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**NOTE**

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from : Coreper  
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Subject : EU Plan of Action on Combating Terrorism

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Delegations will find enclosed the revised EU Plan of Action on Combating Terrorism.

# EU Plan of Action on Combating Terrorism

## Glossary of Terms

<b>ASEAN</b>	Association of South East Asian Nations	<b>JHA Council</b>	Justice Home Affairs Council
<b>AU</b>	African Union	<b>JIT</b>	Joint Investigations Teams
<b>CATS</b>	Comité de l'article trente-six - Article 36 Committee	<b>MDG</b>	Multidisciplinary Group on Organised Crime
<b>CBRN</b>	Chemical, Biological, Radiological, Nuclear	<b>MS</b>	Member States
<b>CCWG</b>	Customs Cooperation Working Group	<b>PCTF</b>	Police Chiefs' Task Force
<b>CFSP</b>	Common Foreign & Security Policy	<b>PSC</b>	Political & Security Committee
<b>CODEXTER</b>	Council of Europe Working Group Experts on Terrorism	<b>SCIFA</b>	Strategic Committee on Immigration, Frontiers & Asylum
<b>COM</b>	Commission	<b>SCLWG</b>	Substantive Criminal Law Working Group
<b>COREPER</b>	Committee of Permanent Representatives	<b>SIS</b>	Schengen Information Systems
		<b>SitCen</b>	Joint Situation Centre's
<b>COTER</b>	CFSP Working Group on Terrorism	<b>TWP</b>	Terrorism Working Party (JHA)
<b>EAW</b>	European Arrest Warrant	<b>UNCTC</b>	United Nations Counter-Terrorism Committee
<b>EJN</b>	European Judicial Network	<b>UNGA</b>	United Nations General Assembly
<b>ESDP</b>	European Security and Defence Policy	<b>UNODC</b>	United Nations Office on Drugs & Crime

<b>ESS</b>	European Security Strategy	<b>UNSCR</b>	United Nations Security Council Resolution
<b>GCC</b>	Gulf Co-operation Council	<b>VIS</b>	Visa Information System
<b>IAEA</b>	International Atomic Energy Agency	<b>VPN</b>	Virtual Private Network
<b>ICAO</b>	International Civil Aviation Organisation	<b>WMD</b>	Weapons of Mass Destruction
<b>IMO</b>	International Maritime Organisation		

## **Introduction**

The European Council adopted the Declaration on Combating Terrorism at its meeting on 25 March, 2004, in the aftermath of the terrorist attacks in Madrid on 11 March.

The Declaration, recognising that acts of terrorism are attacks against the values on which the Union is founded, underlined the commitment of the Union and its Member States to do everything within their power to combat all forms of terrorism. The Declaration also set out to build on the 2001 Plan of Action to Combat Terrorism adopted in the aftermath of the attacks of September 11<sup>th</sup> as well as a number of other important initiatives undertaken at the level of the Union in the intervening period.

The Declaration, against that background, mandated the preparation of a revised Plan of Action to Combat Terrorism. That revised Plan of Action, building on existing cooperation, was also to be informed by the updated Strategic Objectives annexed to the Declaration itself. It is recalled that the March European Council also adopted a declaration on solidarity against terrorism, in which Member States agreed to act jointly and mobilise all available means, including military resources, if one of them is victim of a terrorist attack.

### **The New Strategic Objectives**

The seven EU strategic objectives to combat terrorism endorsed by the European Council for the purpose of informing the preparation of the revised Action Plan were as follows :

- To deepen the international consensus and enhance international efforts to combat terrorism;
- To reduce the access of terrorists to financial and economic resources;
- To maximise the capacity within EU bodies and member States to detect, investigate and prosecute terrorists and to prevent terrorist attacks;
- To protect the security of international transport and ensure effective systems of border control;
- To enhance the capability of the European Union and of member States to deal with the consequences of a terrorist attack
- To address the factors which contribute to support for, and recruitment into, terrorism;
- To target actions under EU external relations towards priority Third Countries where counter-terrorist capacity or commitment to combating terrorism needs to be enhanced.

## **The 2004 EU Plan of Action Plan to Combat Terrorism**

The attached Plan of Action follows closely the logic of the Strategic Objectives agreed by the European Council. It also draws heavily on the Declaration for the purpose of identifying the objectives which now need to be taken for the purpose of taking the European Union's fight against terrorism forward.

The revised Plan of Action also draws on a variety of other sources for that purpose –

- the 2001 Action Plan to Combat Terrorism and its related Roadmap as updated by the General Secretariat of the Council on 24 March, 2004;
- the Commission Paper on Terrorism providing input for the European Council SEC (2004) 348, its Communication on measures to be taken to combat terrorism and other forms of serious crime, in particular to improve the exchange of information, and the Commission Services' Compendium of Counter Terrorism Actions; and
- the work of a number of Council preparatory bodies including, in particular, the Terrorism Working Party and COTER.

The revised Plan of Action includes deadlines for the purpose of individual measures where appropriate. These are consistent with those in the European Council Declaration where deadlines were included in the Declaration. Deadlines have also been fixed for the purpose of other measures, in consultation with the Commission and the incoming Netherlands and Luxembourg Presidencies, with a view to facilitating the planning of work in the period immediately ahead.

## **Future Evolution of the Revised Plan of Action**

Following the adoption of the Declaration on combating terrorism of 25th March, a number of documents seeking to monitor its implementation and reflect the state of play have been created. The post-11/09 roadmap have been accompanied by other documents of similar nature prepared by various institutions and units. Merging all them into one streamlined document would be a useful step towards elimination of duplication of work.

The Plan of Action has therefore been prepared with a view to being capable of also acting as a roadmap for the purpose of such future work.

It is envisaged that the Plan of Action / Roadmap would be regularly updated with a view to ensuring that the action which was required at any particular time in relation to individual measures would be clearly identified. This task will be undertaken by the Council in co-operation with the Secretary-General/ High Representative and with the assistance of the Counter Terrorism Coordinator and the Commission. This would enable, for example, the focus to switch to the implementation of legislative measures once legislative proposals have been adopted. The Plan of Action / Roadmap will in that sense be a living document providing a snapshot of the progress made towards realisation of the targets established.

