

Proposal for a Council Decision on the financing of certain activities carried out by Europol in connection with cooperation in the fight against terrorism

(2002/C 331 E/23)

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(Submitted by the Commission on 31 July 2002)

EXPLANATORY MEMORANDUM

1. Introduction

Article B5-822 of the European Union budget for 2002 carries EUR 5 million to provide Europol with the necessary resources to step up and coordinate action by Member States to combat terrorism and to set up an anti-terrorism control centre and communications systems ⁽¹⁾.

This appropriation is entered in Chapter B0-40 (provisions) until there is a basic instrument to cover the financing of Europol's activities from the European Union budget. This Decision will make it possible to use this appropriation.

Commission staff have produced a draft Council Decision to create the legal basis to enable the funds to be used and to describe the activities they will finance. The activities indicated in the text have been established on the basis of proposals made by Europol.

According to the budgetary details supplied by Europol, expected expenditure on launching these activities will be EUR 3 038 600, significantly less than the amount in the reserve.

2. Council Decision: Articles

Article 1 (purpose of the Decision)

Article 1 defines the activities (in the annex) to be carried out by Europol to step up and improve coordination of the fight against terrorism. The annex is an integral part of the Decision.

Article 2 (type of expenditure)

Article 2 classifies the expenditure approved by this Decision as operational expenditure.

Article 3 (monitoring and evaluation procedures)

This article sets out the procedures for monitoring and evaluating the activities on the basis of quarterly reports to be presented to the Commission. The Commission will also report annually to the European Parliament and the Council on the progress made.

Article 4 (entry into force)

The Decision will take effect on the day following that of its publication.

Annex

The annex provides a summary of the activities proposed by Europol. They are as follows:

⁽¹⁾ OJ L 29, 31.1.2002, p. 1046.

- The establishment of an information network to exchange information in real time on the characteristics of explosive devices used to carry out terrorist acts.
- The creation of a communications system to enable special police operations units to exchange information swiftly.
- The creation of an operations coordination centre within Europol to support Member States when conducting anti-terrorist operations or dealing with terrorist situations. Member States will be able to use the centre as a communications, control, command or information centre as necessary.
- The development of a European method for analysing terrorist threats and risks.

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

- (1) Article 29 of the Treaty on European Union states that the Union's objective is to provide citizens with a high level of safety within an area of freedom, security and justice by developing common action among the Member States in the field of police and judicial cooperation, particularly in the fight against terrorism.
- (2) Terrorism is one of the most serious threats to the life and safety of citizens, to democracy, to the free exercise of human rights and to economic and social development.
- (3) The conclusions of the Tampere European Council call for increased cooperation between the authorities in the Member States and Europol on the prevention, analysis and investigation of crime, including terrorism, at Union level.
- (4) The European Council of 21 September 2001 drew up a European Union action plan in response to the attacks on the United States and called for operational measures to be taken to step up police cooperation in the fight against terrorism.
- (5) The Europol Convention ⁽¹⁾ assigns to Europol the objective of improving the effectiveness and cooperation

of the competent authorities in the Member States in preventing and combating terrorism. The Council Framework Decision of 13 June 2002 on combating terrorism ⁽²⁾ also recalls that Europol's remit includes dealing with crimes committed or likely to be committed in the course of terrorist activities,

HAS DECIDED AS FOLLOWS:

Article 1

Europol shall carry out the activities referred to in the Annex to step up and coordinate the fight against terrorism.

Article 2

The cost of implementing this Decision shall be considered operational expenditure for the purposes of Article 41(3) of the Treaty on European Union.

Article 3

- (1) Europol shall submit a quarterly progress report to the Commission on the activities referred to in the annex.
- (2) Once a year, Europol shall present a detailed report to the Commission on all activities carried out on the basis of this Decision.
- (3) The Commission shall report annually to the European Parliament and the Council on measures taken by Europol on the basis of this Decision. The first report shall be presented before 31 January 2003.

Article 4

This Decision shall enter into force on the first day following that of its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ C 316, 27.11.1995, p. 2.

⁽²⁾ OJ C 164, 22.6.2002, p. 3.

ANNEX

ACTIVITIES TO BE FINANCED

Project 1: European Union Bomb Data Network

Summary: An EU wide bomb database accessible from workstations in the Counter-Terrorism Communication Network (an extendable secure communication network for the exchange of confidential operational data in real time in relation to all counter-terrorism related information and intelligence). MS will be able to exchange and disseminate data on explosive devices in real time.

Relevance: Law enforcement agencies need access to EU-wide technical data immediately when faced with bomb incidents and threats. The use of the EU bomb database would help identify terrorists from their modus operandi, and ultimately could save lives and protect property by a fast and targeted response to incidents.

Expected results: An EU bomb data network will contribute to protecting the lives and property of EU citizens and to an approximation of working practices in this area in the EU.

Budget: The total cost of equipment, maintenance, training, travel and operational costs for such a Bomb Data Network is estimated at around EUR 1 700 000.

Project 2: Communication Network for Special Intervention Units

Summary: Secure communications, including mobile links, for sending information quickly to assist the Special Intervention Units of Member States, which act under great time pressure, in resolving terrorist incidents. This will facilitate the planning and preparation of intervention in terrorist incidents by having a fast and secure way of transmitting such information (e.g. voice messages, graphics, video, text, fingerprints).

Relevance: This project is necessary to enable Special Intervention Units to exchange information quickly, reliably and securely in the face of a terrorist threat or incident.

Expected results: The creation of a communication network for Special Intervention Units for the exchange of relevant information. Fast, efficient and secure exchange of information could result in Special Intervention Units being better placed to save the lives of EU citizens.

Budget: The cost of the equipment, maintenance, training and travel involved in setting up such a platform is estimated at around EUR 500 000.

Project 3: Operation Control Centre

Summary: A set of premises with facilities for Member States to carry out communications, intelligence exchange and command and control activities in major terrorism incidents and crisis situations. The premises would be based at Europol and would contain a control room, a co-ordinator room, a meeting room, an analysis room, an archive room and a technical room. It would also involve the counter-terrorism communication network and a computer network.

Relevance: A control centre to handle international information exchange would be necessary in the face of a major terrorism incident, in particular an incident involving weapons of mass destruction (nuclear, biological, chemical, radiological). In the wake of 11 September, Europol had to deal with answers and request on InfoEx, threat assessment, security measures and other reports.

Expected results: Such co-ordination and communication facilities would guarantee an early warning network capable of handling information exchange in real time on terrorist activities or incidents. The communications network would link Europol's Control Centre with National Operation Centres in Member States.

Budget: The cost of equipment, maintenance, training and travel involved in setting up the control centre is estimated at around EUR 500 000.

Project 4: Development of a common methodology for terrorism threat and risk assessments

Summary: Europol and Member States have to produce threat and risk assessments on terrorism. The events of 11 September have highlighted the need for these to be prepared thoroughly. Specialist of Member States and Europol should therefore meet to agree on a common, rigorous methodology for the preparation of such threat and risk assessments. This will be done in the form of a seminar.

Relevance: A common and rigorous methodology would result in improved risk and threat assessments in Member States and in the European Union as a whole. This would, in turn, result in better planning of counter-terrorism activities and a better resource allocation in the fight against terrorism and organised crime projects in the EU.

Expected results: An EU-wide agreed methodology for threat and risk assessments on terrorist issues.

Budget: The total costs (speakers, travel, catering, translation, staff, aftercare and overheads) of the seminar are estimated at EUR 336 800.
