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NOTE

from : Presidency and CT Coordinator

Subject : EU Action Plan on combating terrorism

Delegations will find attached an updated draft Action Plan, incorporating further comments received on the earlier draft circulated on 15 December 2005 (15358/1/05/Rev1). The Presidency and CT Coordinator are grateful to all those who sent comments, in particular the Commission, and have endeavoured to include as many of these as possible in the revised draft. The draft also reflects new actions arising from the Strategy on Radicalisation and Recruitment, policy recommendations elaborated on the basis of Sitcen papers and the "New Ideas" proposed at the JHA Council on 13 July 2005.

The Action Plan is intended to be read in conjunction with the CTC's 6 monthly reports. The CTC's report details actions contained in previous versions of the action plan which have now been achieved and objectives met. The CTC's report also has attached to it a regularly updated Implementation Table which indicates progress on the implementation of agreed legislation and relevant international Treaties and Conventions. The Implementation Table is also attached to the Action Plan.

The Presidency and CT Coordinator believe that this updated draft Action Plan takes account as far as possible of all comments received from Delegations. They hope that it will now be possible to finalize the Action Plan and to endorse it at Coreper on 16 February.

ACTION PLAN

	Measure/Action	Competent Body	Deadline	status/observations
1 PREVENT				
1.1 DISRUPT THE ACTIVITIES OF THE NETWORKS AND INDIVIDUALS WHO DRAW PEOPLE INTO TERRORISM				
1.1.1	Effective action against misuse of the Internet, inter alia, by sharing expertise, and exchanging national assessments and analyses and, where relevant, acting in common against extremist websites.	MS/ Commission/Europol/ Council	Ongoing	Contained in the policy recommendations drawn up on the basis of SitCen reports.
1.1.2	Promote community policing including through improved training.	MS/ CEPOL/ Council	Ongoing	Task undertaken by CEPOL.
1.1.3	Put in place a legal framework to prevent individuals from inciting violence and exchange information on incitement.	MS/ Council / Commission	Ongoing	Obligation according to UNSC 1624 as well as under the European Convention on the Prevention of terrorism
1.1.4	Enhance political dialogue and technical assistance including police training to help others outside the EU to disrupt the activities of networks and individuals who draw people into terrorism.	MS/ CTC/ Council / Commission	Ongoing	
1.1.5	Tackle radicalization in particular in key environments, for example prisons, places of religious training or worship.	MS/ Council	Ongoing	
1.1.6	Measures against illegal extremist literature and other media.	MS/ Commission	Ongoing	
1.1.7	Implementation of the Council strategy and action plan on radicalisation and recruitment.	Council/MS/Commission/ Commission	Ongoing	Deadlines are set according to the individual measures in the R&R action plan.

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				Commission is now working on: <ul style="list-style-type: none"> • setting up a network of European experts on violent radicalisation by a Commission decision foreseen for March 2006. First report on the state of play of research in the field expected for June 2006 • organising conference on role of media in countering violent radicalisation • journalist training programmes and, regional language broadcasts of European television and radio news in Middle Eastern and North African countries
1.1.8	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.	MS/Council/Commission	Ongoing	Partially achieved Some work has begun in Euromed and ASEM context. Also with Morocco and Algeria.
1.2 ENSURE THAT VOICES OF MAINSTREAM OPINION PREVAIL OVER THOSE OF EXTREMISM				
1.2.1	Empower moderate voices by engaging with Muslim organisations including through support for the Muslim community.	MS/ Commission/ Council	Ongoing	
1.2.2	Support the availability of moderate religious literature.	MS/ Commission	Ongoing	
1.2.3	Encourage Muslim communities not to rely on external Imams, including through enhanced training.	MS	Ongoing	
1.2.4	Develop a non-emotive lexicon for discussing radicalization.	Commission/ Council/ CTC	June 2006	
1.2.5	Develop a comprehensive communication strategy to explain EU policies and hold a conference with media professionals	MS/Commission/ Council/ CTC	June 2006	Commission to start work on eg organizing a conference on role of media in countering violent radicalisation.