## Revised Action Plan on Terrorism

No.	Measure/Action	Competent Body	Deadlines	Status/Observations
<b>Objective 1: To deepen the international consensus and enhance international efforts to combat terrorism.</b>				
1.1	<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 Coordinator/ Commission	Ongoing	
1.1.1	Specify ways to work in a more coordinated way in the General	All	Ongoing	



No.	Measure/Action	Competent Body	Deadlines	Status/Observations
	Assembly and, with and within the 6 <sup>th</sup> Committee			
1.1.2	Establish and develop contacts between the CFSP Working Group on Terrorism and the Counter-Terrorism Committee	COTER/PSC Presidency, Co-ordinator, Commission, MS	June 2004 and ongoing	Troika meetings were held with the 1373 Committee in May 2004/Commissioner Vitorino & the Co-ordinator also met Chairman of UNCTC in May. Further contacts will now be pursued with the focus on enhancing the efficiency of the relationships.
1.1.3	Establish and develop contacts between the CFSP Working Group on Terrorism and the 1267 Committee	COTER/PSC Presidency/ Coordinator/ Commission,/MS	June 2004 and ongoing	Troika meetings were held with the Chair of the 1267 Committee in May 2004/Commissioner Vitorino & the Co-ordinator also met Chairman of 1267 Committee in May. Further contacts will now be pursued with the focus on enhancing the efficiency of the relationships.
1.1.4	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	Coordinator/MS/ Commission	End 2004	

No.	Measure/Action	Competent Body	Deadlines	Status/Observations
	and 1373			
1.1.5	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 Legal Advisor conducted an exchange of views with COTER in November 2003. Further contacts should be pursued.  (ii) MS should formally inform the Commission and other MS of any support they are providing to UNODC projects
1.2	<b>Work to ensure universal adherence to, and full implementation of, the United Nations Conventions on Terrorism, and to agree Comprehensive UN Conventions on terrorism and on the Suppression of Acts of Nuclear Terrorism</b>  <i>(25/3/04 EC Declaration–Section 12)</i>	All	Ongoing	
1.2.1	All Member States to ratify 12 International Conventions against Terrorism and continue to lobby for this	MS	1 Jan 2005	

No.	Measure/Action	Competent Body	Deadlines	Status/Observations
	in third countries both bilaterally and at EU level			
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/ Coordinator and Commission	Ongoing	
1.2.3	Coordinated EU position on reservations to Conventions should be encouraged	COUNCIL/MS/ Commission	Ongoing	
1.2.4	Promote the adoption of a Comprehensive UN Convention on the Suppression of Acts of Nuclear Terrorism	MS at UNGA and the 6 <sup>th</sup> Committee of the UNGA	July 2004	Member States need to agree on establishing a Common Position at the UNGA and the 6 <sup>th</sup> Committee of the UNGA, and build consensus and committed support for agreeing a Comprehensive Convention on the Suppression of Acts of Nuclear Terrorism amongst other Members of the UN. The EU should aim at establishing the broadest base of countries possible.
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	July 2004 and ongoing	Member States need to agree on establishing a Common Position at the UNGA and the 6 <sup>th</sup> Committee of the UNGA, and build consensus

No.	Measure/Action	Competent Body	Deadlines	Status/Observations
				and committed support for agreeing a Comprehensive Convention Against Terrorism amongst other Members of the UN. The EU should aim at establishing the broadest base of countries possibleThe EU should agree a coordinated strategy aimed at reaching agreement on a UN definition on terrorism.
1.3	<p><b>Work with and within regional and international organisations to ensure their effective contribution to combating terrorism in accordance with UN obligations</b></p> <p><i>(25/3/04 EC Declaration–Section 12)</i></p>	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 a limited scope instrument or instruments dealing with	MS/Coordinator/ Commission	Ongoing	

No.	Measure/Action	Competent Body	Deadlines	Status/Observations
	the prevention of terrorism and covering existing lacunae in international law or action			
1.3.2	Identify avenues for expert exchanges between the CFSP Working Group and Regional and Sub-Regional Organisations	COTER/PSC	Ongoing	Meet with such organisation as are identified in the ESS (MERCOSUR, ASEAN, AU) and identify and pursue contact with others, starting with the GCC
1.3.3	Develop further Technical Assistance projects aimed at Counter-Terrorism capacity building for Regional and Sub-Regional Organisations	Commission/MS	Ongoing	(i) Develop proposals using conclusions from recently completed TA project with ASEAN focussing on money laundering and border management. (ii) MS to supply expertise and funding to the maximum extent possible
1.4	<b>Include effective counter-terrorism clauses in all agreements with third countries</b>	<b>Council/Commission</b>	<b>Ongoing</b>	<b>See Objective 7.4 below</b>
1.5	<b>Strengthening further cooperation with the US and other parties in countering the threat posed by terrorism, building on the solidarity</b>	<b>HR-Counter Terrorism Coordinator/Commission</b>	<b>Ongoing</b>	<b>Outstanding elements of the 2001 Plan of Action to Combat Terrorism are included in this Action Plan</b>

No.	Measure/Action	Competent Body	Deadlines	Status/Observations
	<p><b>and cooperation enshrined in the 2001 Plan of Action to combat terrorism</b></p> <p><i>(25/3/04 EC Declaration–Section 13)</i></p>			
1.5.1	Enhance counter terrorism dialogue at political and official level with the US	All	Ongoing	<p>COTER Troika held with the US in May. The CTC and the COM also met with key US administration personnel.</p> <p>High Level Policy Dialogue on Border and Transport Security with the US has been established</p> <p>Counter Terrorism to feature prominently on the agenda for the EU/US Summit and a declaration will be adopted by both sides</p>
1.5.2	Critically re-examine the criteria for official level troikas with all partners	COTER/PSC	June 2004	<p>COTER Troika criteria review completed.</p> <p>Future criteria specify: rationalising the current list of partners, agreeing operational conclusions at all meetings, conducting more ad hoc meetings</p>

No.	Measure/Action	Competent Body	Deadlines	Status/Observations
				and meeting with countries of concern as well as likeminded partners

