its MS, thereby initiating multilateral work on this subject.</p> <p>On 22 September 2004 the Presidency submitted (on behalf of the EC and its MS) a working paper on establishing an international framework for the transfer of PNR data to the ICAO 35th Assembly (28/09-8/10/04). The paper was well received and work within ICAO will now begin.</p>
4.2.1	<p>Strengthening of the security of all forms of transport systems, including through the enhancement of the legal framework and the improvement of prevention mechanisms</p> <p>Draft Communication and a possible proposal for a legal instrument on supply chain security</p> <p>Draft Communication on Security in all modes of transport including the financing issues</p>	<p>Council/MS</p> <p>Commission</p> <p>Commission</p>	<p>Foreseen by 3<sup>rd</sup> quarter 2005</p> <p>Foreseen by 4<sup>th</sup> quarter of 2005.</p>	
4.2.2	Enhancing the security measures in harbours and ships	<p>Commission/TTE Council/European Parliament</p> <p>Committee/ TTE Council/</p>	<p>a) and b) Adopted 31 March 2004, in force as of 1 July 2004</p> <p>c) Formal adoption awaited shortly since EP had a positive vote in first reading on May 10<sup>th</sup> 2005</p>	<p>a) Regulation (EC) No 725/2004 of the European Parliament and of the Council 2004 on <b>enhancing ship and port facility security</b>. The regulation incorporates the maritime security measures adopted in December 2002 by IMO into Community legislation in order to prevent acts of terrorism against ships.</p> <p>b) Regulation (EC) No 724/2004 of the European Parliament and of the Council of 31 March 2004 amending Regulation (EC) No 1406/2002 establishing a <b>European Maritime Safety Agency</b>. The regulation provides the European Maritime Safety Agency <i>inter alia</i> with clearly defined tasks in the field of Maritime security.</p> <p>c) Proposal for a Directive of the European Parliament and of the Council on <b>enhancing port security</b>. It aims at complementing (EC) No 725/2004 on enhancing ship and port facility security. The purpose of the Directive is to enhance security in areas of</p>

No.	Measure/Action	Competent Body	Deadline	Status/Observations
		European Council	Adoption by Commission foreseen over the Summer 2005	ports not covered by the Regulation and to ensure that security measures implemented in application of the Regulation benefit from enhanced security in the port. The Directive does not create new obligations in areas covered by the regulation. d) Proposal for a <b>regulation</b> laying down procedures for conducting Commission inspections in the field of maritime security
4.2.3	Regulation 2320/2002 on civil aviation security and Regulation 1486/2003 on procedures on Commission inspections in the field of civil aviation security  Implementation   Revision of Regulation 2320/2002	Commission	Ongoing    Expected	Ongoing legislative work to develop detailed implementing legislation (by comitology) to complement Regulation 2320/2002. Two implementing Regulations were adopted in 2004: - Commission Regulation (EC) N°68/2004 of 15 January 2004 amending Commission Regulation (EC) N°622/2003 - Commission Regulation (EC) N°1138/2004 of 21 June 2004 establishing a common definition of critical parts of security restricted areas at airports.  In 2005 - Commission Regulation (EC) N°781/2005 of 25 May 2005 amending Commission Regulation (EC) N°622/2003 Commission Regulation (EC) N°857/2005 of 6 June 2005 amending Commission Regulation (EC) N°622/2003 A revision of Reg 2320/2002 is needed in order to simplify and clarify certain rules. It will help to improve harmonisation in the EU and provide for a joint reaction mechanism in case of third country requirements
4.2.4	Follow up to Container Security Initiative (CSI)  Examination of extension to other regions	Commission	22 April 2004    May 2005	EC/US Agreement concluded expanding customs co-operation to cover CSI and related matters in order to cover transport security aspects. Allows for co-operation on exchange of advance cargo information and creation of equal levels and standards of controls for US and EC operators.   Joint EU/US Working Group established under the agreement to examine and make recommendations to be adopted by the EU - US Joint Customs Cooperation Committee in November 2004, to ensure that general customs controls take due account of security concerns.