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	and terrorist experts to discuss radicalisation. Put in place funding for journalist training programmes and regional language broadcasts of European television and radio news and other initiatives in ME and North African countries.			
1.3 PROMOTE SECURITY, JUSTICE, DEMOCRACY AND OPPORTUNITY FOR ALL				
1.3.1	Target inequalities and discrimination where these exist within the EU and promote long-term integration where appropriate.	MS/ Commission	Ongoing	
1.3.2	Make proposals for enhancing inter-cultural dialogue.	Commission	Ongoing	Ongoing dialogue in e.g. Euromed.
1.3.3	Promote good governance, democracy, education and economic prosperity outside the EU.	MS/ Commission/ Council/ Presidency	Ongoing	
1.4 ASSESSMENTS AND ANALYSIS				
1.4.1	Annual Review of the Radicalisation Strategy assisted by Strategic analysis of the radicalization process.	Council/ SitCen	Annual (end 2006)	Gathering of best policy practices in fighting radicalization.
1.4.2	Enhance co-operation between research institutions in the context of the EU multi-annual research programme.	Council/ Commission	Mid-2006	Setting up a network of European experts on radicalization. First report on state of play of research in the field expected for June 2006.
1.4.3	Conduct more detailed studies, including academic studies, of recruitment in specific contexts such as prisons, schools, mosques; studies in the role of the media, including the internet.	Council/Commission		
1.4.4	Continue to investigate the links between extreme religious or political beliefs, as well as socio-economic and other factors,	Council/Commission		Sitcen to include relevant material in assessments. Working Groups to make policy recommendations as

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	and support for terrorism, building on work already undertaken in this area, and identify response measures.			appropriate. Research projects ongoing in the 6th Framework Programme include research on links between socio-economic and other factors contributing to terrorism.

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2. PROTECT				
2.1 THREAT AND RISK ASSESSMENTS				
2.1.1	Carry out strategic assessments of terrorist threat	SitCen/Europol/MS	Regular	
2.1.2	<ul style="list-style-type: none"> – Make structured use of threat assessment and analysis for the risk assessment, prevention and consequence management, – 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. – Improve the bilateral exchange of information on cross-border risks 	Council/ Council Secretariat/ Cion/ Europol and MS	Ongoing	Undertake expert meetings with a view to developing a common understanding of the methodologies of risk assessment.
2.1.3.	<p>In the framework of the Conceptual Framework on the ESDP dimension of the fight against terrorism:</p> <ul style="list-style-type: none"> - Elaboration of a report on interoperability between military and civilian capabilities. - 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; 	Council	ongoing	In this framework, a bidding process to incorporate Member States voluntary contributions in an addendum to the current Force Catalogue has been launched.
2.2 SECURITY OF THE SUPPLY CHAIN				
2.2.1	Reinforce security of the supply chain .	MS/ Commission	Ongoing	Implementation of amendments (adopted in April 2005) to the Community Customs Code that relate to checks on the flow of goods by introducing a system of pre-arrival and pre-departure declarations and by using an improved system of data communication and

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	Modernisation of the customs code/ Decision on e-customs . Bilateral and multilateral activities reinforcing supply chain security.	Commission Commission/ Presidency/ MS	End 2005 Ongoing	information sharing between Member States. Proposals for a complete modernisation of the customs code and a Decision on e-customs are expected end 2005. Aim i.a. to further strengthen and structure the measures to secure the supply chain and to speedily introduce electronic customs. Container security initiative, WCO framework of standards, multi-agency Joint Customs Operation ("Protect"), CCWG's informal counter-terrorism project group "second action plan to take forward customs counter-terrorism initiatives" (14054/05).
2.3 PROTECTION OF CRITICAL INFRASTRUCTURE				
2.3.1	Establish a European Programme for Critical Infrastructure protection (EPCIP), including the Critical Infrastructure Warning and Information Network (CIWIN) .	Council/Commission	Mid 2006.	See Council conclusions of EPCIP of 1/12/2005 (14766/05), which set out the key principles for this purpose. See Commission Green Paper, introducing a consultation phase until February 2006. Task of ProCiv in a special composition. Commission plans to draft a proposal on the establishment of CIWIN by end 2006.
2.3.2	Put in place adequate protective measures against electronic attack on key computer systems.	MS	16 March 2007	Council Framework Decision 2005/222/JHA of 24 February 2005, OJ L 69, 16.3.2005, p. 67 sets a deadline for 16 March 2007.
2.3.3	Ensure full implementation of the EU Health Security Strategy and CBRN programs.	Council/Commission/ MS	Contin- uous action	Partially Achieved The 2002 CBRN-programme (Doc. 14627/02) was replaced by the 2004 Solidarity Programme.