No.	Measure/Action	Competent Body	Deadline	Status/Observations
<b>Objective 2: To reduce the access of terrorists to financial and other economic resources</b>				
2.1	<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>	RELEX (in sanction form)/COTER/Commission/Coordinator	Ongoing	New work practices were introduced within relevant Council structures during Irish Presidency
2.1.1	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  <i>(25/3/04 EC Declaration – Section 10)</i>	MS	1 January 2005	Action also under Objective 1.2.1. Encouragement needs to be provided to the four MS who have not yet ratified the 1999 UN Convention for the Suppression of the Financing of Terrorism



No.	Measure/Action	Competent Body	Deadline	Status/Observations
2.2	<b>Establish operational links and improve cooperation between relevant bodies to facilitate enhanced exchange of information on terrorist financing</b>			
2.2.1	Establish specific intelligence capacity in relation to terrorist financing within SitCen to inform the work of relevant bodies	HR/SitCen	September 2004	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.
2.2.2	Increase cooperation between national competent authorities, Financial Intelligence Units and private financial institutions to facilitate improved exchange of information on terrorist financing  <i>(25/3/04 EC Declaration-Section 10)</i>	MS/Coordinator/ Private Sector	Ongoing	Commission Communication on measures to be taken to combat terrorism and other forms of serious crime, includes a proposal for a Council Decision on the exchange of information and cooperation concerning terrorist offences and would extend 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

No.	Measure/Action	Competent Body	Deadline	Status/Observations
				<p>for collection and dissemination of all relevant information. [COM (2004) 221]</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.</p>
2.2.3	Establish an electronic list of persons, groups and entities in relation to which restrictive measures apply	Commission/Private Sector	Progress to be reported on by end 2004	Forum on Prevention of Organised Crime to discuss arising from proposals emerging from European Banking organisations. A consolidated

No.	Measure/Action	Competent Body	Deadline	Status/Observations
				electronic list of persons and entities subject to CFSP related freezing measures has been established by the Commission
<b>2.3</b>	<b>Develop and implement an EU strategy on the suppression of terrorist financing, including the regulation of charitable organisations and alternative remittance systems</b>			
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><i>(25/3/04 EC Declaration-Section 10)</i></p>	Council/Commission/ Coordinator	September 2004 and Ongoing	<p>Reform to the working methods of the mechanism carried out under the Irish Presidency now allows for a speedier designation of terrorists and terrorist organisations</p> <p>22 April Commission Communication on Organised Financial Crime addressed transparency issues</p> <p>The Framework Decision on the Execution of Orders Freezing Property and Evidence includes terrorist offences within its scope. It facilitates</p>

No.	Measure/Action	Competent Body	Deadline	Status/Observations
				<p>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.</p> <p>The Draft Framework Decision on the Execution of Confiscation Orders includes acts of terrorism within its scope.</p> <p>Draft proposal for a Third Money Laundering Directive requires MS to ensure that credit and financial institutions 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>
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	Council	December 2004	Presidency conference planned to identify areas where EU action can be enhanced.

No.	Measure/Action	Competent Body	Deadline	Status/Observations
	terrorist organisations			
2.3.3	<p>Considering improvements on regulation and transparency of legal entities, including charities and alternative remittance systems, which may be used by terrorists to acquire funding for their activities</p> <p><i>(25/3/04 EC Declaration-Section 10)</i></p>	Council/Commission	December 2004	<p>(i) Commission examining scope for measures to prevent terrorist groups infiltrating legitimate activities and the question of the need for a legal instrument to set up a system for registering bank accounts. [See 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]</p> <p>(ii) Forum on Prevention of Organised Crime to assess the feasibility and potential scope of an EU instrument on the regulation of the charitable sector</p> <p>(iii) Review of MS non-profit sectors currently</p>

No.	Measure/Action	Competent Body	Deadline	Status/Observations
				underway in Financial Action Task Force Working Group
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 eight special recommendations on terrorist financing</b>	All		
2.4.1	All Member States to implement the FATF 8 special recommendations on terrorist financing	MS	July 2005	FATF Special Recommendation I: Ratify and implement UN instruments - all MS committed to ratify, and 20 MS have so far ratified the UN Convention for the Suppression of the Financing of Terrorism, which came into force in April 2002. At EU level, all Security Council Resolutions concerning the freezing of assets of identified persons and entities have been implemented
2.4.2	Review EU and terrorist financing legislation and structures in particular	COUNCIL/MS/ Coordinator	December 2005	(i) FATF Special Recommendation VI requires States to ensure that alternative remittance

No.	Measure/Action	Competent Body	Deadline	Status/Observations
	on their compatibility with FATF standards.			<p>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</p> <p>(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.</p> <p>(iii) Special Recommendation IV: Reporting suspicious transactions related to terrorism – The Third Money Laundering Directive (due to be</p>

No.	Measure/Action	Competent Body	Deadline	Status/Observations
				<p>presented to the College in June 2004) will oblige banks and other persons subject to the 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	The Commission Communication of 29 March 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.
2.5	<b>Pursue political and technical dialogue with Third Countries, in order to step up the fight against the</b>	<b>Presidency/ Commission/ Coordinator</b>	<b>Ongoing</b>	<b>Measures to combat terrorism, including the financing of terrorism, already play a priority role in EU relations with Third Countries and</b>



No.	Measure/Action	Competent Body	Deadline	Status/Observations
	<b>financing of terrorism</b>  <b>(25/3/04 EC Declaration-Section-10)</b>			<b>EU technical assistance programmes.</b> <b>See also Objective 7</b>
2.5.1	Pursue ad hoc expert level dialogue with third countries on financing in line with EU priorities	COTER/Commission/ Coordinator	Ongoing	PSC approved a revised set of Troika criteria for COTER, which specifically allows for this, at the start of June 2004

	Measures/Action	Competent Body	Deadlines	Status/Observations
<b>Objective 3: To maximise capacity within EU bodies and Member States to detect, investigate and prosecute terrorists and prevent terrorist attacks</b>				
<b>3.1</b>	<b>Developing and implementing the legislative framework for combating terrorism</b>			
3.1.1	Framework Decision on the European Arrest Warrant  Implementation  <i>(25/3/04 EC Declaration – Section 5 (a))</i>	MS	June 2004	17 Member States have reported completion of implementation measures  Commission EAW Report due by 31 Dec 2004
3.1.2	Framework Decision on Joint Investigation Teams  Implementation  <i>(25/3/04 EC Declaration –</i>	MS	June 2004	10 Member States have reported completion of implementation measures  Commission JIT Report due by 1 July 2004