No.	Measure/Action	Competent Body	Deadline	Status/Observations
			<p>15 November 2004</p> <p>March 2005 onwards</p> <p>June 2005 onwards</p>	<p>At the 5th EU-US Joint Customs Cooperation Committee, the EC and the US agreed to implement the recommendations elaborated by the Working Group and to continue work in the areas that need further deliberations (central risk management, joint rules set on containers security, advanced cargo data elements etc.)</p> <p>The work of the Joint EU/US Working Group has been followed-up by an action plan. The plan indicates the different actions for further implementation of the ten recommendations, providing operational standards and working methods which will enable the EU and U.S. customs services to improve the controls on security in the transatlantic maritime transport and also provides possibilities to closely study each other's trade partnership programs.</p> <p>Commission contributions are planned in pilot projects and other CSI related work in the areas of e-seals, goods control standards, and container/risk assessment based on route information.</p>
<b>4.3</b>	<b>Develop and implement a common EU approach to the exchange and analysis of passenger information</b>			
4.3.1	<p>Council Directive on the obligation of carriers to communicate passenger data</p> <p>Adoption</p>	JHA Council	30 April 2004	<p>Adopted at the JHA Council on 29 April 2004</p> <p>OJ L 261, 6.8.2004, p. 24</p>
4.3.2	<p>Common EU approach to the use of passenger data for border and aviation security and other law enforcement purposes</p> <p>Preparation of proposal for consideration by Council</p>	Commission	<p>June 2004</p> <p>(presentation of proposal)</p>	<p>Commission are analysing to what extent a draft proposal for a framework decision on PNR can be annexed to the Communication on a European Law Enforcement Information</p> <p>Discussions with Canada on the transfer of PNR data are being undertaken by CION in view of reaching an agreement similar in form to the one with the US.</p>
4.4	<b>Encourage and support non-EU states to comply fully with the ICAO and IMO standards</b>	Council		Member States support the EU's multinational initiative on PNR at ICAO with a view to promoting the development of global standards
4.5	<b>Enhance capacities for the identification of terrorists and the detection of terrorist devices,</b>	MS/Commission	Ongoing	Identify and prioritise needs of stakeholders in the framework of standards and harmonisation of standards, and contribute to the

No.	Measure/Action	Competent Body	Deadline	Status/Observations
	<b>materials or funds at ports, airports and land borders</b>			definition of standards.
4.5.1	Review of criteria that should be applied for the purposes of Article 96 of the Schengen Convention in relation to certain persons reported for the purpose of being refused entry	JHA Council/Commission	End 2004 - Early 2005	Commission will analyse the need for further harmonisation of grounds related to the introduction of article 96 alerts in the SIS in the context of the planned proposals for the legal basis for SIS II.
4.5.2	Development of terrorist profiles with a view to developing an operational tool	Council /CATS/TWP	Dec 2005	Work to continue in 2005
4.5.3	Coordinated recourse to Article 2(2) of the Schengen Convention (reestablishment of border checks)	JHA Council	Without delay	Commission to present proposal
<b>4.6</b>	<b>Reinforce the protection of European citizens in third countries</b>	Council		<p>1. <i>The draft widened CBRN Programme (see below)</i> invites the Member States and the Presidency to ensure that the civil protection services of the Member States will as far as possible, when one or more of them are called upon to intervene in a third country following a terrorist attack :</p> <ul style="list-style-type: none"> <li>• render assistance to all EU-citizens</li> <li>• assist the consular authorities of the Member States upon a request from the relevant authorities,</li> <li>• cooperate with each other</li> </ul>
4.6.1	Establish mechanism for publication of advice on terrorist threats to EU citizens in third countries	SitCen/Council Secretariat/COUNCIL	June 2005	This and other Objectives for Action will be contingent on the HR/SG Solana's report on the development of an intelligence capacity within the Council.

	Measures/Action	Competent Body	Deadlines	Status/Observations
<b>Objective 5: To enhance the capability of the European Union and of Member States to deal with the consequences of a terrorist attack</b>				
5.1.	Strengthen the assessment and analysis of the risks on possible targets of terrorist threats so as to provide emergency response services with information and knowledge that is useful in order to prevent and respond to potential terrorist threats and attacks.	Council (Terrorism WG) Council Secretariat (Siccen), Commission, Europol Member States	on-going	A new EU Solidarity Programme on the consequences of terrorist threats and attacks (widened CBRN-programme) deals with this item in <b>Strategic goal 1 (Risk assessment and analysis)</b> .  Council, Council Secretariat, Cion, Europol and MS will <ul style="list-style-type: none"> <li>– make a more structured use of threat assessment and analysis under 3.5 of the Terrorism Plan of Action for the risk assessment, prevention and consequence management,</li> <li>– stimulate, where necessary and through the appropriate channels, improved cooperation between intelligence services, national authorities and relevant emergency services such as civil protection, health and police.</li> <li>– improve the exchange of knowledge and experience on the methods of risk assessment and analysis,</li> <li>– Improve the bilateral exchange of information on cross-border risks.</li> </ul>
5.2	Prepare, on the basis of a coordinated approach by the SG/HR and the Commission, an overall strategy to enhance the protection of critical infrastructures  To strengthen the protection of citizens, essential services (such as water supplies, energy and communications) and production systems (agro-food and process industries), as well as to establish mechanisms (surveillance, early warning, alert and response systems and procedures) to deal with the consequences of any terrorist attacks	Commission  Member States	end of 2005	A new EU Solidarity Programme on the consequences of terrorist threats and attacks (widened CBRN-programme), in its <b>Strategic goal 2 (preventive measures)</b> deals with this item.  1) As indicated in its communication on critical infrastructure protection (13979/04), the Commission intends to propose, in the near future, a European Programme for Critical Infrastructure Protection (EPCIP) which will contain: <ul style="list-style-type: none"> <li>– horizontal organisational measures such as the identification of critical infrastructures having a transboundary effect,</li> <li>– the analysis of vulnerabilities (including physical) and interdependencies,</li> <li>– the outlining of protective solutions, and</li> <li>– definition of related standards.</li> </ul>