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2.4 TRANSPORT SECURITY				
2.4.1	Implement provisions of Regulation 2320/02 establishing common standards on civil aviation security, including staff screening, baggage, cargo and aircraft security.	Member States	Ongoing	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
2.4.2	Reinforce common standards on aviation security by adopting revised common rules in the field of civil aviation security (12588/05). Revision of Regulation 2320/2002.	Council/ EP	Mid 2006	A revised Reg.2320/2002 is in the process of co-decision. After deadline continuing action is expected.
2.4.3	Implement agreed EU standards on maritime security (Regulation) and security in ports (Directive).	MS/ Commission	Ongoing	a) Regulation (EC) No 725/2004 of the European Parliament and of the Council 2004 on enhancing ship and port facility security. b) Directive 2005/65/EC of 26.10.2005 of the European Parliament and of the Council on enhancing port security.

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2.4.4	Consider the scope for EU level action on road and rail security.	Council/Commission		Commission to make proposals on supply chain security, all modes of transport including financing issues and land passenger transport.
2.5 BORDER CONTROL				
2.5.1	Council Decision and Regulations on the SIS II.	Commission/ Council/ EP	July 2006	Presently being discussed by Schengen Acquis working party and the European Parliament. Question of wider access for other authorities are under discussion.
2.5.2	Council Regulation on VIS	Council/ EP / Commission	July 2006	EP had several remarks; dossier is currently in third reading in the CWG; EP has severe problems on use of biometrics in the VIS
2.5.3	(Technical) Establishment of the VIS Roll out the use of biometrics under the VIS to countries/regions of high risk.	Council/ Commission	Begin operational End 2006	As regards VIS, there are two different actions: 1) Implementation of the central VIS; this is for COM to do. 2) Roll-out: This is for MS to do, following a coherent approach agreed in council.
2.5.4	(Technical) Establishment of the SIS II	Council/ Commission	Begin operational March 2007	As regards SIS II, there are two different actions: 1) Implementation of the central SIS; this is for COM to do. 2) National Projects: This is for MS to do. Beware: SIS II can only get operational if all MS completed their projects in due time.

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2.5.5	Improve security of EU passports by use of biometrics, including facial image and fingerprints in order to prevent identity fraud.	MS	August 2006 (facial image) - 36 months after the adoption of the tech.spec. (fingerprints)	The introduction of biometrics in all relevant ID documents.
2.5.6	Develop and implement a common EU approach to the exchange and analysis of passenger information: agree Directive on airline passenger name records.	Commission/ Council/ EP	End 2006	The Commission will come forward with a legislative proposal for a Directive of the EP and of the Council in the next weeks aiming to create an obligation on air carriers to provide passenger information, including PNR. The obligations would be applicable to carriers operating international flights into, through or from a Member State. Intra EU-flights would not be covered. This proposal will also cover the exchange and analysis of passenger information.
2.5.7	Feasibility Study on appropriate measures to register entries and exits of third country nationals at the common external border, and developing the use of biometrics at entry and exit controls of third country nationals at the Schengen borders.	Commission	June 2007	As set out in doc 11910/1/05 Commission is undertaking this feasibility study taking into account the proportionality and practicality of additional checks at the borders against the potential advantages of recording and using the resulting information.
2.5.8	Effective risk analysis of the EU external border, discussion of the contribution which border security makes to the CT effort, and effective information exchange with Europol.	Frontex / SitCen	Regularly	

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2.6 PROTECTION OF OTHER POTENTIAL TARGETS				
2.6.1	Improve protection of other potential targets of terrorist attack, other than critical infrastructures (ie soft targets, crowded places, public transport) on the basis of relevant research.	MS/ Council/ Commission	Ongoing	
2.7 RESEARCH				
2.7.1	Make best use of EU research level activity, and in particular the 6th and 7th R&D Programmes, including the Security Research Programme (8087/05).	Council/Commission	2007-13	The three-year Preparatory Action (2004-2006) will lay the ground for a fully fledged "European Security Research Programme" to be launched in 2007 as a part of the 7th Framework Programme for research. In the 7th Programme the Commission proposes to include Security as one of the research themes.
2.7.2	Scientific Support to Policies.	Commission	6th Framework Programme for Research (2002-2006) (Decision N° 1513/2002/EC of the EP and the Council of 27 June 2002)	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 ongoing on biological agents, risk assessment, crop bioterrorism and modelling the propagation of bioterrorist agents.