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	<i>Section 5 (a)</i>			
3.1.3	<p>Framework Decision on Combating Terrorism</p> <p>Implementation</p> <p><i>(25/3/04 EC Declaration – Section 5 (a))</i></p>	MS	June 2004	<p>13 Member States have reported completion of implementation measures</p> <p>Commission Report in preparation</p>
3.1.4	<p>Framework Decision on money laundering, the identification, tracing, freezing and confiscation of instrumentalities and the proceeds of crime</p> <p>Implementation</p> <p><i>(25/3/04 EC Declaration – Section 5 (a))</i></p>	<p>MS</p> <p>SCLWG (to report)</p>	June 2004	<p>10 Member States have reported completion of implementation measures</p> <p>Commission Report adopted on 05/04/04</p>

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
3.1.5	<p>Framework Decision on the execution of orders freezing property or evidence</p> <p>Implementation</p> <p><i>(25/3/04 EC Declaration – Section 5 (a))</i></p>	MS	December 2004	<p>0 Member States have reported completion of implementation measures</p> <p>[Commission report on implementation due in 8/06]</p>
3.1.6	<p>Convention on Mutual Assistance in Criminal Matters and its Protocol</p> <p>Ratification</p> <p><i>(25/3/04 EC Declaration – Section 5 (a))</i></p>	MS	December 2004	5 Member States have reported completion of ratification measures
3.1.7	<p>Draft Framework Decision on the Confiscation of crime related proceeds, instrumentalities and property</p> <p>Adoption (and implementation.)</p>	JHA Council	<p>June 2004</p> <p>(adoption)</p>	<p>Political agreement on 19/12/02</p> <p>Parliamentary reserves remain on the part of 2 Member States</p>

	Measures/Action	Competent Body	Deadlines	Status/Observations
	<i>(25/3/04 EC Declaration – Section 5 (a))</i>		June 2006 (Implementation)	
3.1.8	Draft Framework Decision on Attacks against Information Systems  Adoption (and implementation.) <i>(25/3/04 EC Declaration – Section 5 (a))</i>	JHA Council	June 2004 (adoption)  June 2006 (Implementation)	Political agreement on 28/02/03 1 parliamentary scrutiny reserve remains
3.1.9	Mutual Recognition of Draft Framework Decision on Confiscation Orders  Completion of negotiations of text.  <i>(25/3/04 EC Declaration – Section 5 (a))</i>	JHA Council/ CATS/ Cooperation in Criminal Law Matters Working Party	June 2004	Political agreement on substantive text on 29/04/04. Work on certificate to be completed.  Parliamentary scrutiny reserves remain on the part of four Member States

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
3.1.10	<p>Draft Framework Decision on the retention of communications data.</p> <p>Conclusion of negotiations and adoption.</p> <p><i>(25/3/04 EC Declaration – Section 5 (a))</i></p>	<p>JHA Council/ CATS/ Cooperation in Criminal Law Matters Working Party</p>	<p>June 2005 (adoption)</p>	<p>Proposal presented by France, Ireland, Sweden and United Kingdom.</p> <p>The Commission is also currently engaged in examining the proposals in conjunction with stakeholders</p>
3.1.11	<p>Draft Council Decision on the exchange of information and cooperation concerning terrorist offences.</p> <p>Conclusion of negotiations and adoption.</p> <p><i>(25/3/04 EC Declaration – Section 5 (a))</i></p>	<p>JHA Council/ CATS</p>	<p>June 2005 (adoption)</p>	<p>Commission proposal presented on 29 March 2004</p>
3.1.12	<p>Draft Framework Decision on a European Evidence Warrant</p>	<p>JHA Council/CATS / Cooperation in</p>	<p>December 2005</p>	<p>Commission presented proposal on 14 Nov. 2003 [COM/2003/688 of 14 November 2003]</p>

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	Conclusion of negotiations.  <i>(25/3/04 EC Declaration – Section 5 (a))</i>	Criminal Law Matters Working Party		
3.1.13	Cross border hot pursuit  Preparation of proposals for consideration by Council  <i>(25/3/04 EC Declaration – Section 5 (a))</i>	Commission	Second half of 2004 (Presentation)	Commission to present proposal
3.1.14	A) Measures to improve the exchange of information on convictions  B) European register on convictions and disqualifications	JHA Council  JHA Council/ Commission	June of 2005  [End 2004] (Presentation)	Concerned bodies to present proposal.  See also Commission Communication on measures to be taken to combat terrorism and other forms of serious crime, in particular to

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	Preparation of proposals for consideration by Council  <i>(25/3/04 EC Declaration – Section 5 (a))</i>			improve exchanges of information [COM (2004) 221]
3.1.15	European Protection Programme for the protection of witnesses in terrorist cases  Preparation of proposals for consideration by Council  <i>(25/3/04 EC Declaration – Section 5 (a))</i>	Commission	[As soon as possible]  (Presentation)	Commission to present proposal in due course
3.1.16	Exchange of information and intelligence between law enforcement authorities of the Member States	Sweden/Commission	June 2004	Proposal awaited from Sweden and Commission also to present Communication on information policy for Law Enforcement Purposes.