	Measures/Action	Competent Body	Deadlines	Status/Observations
				<p>2) By June 2005, Cion will establish a Critical Infrastructure Warning Information Network (CIWIN) as a network of specialists to assist in the drawing up of the EPCIP and to stimulate an exchange of information on threats, vulnerabilities, measures and strategies.</p> <p>3) The Community Civil Protection Mechanism has established procedures for early warning, alert and activation of response on a 24 hour basis through the central MIC to facilitate immediate mutual assistance between MS to deal with the consequences of a terrorist attack. On 20 April 2005, the Commission adopted a Communication (2005) 137 final proposing ambitious improvements of the Mechanism.</p> <p>4) RAS-BICHAT rapid alert system for deliberate releases of biological and chemical agents is in place since June 2002 under the Health Security Programme and work is on-going on its securisation against technological risks and against security breaches. Establishment of Emergency Operations Centre at the Commission is being studied.</p> <p>5) The Commission is monitoring web-based information to provide advance warning of suspicious circumstances or outbreaks: Medisys.</p> <p>6) Further procedures and interconnection to ensure rapid and efficient cooperation preparedness, early warning, alert and response across all bodies to deal with a terrorist attack will be developed.</p>
5.2.1	Conduct a cross pillar analysis of the threat to critical infrastructures and policies in relation to their protection.	Council/Commission/ Coordinator	<p><b>Achieved</b> December 2004</p> <p>Ongoing</p>	<p>This issue is dealt by the Commission Communication on Critical Infrastructure Protection in the fight against terrorism. COM (2004) 702 of 20 October 2004.</p> <p>Since March 2005 establishment of an Inter-service Group on Critical Infrastructure. The Commission is also preparing a second Communication – European Programme for the Protection of Critical Infrastructure (EPCIP).</p>



	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
5.2.2	Implement the modalities, procedures and criteria for making available to the Community Civil Protection Mechanism the content of the database of military assets and capabilities relevant to the protection of civilian population against the effects of terrorist attacks, including CBRN.	PSC/EUMC/EUMS/SitCen/Commission	Ongoing	The military database has been made available to the MIC. This task has therefore been accomplished. Enhance the effectiveness of the military database and its interoperability with civilian assets.
5.2.3	Deepen and widen the database of military assets and capabilities relevant to the protection of civilian populations against the effects of terrorist attacks, including CBRN	PSC/EUMC/EUMS/SitCen/Commission	Ongoing	Definition of scenarios, identification of requirements and contributions; interoperability of civilian and military assets in civil protection operations.
5.2.4	Adopt Council Conclusions in response to Commission Communication of 25.3.04 COM(2004)200 final on reinforcing capacity in the areas above.	Council	End 2004	
<b>5.3.</b>	<b>Ensure that adequate mechanisms are in place for a quick detection and identification of an actual threat, for alerting professionals and the public in appropriate ways. (Detection, identification and alert)</b>	Commission  Member States		<b>Strategic goal 3</b> of the [draft] widened CBRN Programme deals with this subject.  <u>Cion</u> will create a secure general rapid alert system (ARGUS) to link all specialised systems for emergencies that require action at European level.  RAS-BICHAT rapid alert system for deliberate releases of biological and chemical agents: Securitisation against technological risks and against security breaches. Improved co-operation with other alert mechanisms EWRS (communicable diseases, food, animals, plants, MIC).  MediSYS Monitoring of a Web-based information to provide advance, real-time, warning of suspicious circumstances or outbreaks.  A network of high-level of safety laboratories has been formed to provide quality-assured diagnostics for high-risk pathogens and for mutual assistance between all Member States to allow quick introduction of counter-measures.
<b>5.4.</b>	<b>Reinforce the Civil Protection Capacity of the EU to deal with terrorist attacks through scenario</b>			The [draft] EU Solidarity Programme on the consequences of terrorist threats and attacks (widened CBRN-programme) in its