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2.8 INTERNATIONAL DIMENSION				
2.8.1	Deliver assistance on protective security as a component of technical assistance to priority third countries.	MS/ Commission	Ongoing	Border Security a component of proposed assistance to Morocco and Libya.
2.8.2	Implement the Economic Initiative of the June 2005 EU-US Summit: Joint EU-US Work Programme (PDBTS).	Commission/ MS/ Council	Ongoing	Continue the implementation of the various actions e.g. dialogue on AML/CFT issues, enhancing Trade, Travel and Security. Prepare implementation report for the 2006 Summit.
2.8.3	Raise the importance of responsible and robust aviation security in bilaterals with third parties.	MS/Commission/Council/Presidency		Contained in the policy recommendations drawn up on the basis of SitCen reports.
2.8.4	Work to develop further EU transport security standards, in coordination with relevant international organizations and third countries.	Council/Commission		On 11 March 2004 the Council agreed to submit to ICAO a Working Paper on PNR on behalf of the European Community and its MS, thereby initiating multilateral work on this subject. On 22 September 2004 the Presidency submitted a working paper on establishing an international framework for the transfer of PNR data to the ICAO 35th Assembly (28/09-8/10/04).
2.8.5	Encourage and support non-EU states to comply fully with the ICAO and IMO standards.	Council/Commission		In the field of maritime security, the Community has launched a review of the implementation of the IMO's security measures for the EUROMED partners through a program called SAFEMED (2006/2008). Morocco is benefiting from a twinning program financed by the Community for the enhancement of maritime safety and security. Member States support the EU's multinational initiative on PNR at ICAO with a view to promoting the development of global standards.

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2.8.6	Follow up to Container Security Initiative (CSI) Examination of extension to other regions.	Commission		EC/US Agreement allows for co-operation on exchange of advance cargo information and creation of equal levels and standards of controls for US and EC operators.
				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.) The Working Group Action 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. 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.
2.8.7	Strengthen international cooperation at the level of WCO. Encourage and support non-EU states to comply fully with the Framework of Standards from WCO.			The WCO adopted in July 2005 a framework of standards with the objective of increasing the supply chain security. Adoption of the implementing provisions of the Community customs code that are in principle in line with these standards Provide support on capacity building to priority non-EU members.

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3. PURSUE				
3.0.1	Implementation of Framework Decision on Combating Terrorism .	Commission / MS	End 2006	Partially achieved 20 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 2006.
3.0.2	MS to report on how they have responded to the recommendations of the Peer Evaluation process to strengthen national CT arrangements and –assess need for further evaluation once MS have reported on follow up to recommendations during 2006.	MS/ CTC	2006/7	Member States to report in the Working Party on Terrorism how they have responded to the recommendations of the relevant country report and, where appropriate, the recommendations of the final report.
3.1 INFORMATION GATHERING, ANALYSIS, AND EXCHANGE				
3.1.1	Framework Decision on simplifying the exchange of information and intelligence between law enforcement authorities of the MS (Swedish proposal).	Council	achieved	General approach at 1-2 December 2005 Council.
3.1.2	Framework Decision on the principle of availability.	Council	End 2006	Presently being discussed in the MDG/Article 36 Committee
3.1.3	Framework Decision on Data Protection.	Council	End 2006	Presently being discussed in the MDG.
3.1.4	Ensure access of authorities competent for internal security matters and Europol to VIS.	Council	End 2006	Commission proposal on access to VIS by authorities competent for internal security matters and Europol (COM (2005) 600) tabled on 24 November 2005 and is presently being discussed in the PCWG.

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3.1.5	Enhancing the interoperability of VIS, SIS II, and EURODAC	Commission/ Council/ EP	As soon as possible	Commission Communication was presented in Council December 2005.
3.1.6	Improve information sharing on lost and stolen passports.	MS	December 2006	Common Position adopted 24-05-05, report on implementation December 2006.
3.1.7	Implement Directive on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or a public communication network and amending Directive 2002/58/EC.	MS	As soon as possible	Awaiting adoption.
3.1.8	Ensuring that Europol is provided by MS law enforcement authorities with all relevant terrorist related criminal information as soon as it is available and that Eurojust is provided with all relevant prosecutorial information, in the context of the Council Decision on the exchange of information concerning terrorist offences adopted in September 2005.	MS/ CTC	Ongoing	Second CTTF evaluation report was endorsed by the Council.
3.1.9	Work to improve the exchange of information on convictions.	Council/ Commission	ongoing	On 25 January 2005 the Commission presented a White Paper analysing the main difficulties in exchanging information on convictions and making proposals for a computerised information exchange system COM (2005) 10 25.1.2005. 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. Following discussions on the White Paper, the Justice and Home Affairs Council of 14 April 2005 agreed on a way forward. On that basis, the Commission adopted on 22 December 2005 a proposal for a Council Framework Decision COM (2005) 690 2005/0267 (CNS) on the