	Measures/Action	Competent Body	Deadlines	Status/Observations
	<p>Preparation of proposals for consideration by Council</p> <p><i>(25/3/04 EC Declaration – Section 5 (a))</i></p>			Presentation before June European Council
3.1.17	<p>Framework Decision to replace Joint Action 1998/733/JHA on Criminal Organisations.</p> <p>Preparation of proposals for consideration by Council.</p> <p><i>(Commission Communication on measures to be taken to combat terrorism and other forms of serious crime, in particular to improve exchanges of information.</i></p> <p><i>[COM (2004) 221]</i></p>	Commission	December 2004 (presentation)	Commission to present proposal

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
3.1.18	<p>Reinforcing judicial cooperation</p> <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> <p><i>(25/3/04 EC Declaration – Section 5 (a))</i></p>	MS		
<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>			
3.2.1	Europol/Eurojust Agreement	JHA Council	May 2004	Approved by JHA Council on 29 April 2004

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	Adoption  <i>(25/3/04 EC Declaration – Section 5 (b))</i>			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  <i>(25/3/04 EC Declaration – Section 5 (b))</i>	MS/Commission	Ongoing	Commission to report on JIT by beginning of the second semester 2004.
3.2.2 bis	“To examine the scope for further measures to improve the capacity of Eurojust to contribute to the fight against Terrorism” <i>(29/4/04 JHA Council – Paragraph 5)</i>  Concerned bodies should bring forward adequate proposals or recommendations	JHA Council/ EUROJUST	December 2004	Report issued by Eurojust to adoption by Council by June 2004.

	Measures/Action	Competent Body	Deadlines	Status/Observations
	for consideration by the Council by December 2004			
3.2.3	<p>Protocols to the Europol Convention</p> <p><b>Ratification</b></p> <p>2000 Protocol 2002 Protocol 2003 Protocol</p> <p><i>(25/3/04 EC Declaration – Section 5 (a))</i></p>	MS	December 2004	<p>13 Member States have reported completion of ratification</p> <p>11 Member States have reported completion of ratification</p> <p>7 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 Europol Management Board at its meeting of 10/11 May approved the re-establishment of the Counter-Terrorism Task Force (CTTG). Member

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	<i>(25/3/04 EC Declaration – Section 5 (b))</i>			States are being invited to second experts to the CTTG. The assignment of experts will facilitate the flow of information to Europol on terrorism.
3.2.5	<p>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</p> <p><i>(25/3/04 EC Declaration – Section 5 (b))</i></p>	MS/CTC	Ongoing	<p>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.</p> <p>Arrangements have been made for the preparation of an interim report in relation to the evaluation reports in respect of five Member States. The report will be presented in draft form to the MDG at its next meeting on 14 June 2004.</p> <p>The EU Counter-Terrorism Coordinator has also presented provisional findings arising from this evaluation process. [Doc 9876/04 JAI 170 CATS 25]</p>

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
3.2.6	<p>Improve the flow of intelligence to Europol in relation to all aspects of terrorism</p> <p><i>(25/3/04 EC Declaration – Section 9)</i></p>	MS		<p>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]</p>
3.2.7	<p>Take forward the further development of the relationship between Europol and intelligence services</p> <p><i>(25/3/04 EC Declaration – Section 9)</i></p>	MS/Europol		
3.2.8	<p>Implementation of the Europol Information System</p> <p><i>(25/3/04 EC Declaration – Section 5 (b))</i></p>	Europol/MS	December 2004	<p>A Report by Europol on the state of implementation of the EIS was presented to CATS on 28 May 2004.</p> <p>EIS to be ready for implementation by December</p>

	Measures/Action	Competent Body	Deadlines	Status/Observations
				2004
3.2.9	Decision establishing Eurojust  Implementation  <i>(25/3/04 EC Declaration – Section 5 (a))</i>	MS	June 2004	20 Member States have reported completion of implementation measures  COM to report on Eurojust Decision by June 2004
3.2.10	Designation of Eurojust national correspondents for terrorist matters.  <i>(25/3/04 EC Declaration – Section 5 (b))</i>	MS	[June 2004]	20 Member States have reported completion of implementation measures  COM monitoring the designation of Eurojust correspondents (Council Decision 2003/48/JHA)
3.2.11	Strengthening cooperation between anti-terrorist magistrates  <i>(Updated Roadmap – 2001 Action Plan, number 26, formerly number 27)</i>	Eurojust	Without delay	Strategic and ad-hoc meetings between anti-terrorist magistrates organised by Eurojust.  Establishment of a network between key players in CT

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
3.2.12	Speeding up the linking of the EJM to the VPN secure electronic network  <i>(Updated Roadmap – 2001 Action Plan, number 31, formerly number 32)</i>	Eurojust/EJM	Without delay	The VPN is currently being studied within the context of the development of Eurojust IT development
3.2.13	Police Chiefs Task Force (PCTF)  Review how greater operational capacity can be reinforced, focussing on proactive intelligence  <i>(25/3/04 EC Declaration – Section 5 (b))</i>	PCTF/JHA Council	June 2004	Completed by Police Chiefs Task Force - Report submitted to CATS
3.2.14	Preparation of a report on the Terrorist attacks in Madrid from a law enforcement perspective  <i>(25/3/04 EC Declaration – Section 5 (b))</i>	PCTF	May 2004	Report completed by PCTF



	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
<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 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
3.3.1	Decision on the implementation of specific measures for police and judicial cooperation to combat terrorism  Implementation  <i>(25/3/04 EC Declaration – Section 5 (a))</i>	MS	June 2004	16 Member States have reported completion of implementation measures
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.

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	<i>(25/3/04 EC Declaration – Section 5 (b))</i>			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]
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  <i>(25/3/04 EC Declaration – Section 5 (b))</i>	JHA Council / CATS/ TWP / CTC	Sept 2004	Evaluation visits to the 15 member States completed. National Reports under compilation for consideration by TWP.  The EU Counter-Terrorism Coordinator has also presented provisional findings arising from this evaluation process. [Doc 9876/04 JAI 170 CATS 25]
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 / CTC	Sept 2005	Schedule of visits to the remaining 10 Member States agreed, commencing September 2004.