	Measures/Action	Competent Body	Deadlines	Status/Observations
	<p><b>planning, using</b>  <b>- databases of available resources,</b>  <b>- training and exercises</b></p>			<p><b>Strategic goal 4 (Preparedness and consequence management)</b> deals with this item :</p> <p>Within the framework of the Community Mechanism:</p> <p>1) The Commission has developed response scenarios to identify the assistance available in case of terrorist attacks. All Member States have contributed to the database. The Commission has presented a first EU restricted assessment report to the December European Council and is currently preparing a second report for the June European Council.</p> <p>2) The Commission will shortly launch a call for proposals for major simulation exercises in the field of civil protection. The Commission hopes to focus the exercises on terrorism scenarios.</p> <p>3.) Training activities in the framework of the Civil Protection Mechanism help preparing first responders for assistance in case of major emergencies, including terrorism.</p>
5.4.1	<p><i>Assess the capabilities for mutual assistance</i></p> <p>"Assess the capabilities of Member States both in preventing and coping with the consequences of any types of terrorist attacks, identify best practices and propose the necessary measures"  (European Council of 17-18 June 2004, sub 19)</p>	<p>Commission</p> <p>Council  (for military resources)</p> <p>Member States</p>	mid-2005	<p>Cion will :</p> <ul style="list-style-type: none"> <li>- update by mid 2005-, its EU-restricted report of November 2004 assessing the capabilities available at EU level for assistance to MS affected by a major terrorist attack on the basis of certain scenarios of response to different types of terrorist attacks.</li> <li>- upgrade its databases of Civil Protection means and experts.</li> <li>- Obtain and share, on a restricted basis, information on relevant vaccines, sera and other medical resources, that can be made available in the event of a major terrorist attack.</li> </ul>
5.4.2	<p><i>Improve the capabilities for mutual assistance</i></p> <p>"Strengthen the capacity within Member States to alleviate the consequences of attacks on the civilian population, including in the areas of health security and civil protection, building on existing EU Health Security and CBRN programmes" (25/3/04 EC Declaration – Section 11)</p>	<p>Commission</p> <p>Council</p> <p>Member States</p>	on-going	<p>1) The Commission has recently adopted a proposal for a regulation establishing a Rapid Response and Preparedness Instrument for major emergencies COM (2005) 113 and a Communication on the improvement of the Community Civil Protection Mechanism COM (2005) 137. Both documents will serve as a basis for further development of EU Civil protection policy.</p> <p>2) Commission Matrix on deciding on health system vulnerabilities, prioritising and resource allocation for facing up to attacks and threats using particular pathogens.</p>

	Measures/Action	Competent Body	Deadlines	Status/Observations
				<p>3) A series of ten guidelines on case diagnosis and clinical management is to be published by EUROSURVEILLANCE and placed on the Web.</p> <p>4) A network of high-level of safety laboratories has been formed to provide quality-assured diagnostics for high-risk pathogens and for mutual assistance between all Member States to allow quick introduction of counter-measures</p> <p>5) Guidance on General preparedness and response planning and integration of EU dimension in all national health emergency plans is being prepared.</p> <p>6) Guidance on use of vaccines, antidotes and dilution of vaccinia immunoglobulins has been issued and negotiations on vaccines and anti-virals for pandemic influenza have started.</p> <p>7) A new programme updating the actions identified in the Council 2002 CBRN programme, widening its scope to deal with all terrorism threats and incorporating a strengthened cross pillar implementation monitoring system will be adopted.</p> <p>8) The Programme on Health, Security (December 2001) aims at setting up EU cooperation and mutual assistance against biological or chemical attacks.</p> <p>9) Set up of a RASCHEM – exchange of information and warnings between Poison Control Centres.</p> <p>10) HEOF - Health emergency operations facility: improvement of the current crisis and communication centre.</p>
5.4.2.1	Civilian resources	<p>Council Commission</p> <p>Member States</p>		<p>1) Council and Commission will, by June 2005, develop appropriate initiatives for awareness raising and decision support for policy advisors to the political authorities of the EU and the Member States, so as to enable them to deal with the civil protection aspects of consequence management.</p>

	Measures/Action	Competent Body	Deadlines	Status/Observations
				<p>2) Council and Commission will further improve inter-operability of technical equipment, including civilian-military interoperability, i.a. by training and exercises, further research and proposals to enhance interoperability if necessary.</p> <p>3) Cion intends to enhance specific training courses relevant for coping with the consequences of terrorist attacks, such as psychological aftercare and operating in a contaminated environment.</p> <p>4) MS, CL and Cion are considering to develop a list of relevant exercises, to develop a procedure to allow cross-participation and fine-tuning in the field of exercises</p> <p>5) MS and Cion will consider establishing a mechanism for mobilising professional multidisciplinary advisory teams</p> <p>6) Council will adopt, end 2004, a Decision to extend the current Community Civil Protection Action Programme (OJ L 332/2000) to 2005/2006 and prioritise public information and self protection (14017/04)</p> <p>7) Cion will facilitate Civil Protection teams from MS with appropriate logistics and equipment and additional common insignia.</p> <p>8) A Directory of health Experts is being set up and rules for consultation for assistance in the health sector are drawn.</p> <p><i>Scenario building and training:</i></p> <p>9) Two EU-wide exercises on pandemic influenza and smallpox to test communication channels and evaluation of existing emergency plans will be conducted in 2005.</p> <p>10) Joint Training Programme of Commission with EUROPOL on interaction between Law Enforcement and Public Health (April 2004)</p>