	Measures/Action	Competent Body	Deadlines	Status/Observations
	<i>(25/3/04 EC Declaration – Section 5 (b))</i>			
3.3.5	<p>Identification of suspected terrorists in Europe and of the organisations which support them, in order to draw up a common list of terrorist organisations</p> <p><i>(Updated Roadmap – 2001 Action Plan, number 23, formerly number 24)</i></p>	GAERC/JHA Council		Lists containing the most significant terrorists and terrorist organisations are regularly and appropriately updated.
3.3.6	<p>Study the role of Customs in the Member States in relation to security/anti-terrorism at EU Borders</p> <p><i>(Customs Cooperation WP – Work Plan (Enfocustom 41 Rev 2 – (4.2))</i></p>	JHA Council/CCWG	June 2004	Study currently under way
<b>3.4</b>	<b>Promote effective, systematic collaboration in intelligence exchange between Member States [and maximize the effectiveness of information systems]</b>			



	Measures/Action	Competent Body	Deadlines	Status/Observations
	<p>- Draft Council Decision establishing the VIS</p> <p><i>(25/3/04 EC Declaration – Section 5 (c))</i></p> <p>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.</p>	<p>Council/SCIFA/Visa Working Party/Commission</p> <p>Commission</p>	<p>End 2004 (presentation of proposal)</p>	<p>2004.</p> <p>The VIS is a system for the exchange of visa information and is primarily meant to support common visa policy.</p> <p>The Commission intends to propose on the basis of the Council conclusions of February 2004 a fully fledged proposal for a second legal instrument, by end 2004, 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</p>

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
				the content of VIS records, the rights of access for authorities to enter, update and consult the data and its control.
3.4.4	<p>Enhancing the interoperability between European Databases and of synergies between the existing and future information systems (SIS II, VIS and EURODAC)</p> <p>Preparation of proposals for consideration by Council</p> <p><i>(25/3/04 EC Declaration – Section 5 (c))</i></p>	Commission	End 2004- 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.
3.4.5	<p>Exchange of personal information (DNA, fingerprints and visa data) for the purpose of terrorism</p> <p>Preparation of proposals for consideration by Council</p>	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
	<i>(25/3/04 EC Declaration – Section 5 (c))</i>			
3.4.6	<p>Improving mechanisms for cooperation and the promotion of effective systematic collaboration between police, security and intelligence services</p> <p><i>(25/3/04 EC Declaration – Section 9)</i></p>	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</p>

	Measures/Action	Competent Body	Deadlines	Status/Observations
				<p>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	<p>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</p> <p><i>(Terrorism WP paper: ENFOPOL 43 REV 1 of 7 May, 2004)</i></p>	JHA Council/ CATS/TWP		
3.4.8	<p>Extension of the BDL system to the 10 new Member States</p>	JHA Council/ CATS/TWP	December 2004	5 new MS and Europol connected already to BDL and a further 5 expected in the short term



	Measures/Action	Competent Body	Deadlines	Status/Observations
	<i>Terrorism WP paper: ENFOPOL 43 REV 1 of 7 May, 2004)</i>			
<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  <i>(25/3/04 EC Declaration – Section 9)</i>	SG/HR Solana / CTC	June 2004	Proposals to be submitted to June European Council
<b>3.6</b>	<b>Work to identify, disrupt and dismantle arrangements for supply of weapons to terrorists</b>			

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
3.6.1	<p>Examine the scope for measures to ensure greater security of</p> <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> <p><i>(25/3/04 EC Declaration – Section 5 (b))</i></p>	Council/ CATS/ TWP / Commission	<p>June 2005</p> <p>October 2004</p> <p>December 2004</p> <p>March 2005</p>	<p>TWP to consider scope for measures in the first instance</p> <p><i>[The deadlines are those proposed in the Terrorism WP paper: ENFOPOL 43 REV 1 of 7 May, 2004)]</i></p> <p>[ pm Updated Roadmap, 2001 Action Plan - number 36 ]</p>
3.6.2	<p>Examination of legislation with reference to the “terrorist threat”</p> <p><i>(Updated Roadmap – 2001 Action Plan, number 20, formerly number 21)</i></p>	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	<p>Examine and report on the requirements in relation to the exchange of information and the coordination of investigations, in particular relating to</p>	JHA Council/ CATS/CCWP/HR-PR WMD	End December 2004	Examination yet to be commenced

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	<p>restrictions on exportation and prevention of WMD</p> <p>Examination and preparation of a report</p> <p><i>(Customs Cooperation WP – Work Plan (Enfocustom 41 Rev 2 – (8.2))</i></p>			
3.6.4	<p>Strengthen the arrangement for the identification, control and interception of illegal trafficking in WMD materials.</p> <p><i>(COM – Madrid Paper 46 bis)</i></p>	<p>Council, Personal Representative of HR, MS and Commission</p> <p>Commission</p>	<p>[PM]</p> <p>without delay</p>	<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 will include establishment of criminal sanctions by Member States in the area of trafficking of WMD and related materials is underway.</p> <p>Adoption of the Regulation on the application of Euratom Safeguards approved by the Council on 30.04.04</p>
<b>3.7</b>	<b>Elaborate a conceptual framework</b>	PSC	December 2004	See also points 3.8, 5.2.2

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	<b>identifying the main elements of the ESDP dimension of the fight against terrorism, including preventive aspects</b>			
<b>3.8</b>	<b>Support the development of military capabilities for EU-led crisis management by incorporating the terrorist threat in all relevant intelligence based illustrative scenarios in the framework of the Headline Goal 2010</b>	Council/PSC/SitCen	November 2004	
<b>3.9</b>	<b>Other Related Measures</b>			
3.9.1	Examining measures in relation to a database on forensic material  <i>(25/3/04 EC Declaration – Section 5 (a))</i>	Council/Commission	End 2005 (Presentation of proposal)	Commission to present proposals.

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
3.9.2	Putting in place new committee structures capable of ensuring greater operational cooperation on security and terrorism  <i>(25/3/04 EC Declaration – Section 5 (a))</i>	Council/ COREPER		Review underway
3.9.3	Adoption of the Strategy for Customs Cooperation and related work plan  <i>(25/3/04 EC Declaration – Section 6)</i>	JHA Council	May 2004	Adopted by the JHA Council on 30 March

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	Draft Regulation establishing a European Borders Agency  Adoption of Regulations and making Agency operational  <i>(25/3/04 EC Declaration – Section 6)</i>	JHA Council	May 2004 (Adoption)  Jan 2005 (Operational)	Substantial progress made at JHA Council on 30/03/04.
4.1.2	(i) Draft Council Regulation amending Regulation (EC) No 1683/95 laying down a uniform format for visas.	JHA Council	End 2004	In November 2003 the JHA Council agreed a general approach.

No.	Measure/Action	Competent Body	Deadline	Status/Observations
	<p>Finalisation of the technical specification to be adopted by COM</p> <p>Adoption of Regulation</p> <p>(ii) Draft Council Regulation on standards for security features and biometrics in EU citizens passports.</p> <p>Adoption of Regulation</p> <p><i>(25/3/04 EC Declaration – Section 6)</i></p>	<p>Commission/Article 6 Committee</p> <p>JHA Council</p>	<p>End 2004</p> <p>End 2004</p>	<p>Technical specifications in relation to the implementation are currently being discussed at the Article 6 Committee.</p> <p>On the June JHA Council agenda</p>
4.1.3	<p>Establishment of an integrated system for the exchange of information on stolen and lost passports having recourse to the SIS and Interpol database</p> <p>Preparation of proposals for consideration by Council with a view to</p>	Council/Commission	<p>June 2004 (Proposal)</p> <p>End of 2005</p>	Commission to table proposals

No.	Measure/Action	Competent Body	Deadline	Status/Observations
	creation of an integrated system by end 2005  <i>(25/3/04 EC Declaration – Section 6)</i>		(creation of the system)	
<b>4.2</b>	<b>Work to develop further EU transport security standards, in coordination with relevant international organisations and third countries</b>			
4.2.1	Strengthening of the security of all forms of transport systems, including through the enhancement of the legal framework and the improvement of prevention mechanisms  Draft Communication/Directive on safety of intermodal transport  <i>(25/3/04 EC Declaration – Section 11)</i>	Council/MS  Commission	Foreseen by end 2004	
4.2.2	Enhancing the security measures in harbours and ships	Commission/TTE Council/European	Adopted 31 March 2004	A regulation (COM (2003) 229 final) regarding enhancing maritime transport security was



No.	Measure/Action	Competent Body	Deadline	Status/Observations
	<p>Preparation of proposal for consideration by Council</p> <p><i>(25/3/04 EC Declaration – Section 11)</i></p>	<p>Parliament</p> <p>Committee/ TTE Council/ European Council</p> <p>Committee/TTE Council/European Parliament</p>	<p>a) February 2004 (presentation of proposal)</p> <p>b) beginning of June 2004 (presentation of proposal)</p>	<p>formally adopted by the Transport, Telecommunications and Energy (TTE) Council on 22 March 2004</p> <p>a) A proposal for a Directive (COM (2004) 76 final) regarding enhancing port security was presented by the Committee on 10 February 2004. On agenda of TTE Council for general orientation debate on 10 June 2004.</p> <p>b) The Commission will present at the beginning of June 2004 a proposal modifying Directive (COM (2004) 76 final), enhancing port security occasioned by road vehicles to be transported on vessels which carry passengers.</p>
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	Commission	Ongoing	Ongoing legislative work to develop detailed implementing legislation (by comitology) to complement Regulation 2320/2002. At least 3 regulations expected in 2004.

No.	Measure/Action	Competent Body	Deadline	Status/Observations
	<p>Implementation</p> <p><i>(COM – Madrid paper 70 bis)</i></p>			
4.2.4	<p>Follow up to Container Security Initiative (CSI)</p> <p>Examination of extension to other regions</p>	Commission	<p>22 April 2004</p> <p>May 2004 onwards</p>	<p>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.</p> <p>Joint EU/US Working Group established under the agreement to examine and make recommendations to ensure that general customs controls take due account of security concerns.</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	Council Directive on the obligation of	JHA Council		Adopted at the JHA Council on 29/4/04

No.	Measure/Action	Competent Body	Deadline	Status/Observations
	carriers to communicate passenger data  Adoption  <i>(25/3/04 EC Declaration – Section 8)</i>		30 April 2004	
4.3.2	Common EU approach to the use of passenger data for border and aviation security and other law enforcement purposes  Preparation of proposal for consideration by Council  <i>(25/3/04 EC Declaration – Section 6)</i>	Commission	June 2004  (presentation of proposal)	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
4.4	<b>Encourage and support non-EU states to comply fully with the ICAO and IMO standards</b>	Council		
4.5	<b>Enhance capacities for the identification of terrorists and the detection of terrorist devices,</b>	MS/Commission		

No.	Measure/Action	Competent Body	Deadline	Status/Observations
	<b>materials or funds at ports, airports and land borders</b>			
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  <i>(25/3/04 EC Declaration – Section 5 (c))</i>	JHA Council/Commission	End 2004	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 11.
4.5.2	Development of terrorist profiles with a view to developing an operational tool  <i>(Terrorism WP paper: ENFOPOL 43 REV 1 of 7 May, 2004)</i>	Council /CATS/TWP	Dec 2005	
4.5.3	Coordinated recourse to Article 2(2) of the Schengen Convention (reestablishment of border checks)  <i>(Updated Roadmap – 2001 Action Plan, number 38, formerly number 39)</i>	JHA Council	Without delay	Commission to present proposal

No.	Measure/Action	Competent Body	Deadline	Status/Observations
4.6	<b>Reinforce the protection of European citizens in third countries</b>			
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	<b>Identify areas for closer cooperation in preparedness and consequence management, including with other international organisations within their respective competences, such as NATO</b>	All (PSC for NATO)	Ongoing	
5.2	Strengthening 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	Council/ MS/Coordinator/ Commission	Ongoing New programme adopted by December 2004	A new programme updating the actions identified in the Council 2002 CBRN programme to reduce the vulnerability of citizens, the environment, infrastructure, the food chain and production processes , widening its scope to deal with all terrorism threats and incorporating a strengthened cross pillar implementation monitoring system will be adopted  The current Community Civil Protection



	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
5.2.1	<p>Reinforce the Civil Protection Capacity of the EU to deal with terrorist attacks through scenario planning using database of available resources, training and exercises.</p> <p>Assess the current capacity for preparedness and response across Council, Commission and Member States services, including an examination of interoperability of emergency services response systems and equipment between Member States.</p>	<p>Council/MS/ Commission/</p> <p>Council/MS/ Coordinator</p>	<p>Ongoing</p> <p>December 2004</p>	<p>Civil Protection Workshop on learning from Madrid attacks organised for 29 &amp;30 June 2004.</p> <p>Within the framework of the Community Mechanism, work is under way on the development of a limited number of predetermined scenarios in response to terrorist attacks.</p>
5.2.2	<p>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</p>	<p>PSC/EUMC/EUMS/Sit Cen/Commission</p>	<p>Ongoing</p>	<p>Enhance the effectiveness of the military database and its interoperability with civilian assets.</p>



	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	CBRN.			
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/Sit Cen/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 full implementation of the EU Health Security Strategy and CBRN programmes</b>	Council/Coordinator/ Commission		
5.3.1	Strengthening 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	Council/MS/ Commission/ Coordinator	December 2004	See Commission Matrix 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.