	Measures/Action	Competent Body	Deadlines	Status/Observations
				11) Incident investigation and environmental sampling group is developing EU-wide protocols and share good practice and know-how.
5.4.2.2	<p>In the framework of the Conceptual Framework on the ESDP dimension of the fight against terrorism (see action 3.7):</p> <ul style="list-style-type: none"> <li>- Elaboration of a detailed report to the Council on modalities procedures and criteria to develop the appropriate level of interoperability between military and civilian capabilities in the framework of protection of civilian populations following a terrorist attack, including in crisis management operations under Title V of the TEU.</li> <li>- Consolidate ongoing work in view of deepening and widening the content of the military database of military assets and capabilities relevant to the protection of civilian populations against terrorist attacks, including CBRN;</li> </ul>	<p>PSC</p> <p>PSC, PROCIV also involved</p>	<p>First semester 2005</p> <p>PSC to identify a set of recommendations to the Council on the role of this database by May 2005</p>	<p>This report should contain concrete proposals based on lessons-learned from real life incidents and planning scenarios taking into account best practices.</p> <p>In this framework, a bidding process to incorporate Member States voluntary contributions in an addendum to the current Force Catalogue has been launched. The PSC, based on an EUMC preliminary detailed analysis, should identify a set of pragmatic recommendations to the Council on the role of this database in the wider context of the Headline Goal 2010.</p> <p>Special attention should be given to all possible instruments for assistance to victims</p>
5.4.2.3	<b>Inclusion as appropriate into the EU's Exercise Programme of activities related to the contribution of ESDP to the fight against terrorism, including relevant aspects of the March 2004 Declaration on solidarity against terrorism.</b>	Council/PSC	Ongoing EU Exercise programme to be agreed by Council in May 2005 at the latest	The inclusion of such activities, in line with the Conceptual Framework for ESDP and the Fight against terrorism, in the Programme for 2005-2009, is under consideration.
5.4.3	Improve the procedures for mutual assistance	Council and Commission	July 2006	1) Council, Member States and Commission intend, by 1 July 2006, to set up, within the existing structures, while fully respecting national competences, integrated EU crisis management arrangements for crises with cross-border effects within the EU addressing effectively the public order and security aspects of such crises and the coordination between the areas of civil protection and vital infrastructures.

	Measures/Action	Competent Body	Deadlines	Status/Observations
			----	<p>2) Cion will create a secure general rapid alert system (ARGUS) to link all specialised rapid alert systems for emergencies that require action at European level.</p> <p>3) Cion will also create a central Crisis Centre which would bring together representatives of all relevant Commission services during an emergency and coordinate efforts and to propose the appropriate response measures, with respect to the national competences.</p> <p>4) While establishing ARGUS and the Crisis Centre, the feasibility of the establishment of links with Council Services and other competent authorities could be examined</p>
5.4.4.	strategies to improve the capacity of Member States to cope with the event of a major terrorist attack	Commission Member States	ongoing	<p>and MS will develop appropriate initiatives for an optimal coordination of information by the Member States during cross border crises.</p> <p>will facilitate, together with the Member States, a permanent dialogue between service operators and authorities on interoperable systems for emergency and on new concepts for public warning systems and procedures.</p> <p>Protection Action Programme has been extended to the end of 2006.</p>
5.5.	<b>Provide the appropriate scientific basis in order to address efficiently the other strategic goals above.</b>	Commission Council	2005- 2006	<p><b>Strategic goal 5 (R&amp;D)</b> of the [draft] widened CBRN Programme specifies in greater detail the actions to be undertaken.</p> <p>1) Cion will continue the work of the Preparatory Action entitled "Enhancement of the European industrial potential in the field of Security research 2004-2006"</p> <p>2) Council will give further emphasis to prevention and limitation of the consequences of terrorist threats when participating in the establishment of the Seventh R&amp;D Framework Programme (2007-2013), including an EU Security Research Theme.</p> <p>3) Cion will encourage the development and production of pharmaceuticals relevant for combating the effects to health</p>

	Measures/Action	Competent Body	Deadlines	Status/Observations
				<p>resulting from deliberate release of harmful CBRN agents, of which some are yet commercially less attractive.</p> <p>4) The ECDC will build up expertise to provide independent scientific opinions, expert advice, data and information on public health issues.</p> <p>5) Chemical event scenarios and clinical toxicology guidelines: Working Group and Project (as of 2004) on agents and scenarios, including the EU's Poison Centres.</p> <p>6) Case definitions for bio-terror agents, Com. Dec 2003/534/EC, 17 July 2003.</p> <p>7) Commission Matrix on deciding on health system vulnerabilities, prioritising and resource allocation for facing up to attacks and threats using particular pathogens</p> <p>8) A series of ten guidelines on case diagnosis and clinical management are published by EUROSURVEILLANCE and placed on the Web</p> <p>9) A Strategy towards Generic preparedness planning for public health threats integrating the EU dimension on public health all national health emergency plans is being prepared.</p> <p>10) Guidance on use of vaccines, antidotes and dilution of vaccinia immunoglobulins has been issued. Negotiations on guidance for vaccines and anti-virals for pandemic influenza are ongoing.</p> <p>11) Establishment of research line addressing physical vulnerability assessment of critical structures (public buildings and energy and transport infrastructures) representing range of intentional, physical attacks, manifested in the forms of blasts, explosives and impact loadings.</p>
5.6.	Identify areas for closer cooperation in	All	Ongoing	The Commission address this issue in its Communication on