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	(25/3/04 EC Declaration – Section 11)			CBRN Seminar arranged in NL in July 04 The Programme on Health, Security (December 2001) aims at setting up EU cooperation and mutual assistance against biological or chemical attacks.
5.3.2	Update Council December 2003 CBRN Programme implementation report (16285/03) and improve cross pillar monitoring system	Council/Commission/ Coordinator	December 2004 on Ongoing	
5.3.3	Conduct a cross pillar analysis of the threat to critical infrastructures and policies in relation to their protection.	Council/Commission/ Coordinator	December 2004	
<b>5.4</b>	<b>Develop strategies to improve the capacity of Member States to communicate with citizens in the event of a major terrorist attack</b>	Council/MS/ Commission/ Coordinator	Ongoing	
5.4.1	Maximise resilience of alternative communications media.	Council/MS/ Commission/	Ongoing – October 2004	

	Measures/Action	Competent Body	Deadlines	Status/Observations
	Extend Community Civil Protection Action Programme to 2005/2006 and prioritise public information and self protection	Coordinator		
<b>5.5</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>			
5.5.1	Adoption of the Council Directive on Compensation to crime victims  <i>(25/3/04 EC Declaration – Section 4)</i>	JHA Council	1 May 2004	Adopted at JHA Council 29 April 2004
5.5.2	The European Council endorses the proposal of the European Parliament to declare March 11 a European day	Commission	[PM]	Commission will launch a call for proposals for pilot projects supporting victims of terrorism, including actions to commemorate the first

	<b>Measures/Action</b>	<b>Competent Body</b>	<b>Deadlines</b>	<b>Status/Observations</b>
	commemorating the victims of terrorism  <i>(25/3/04 EC Declaration – Section 1)</i>			‘victims of terrorism day’.
<b>5.6</b>	<b>Possible incorporation into the EU’s Exercise Programme of an activity related to the contribution of ESDP to the fight against terrorism.</b>	Council/PSC/PMG	End of 2004	The inclusion of such an activity in the Programme for 2005-2009 is under consideration.

	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	June 2004	Results and Recommendations of COTER study to be disseminated in the Commission and to bilateral programme managers to determine how best this can be taken into account
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/Coordinator /MS	December 2004	Work with the Counter-Terrorism Coordinator on developing a strategy to address Recruitment into Terrorism

	<b>Objectives</b>	<b>Competent Body</b>	<b>Deadline</b>	<b>Status/Observations</b>
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/ Coordinator	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</b>			

	<b>Objectives</b>	<b>Competent Body</b>	<b>Deadline</b>	<b>Status/Observations</b>
	<b>undertaken in this area, and identify appropriate response measures</b>			
6.2.1	Establish the capabilities for monitoring extremist websites/publications (originating both within Europe and externally) which would report to relevant bodies within the Council	Council Secretariat/ Coordinator	Sept 2004	Further work will be taken forward in the context of the HR/SG Solana's report on the development of an intelligence capacity within the Council.
<b>6.3</b>	<b>Make more efficient use of relevant external assistance programmes to address factors which can contribute to the support for terrorism, including in particular support for good governance and the rule of law</b>	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,	Council Secretariat/ Commission/ Coordinator	Ongoing	The Coordinator envisages the possibility of organising a seminar in that respect towards the end of the year

	<b>Objectives</b>	<b>Competent Body</b>	<b>Deadline</b>	<b>Status/Observations</b>
	including non-violent Islamist parties			
<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 and the 2003 round tables 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	June 2004	To implement the HR/SG Solana's report on the development of an intelligence capacity within the Council in carrying out threat assessment thereby enabling working groups to focus on the development of policies
7.2	<b>Develop capacities to analyse and evaluate third country activities in counter-terrorism</b>	Council/HR/ 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	June 2004	Further work will be taken forward in the context of the HR/SG Solana's report on the development of an intelligence capacity within the Council.
7.2.2	Deploy and further develop technical capacity for monitoring and analysing open source information relevant to third country activities in counter-	SitCen/MS/Commissio  n	Ongoing	

	<b>Measure/Action</b>	<b>Competent Body</b>	<b>Deadline</b>	<b>Status/Observations</b>
	terrorism			
<b>7.3</b>	<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/Coordinator		
7.3.1	Enhance coordination between Member States and the Commission on existing technical assistance projects	MS/Commission	Ongoing	Current and recently completed CION projects in Indonesia, the Philippines and Pakistan
7.3.2	Identify approximately 10 partner countries for Technical Assistance	COTER/Coordinator	July 2004	Process for identifying priority countries was agreed in June
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	
7.3.4	Develop and implement technical assistance programmes, aimed at capacity building in the field of counter	MS/Commission	Ongoing	

	<b>Measure/Action</b>	<b>Competent Body</b>	<b>Deadline</b>	<b>Status/Observations</b>
	terrorism, in coordination with UN agencies and other organisations as appropriate			
<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. A clear overview of where the clause has already been included, which negotiations are underway and which agreements are coming up in the next couple of years where such clauses should be added.
7.4.1	Produce an assessment of the effectiveness of currently existing counter-terrorism clauses, and include suggestions for improvement where appropriate	Coordinator/CION	December 2004	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	Council	Ongoing	

	<b>Measure/Action</b>	<b>Competent Body</b>	<b>Deadline</b>	<b>Status/Observations</b>
	submit report on counter-terrorist elements of its work programme once per Presidency			
<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/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/Coordinator	End 2004	
7.6.2	Report on Progress on the priority countries to European Council	Council / Coordinator	June 2005	If appropriate, this could be contained in an overall report on Counter Terrorism