	Measures/Action	Competent Body	Deadlines	Status/Observations
	preparedness and consequence management, including with other international organisations within their respective competences, such as NATO	(PSC for NATO)		<p>preparedness and consequence management in the fight against terrorism (COM (2004) 701 final) of 20 October 2004.</p> <p>UN - Cion is ready to sign, with the United Nations Office for Coordination of Humanitarian Affairs (UNOCHA), an exchange of letters concerning their cooperation in the framework of disaster response.</p> <p>Russia - Discussions are being undertaken with Russia on civil protection cooperation, in the framework of the establishment of the EU-Russia road-map.</p> <p>NATO - see action 3.7.10</p> <p>WHO - Cion participates at the work on consequence management guidance, and revision of the International Health Regulation.</p> <p>G7 - G7 countries + Mexico + the Commission are working on the Global Health Security Initiative (risk communication and management including exercises for evaluation of smallpox plans, laboratory cooperation, patient isolation techniques, preventing and mitigating the consequences of chemical agent and radiological agent attacks and surveillance methods). The Commission has been tasked with the establishment of a co-operation platform on bio-safety research. Next meeting in autumn 2005 in Rome.</p>
5.7.	Act in solidarity in case of attack against EU-citizens abroad	Member States and Presidency	On-going	<p>Presidency will ensure that the civil protection services of the Member States operating in a third country</p> <ul style="list-style-type: none"> <li>- render assistance to all unrepresented EU-citizens,</li> <li>- assist the consular authorities of the Member States upon a request from the relevant authorities and</li> <li>- cooperate with each other.</li> </ul>
5.8.	Ensure full implementation of the EU Health Security Strategy and CBRN programmes	Council Commission Member States		The 2002 CBRN-programme was replaced by the 2004 Solidarity Programme
5.8.1	Update the December 2003 implementation report on the 2002 CBRN Programme (16285/03)	Council/EU Coordinator/ Commission	end 2004	The 2004 solidarity programme contains a report on the implementation of the 2002 CBRN-Programme



	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
<b>5.9</b>	<b>Ensure that support and assistance is provided to the victims of terrorist crimes, and protect minority communities who may be at risk of a backlash in the event of a major attack</b>	JHA Council		Continued monitoring by the European Monitoring Centre on Racism and Xenophobia of racial violence and discrimination with particular focus on Muslim communities following the terrorist attack in Madrid of 11 March 2004.
<b>5.10.</b>	<b>Adoption of the Council Directive on Compensation to crime victims</b>	JHA Council	<b>Achieved</b> 1 May 2004	Adopted at JHA Council 29 April 2004
<b>5.11.</b>	<b>The European Council endorses the proposal of the European Parliament to declare March 11 a European day commemorating the victims of terrorism</b>	Commission	[PM]	Commission will launch a call for proposals for pilot projects supporting victims of terrorism, including actions to commemorate the first 'victims of terrorism day'.  Commission is in the final stage of the evaluation process of the call for proposal.

	Objectives	Competent Body	Deadline	Status/Observations
<b>Objective 6: To address the factors which contribute to support for, and recruitment into, terrorism</b>				
6.1	<b>Identify factors which contribute to recruitment to terrorism, both within the EU and internationally, and develop a long-term strategy to address these</b>			
6.1.1	Finalise report on recruitment to terrorism including the possible adoption of an agreed set of recommendations	GAERC/JHA Council/ PSC/CATS/COTER/ TWP/Commission	December 2005	Work undertaken on developing a strategy to address violent radicalisation and recruitment of terrorists.
6.1.2	Develop a coordinated long-term strategy, based on the initial report at 6.1.1, both within the EU and internationally, to address the factors which contribute to recruitment into Terrorism	COUNCIL/EU Coordinator/MS/Commission	December 2005	Commission Communication identifying possible work areas relating to radicalisation (subject to adoption in summer 2005) as part of an EU preventative strategy relating to factors linked to terrorist recruitment.
6.1.3	Conduct more detailed studies, including academic studies, of recruitment to terrorism in specific contexts such as in prisons, in schools, in universities or in mosques; studies in to the role of the media, including the internet, in radicalisation or in promoting support or sympathy for terrorists; an exploration of links with work in complementary areas such as work on promoting cohesive communities or on the integration of minorities, including any such work being undertaken by first pillar EU Working groups.	CATS/COTER/ EU Coordinator/Commission	December 2005 – December 2006	Deadlines should be specific to each study and prioritised by each Presidency
6.2	<b>Continue to investigate the links between extreme religious or political beliefs, as well as socio-economic and other factors, and support for terrorism, building on work already undertaken in this area, and identify appropriate response measures.</b>		Ongoing	SitCen to include relevant material in assessments. Working Groups to make policy recommendations as appropriate.

	<b>Objectives</b>	<b>Competent Body</b>	<b>Deadline</b>	<b>Status/Observations</b>
<b>6.3</b>	<b>Make more efficient use of relevant external assistance programmes including in particular support for good governance and the rule of law to address factors which can contribute to the support for terrorism.</b>	EU Coordinator/MS/ Commission/Council Secretariat	Ongoing	
6.3.1	Promotion of cooperation in good governance between Europe and the Arab world through dialogue, with participation of governments and the wider civil society of Arab states, including non-violent Islamist parties	Council Secretariat/ Commission/ EU Coordinator	Ongoing	
<b>6.4</b>	<b>Develop and implement a strategy to promote cross-cultural and inter-religious understanding between Europe and the Islamic World</b>			
6.4.1	Put in place funding for journalist training programmes and, regional language broadcasts of European television and radio news and other initiative in Middle Eastern and North African countries	Commission	Ongoing	
6.4.2	Promote better understanding of aspects of Islamic culture within Europe, in conjunction with leaders of religious communities	Commission/MS	Ongoing	
6.4.3	Continue to make use of existing information sources in developing strategy		Ongoing	Action by the European Monitoring Centre on Racism and Xenophobia on anti-Semitism and islamophobia are examples of potential sources.

	Measure/Action	Competent Body	Deadline	Status/Observations
<b>Objective 7: To Target actions under EU external relations towards priority Third Countries where counter-terrorist capacity or commitment to combating terrorism needs to be enhanced</b>				
7.1	<b>Expand the role of the SitCen in the carrying out of threat assessments to enable working groups to focus on the development of policy</b>	SitCen		
7.2	<b>Develop capacities to analyse and evaluate third country activities in counter-terrorism</b>	Council/HR/ EU Coordinator/ Commission		
7.2.1	Task SitCen with the compilation of Country Threat Assessments to be used by Second and Third Pillar formations in the development of policy	COTER/PSC CATS	Ongoing	New system in place.
7.2.2	Deploy and further develop technical capacity for monitoring and analysing open source information relevant to third country activities in counter-terrorism	SitCen/MS/Commission	Ongoing	
7.3	<b>Develop and implement technical assistance strategies to enhance the counter-terrorist capacity of priority countries, in coordination with other international organisations and Donor states</b>	MS/Commission/ COTER/EU Coordinator		
7.3.1	Enhance coordination between Member States and the Commission on existing technical assistance projects	MS/Commission	Ongoing	COTER inventory should be revised and updated. MS and Commission should consider designating contact points for counter-terrorism in their Missions on the ground, especially in the COTER priority countries.
7.3.2	Identify approximately 10 partner countries for Technical Assistance	COTER/EU Coordinator	July 2004	COTER has identified 7 priority countries where counter-terrorism capacity needs to be enhanced.
7.3.3	Conduct a review of selected Community and bilateral assistance projects with the aim of sharing best practice/lessons learned on counter-terrorism assistance	Commission/COTER	December 2004	Work to continue in 2005.
7.3.4	Develop and implement technical assistance programmes, aimed at capacity building in the field of	MS/Commission	Ongoing	MS and the Commission should regularly update COTER and the UNCTC on CT projects under way.

	<b>Measure/Action</b>	<b>Competent Body</b>	<b>Deadline</b>	<b>Status/Observations</b>
	counter terrorism, in coordination with UN agencies and other organisations as appropriate			A network of experts is being created by the Commission and the Council.
<b>7.4</b>	<b>Ensure that specific counter-terrorism issues, including effective counter-terrorism clauses in all agreements reflecting the priorities of the revised Plan of Action are a key element of EU relations at all levels with priority countries</b>	Council/Commission	Ongoing	Standard clause already exists, dating from April 2002.
7.4.1	Implement suggestions contained in the Joint Report on clauses submitted to the Council	All	Ongoing	See also Objective 1
<b>7.5</b>	<b>Mainstream counter-terrorist objectives into the work of the geographical working groups and external assistance programmes</b>	Coreper/PSC Council Secretariat/CION	Ongoing	Commission is already working on mainstreaming within external assistance programmes.
7.5.1	Each geographic working group to submit report on counter-terrorist elements of its work programme once per Presidency	Council	Ongoing	
<b>7.6</b>	<b>To target actions under EU external relations towards priority Third Countries where counter-terrorist capacity or commitment to combating terrorism needs to be enhanced</b>	Council/EU Coordinator		NB The emphasis here is also on countries having the capacity, but lacking the commitment, to combat terrorism
7.6.1	Develop focussed action plans for each identified countries	COTER/Commission/ EU Coordinator	June 2005	The EU Coordinator and the Presidency started consultations with priority countries selected by COTER with the aim of drawing up an initial inventory of their needs. Action plans will be prepared on the basis of feedback from these missions.
7.6.2	Report on Progress on the priority countries to European Council	Council / EU Coordinator	June 2005	If appropriate, this could be contained in an overall report on Counter Terrorism

## ANNEX

### OTHER ACTIONS CARRIED OUT BY THE COMMISSION NOT INCLUDED IN THE PLAN OF ACTION

<u>No<sup>1</sup></u>	<u>Measure/ Action</u>	<u>Commission Service</u>	<u>Deadlines</u>	<u>Status/Observations</u>
68 bis	“The lists of terrorist organisations / assets should become operational and reactive on a “real time” basis. They urgently need to be streamlined and the Commission is ready to assist Member States in that regard. Allowing for <b>modification of the lists under qualified majority voting</b> is an option as is the replacement of the present three lists by only two, one on suspected cases / threats, the other one as a record of past terrorist activity.”	Council/Commission	June 2005	Communication of the 29 March 2004 on measures to be taken to combat terrorism and other forms of serious crime, in particular to improve exchanges of information - it is mentioned that an electronic list of persons to whom restrictive measures taken to fight terrorism apply or which are under investigation for criminal offences should be drawn up. The question will be in the agenda in 2004 at the Forum of the Prevention of Organised crime for discussion. The European Commission, in partnership with the four European Credit Sector Federations have established an electronic database containing all relevant data concerning persons, groups and entities, subject to European Union financial sanctions.

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<sup>1</sup> Action number as per the Commission Staff working paper « Compendium » COM (2004) 669 of 25.05.2004

<b>No<sup>2</sup></b>	<b>Measure/ Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
79 bis	“Member States and the European Community should ensure that they are able to ratify the Protocol to the United Nations Transnational Organised Crime Convention on <b>trafficking of illegal firearms</b> as soon as possible.”	Commission	March 2005	COM has prepared a draft Communication on measures to ensure greater security in explosives, detonators, bomb-making equipment and firearms and expects it will be adopted by, latest, 31 July 2005.
	Security Research	Commission	Preparatory Action: 2004-2006 ESRP: Start in 2007.	The Preparatory Action in the field of Security Research aims at contributing to EU citizen’s security through research and technological development. The three-year Preparatory Action (2004-2006) will lay the ground for a fully fledged European Security Research Programme to be launched in 2007. The Preparatory Action covers 5 main priority research domains, including anti-terrorism. As a follow-up to the Preparatory Action, the multi-annual European Security Research Programme (ESRP) would conduct mission-oriented technological research, taking into account final users needs.
	Complement the current legislation on money laundry by creating an harmonised legal basis for cash control	Council/Commission	As soon as possible	Commission presented in July 2002 a proposal for a regulation on prevention of money laundering by means of customs cooperation as regards cash movements to and out of the Community. The proposed measures should in conjunction with the two money laundering directives (Directive 91/308/EEC and directive 2001/97) help to combat laundering of money which is sometime associated to terrorism.
	Regulation introducing the requirement for electronic pre-arrival and pre-departure declarations for goods brought into or out of the customs territory of the Community, to enhance risk analysis and customs controls of goods crossing EU borders, and for a harmonized EU wide electronic risk management system.	Commission/ Council/European Parliament	Without delay	Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code. The common position of the Council is expected to be formally adopted in November 2004 and then to be transmitted to the European Parliament for second reading Subsequent adoption of the Regulation will take place at the beginning of 2005, provided that the European Parliament accepts the text as agreed by the Council and the Commission.
	Scientific Support to Policies	Commission	6th Framework Programme for Research (2002-2006) (Decision N° 1513/2002/EC of the EP and the Council of	In the field of biological and chemical terrorism, the 6th Framework Programme’s Scientific Support to Policies activities cover “Civil protection (including biosecurity and protection against risks arising from terrorist attack) and crisis management”. Research is currently

<sup>2</sup> Action number as per the Commission Staff working paper « Compendium » COM (2004) 669 of 25.05.2004

			27 June 2002)	ongoing on biological agents, risk assessment, crop bioterrorism and modelling the propagation of bioterrorist agents. A call for research proposals has been opened in the Nanotechnology Priority in FP6 on innovative solutions, e.g., for early warning systems for harmful substances in the environment, for example, in the water and food supply chains, effective detoxication systems, detectors for explosives, advanced person or goods identification systems, etc.
	EU Research Group on Countering the Effects of Biological and Chemical Terrorism	Commission		<p>EU Research Group on Countering the Effects of Biological and Chemical Terrorism was established as a follow up to the Research Council of 31 October 2001. It established an <i>Inventory and analysis of on-going research activities in the field of Biological and Chemical Terrorism</i> and identifies gaps and needs in scientific knowledge and research priorities which contribute to define annual research work programmes and priorities. It is composed of appointed experts from the Member States and Accession Candidate Countries.</p> <p>The inventory has been updated in 2005. The EC has funded five Scientific Support to Policies projects in these areas in the 6<sup>th</sup> Framework Programme and three further projects will start in the second half of 2005.</p>