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				<p>organisation and content of the exchange of information extracted from criminal records between MS. A further proposal should be adopted in 2006 to improve access to information on convictions handed down in the European Union against third country nationals.</p> <p>The work to improve the exchange of information on convictions shall take into account the results of the German-French-Spanish-Belgian pilot project of interconnection of the national judicial register.</p> <p>See also Commission's proposal for a Framework Decision on the organisation and content of the exchange of information extracted from criminal records between Member States (5463/06)</p>
3.1.10	Improve the exchange of information between Europol and Eurojust and ensure full involvement of Eurojust in AWFs of Europol, once the legal preconditions have been put in place (3rd Protocol amending the Europol Convention.).	Europol / Eurojust	Dec. 2006	Europol and Eurojust should present proposals in due course.
3.1.11	Make full use of Europol analysis capability (including CTTF).	Europol/MS	Ongoing	
3.1.12	Developing a common approach to the exchange of information on deportations and expulsions related to terrorism, including radical imams.	Council	2006	

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3.2 IMPEDING TERRORISTS' MOVEMENTS AND ACTIVITIES				
3.2.1	Monitor travel to and from conflict zones.	MS	Ongoing	SitCen to draw up report.
3.2.2	Prevent individuals from gaining access to terrorist training.	MS/ Europol	Ongoing	Addressed in the policy recommendations based on the SitCen reports.
3.2.3	Maximise the capacity of existing border systems to monitor, and, where relevant, counter the movement of suspected terrorists across our internal and external borders (see also Protect).	Frontex	Ongoing	FRONTEX Agency will: 1) set up centralised records of technical equipment and 2) launch joint operations at the borders.
3.3 POLICE CO-OPERATION				
3.3.1	Develop the European Crime Intelligence Model with the assistance of the Police Chiefs Task Force.	PCTF/ Council	OCTA April 2006.	Europol will present 1st OCTA in April 2006.
3.3.2	Review how operational capacity of the PCTF can be reinforced.	PCTF/ Council	Ongoing	PCTF set up 6 action plans under COSPOL one of which on terrorism. Continuation of this action plan will be decided upon in connection with OCTA.
3.3.3	Report on enhancing mutual trust between law enforcement authorities.	CEPOL/Europol, with input from Sitcen	Mid 2006	CEPOL and Europol to produce joint report on what CT related training they have so far provided and what more could be done.
3.3.4	Proposal for a Council Decision on the improvement of police cooperation between the Member States of the European Union, especially at the internal borders, including proposals to improve police co-operation on cross border hot pursuit, and amending the Convention implementing the Schengen Agreement.	Council	End 2006	Currently being discussed in PCWG and Article 36 Committee.

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3.3.5	Member States to consider their participation in the Treaty of Prum; consideration to be given to implementation of its provisions, eg on exchange of information on potential terrorists.	MS	Ongoing	Details of this issue are included in doc 11910/1/05. Decisions are for individual Member States to be taken. 7 MS have so far signed the Treaty.
3.3.6	Enhanced co-operation against terrorist use of the internet.	MS/ Europol	June 2007	Addressed in the policy recommendations based on the SitCen reports.
3.3.7	Further develop legal framework to remove illegal material from the internet.	Council / Commission / MS	June 2007	Subject of concern are e.g. manuals or instructions for homemade explosives or bombs. EC is preparing seminars on legal and practical possibilities of regulations.
3.4 JUDICIAL CO-OPERATION				
3.4.1	Framework Decision on a European Evidence Warrant.	Council	as soon as possible	Further work by Coreper.
3.4.2	Enhance use of Eurojust and consider measures to improve its capacity, to enable more effective co-operation in terrorist investigations and prosecutions including through the practical application of relevant Council Decisions.	MS/ CTC/ Eurojust		The obstacles identified in the letter Eurojust sent to the Council in May 2004 still exist. Eurojust faces ongoing challenges, relating to the lack of information conveyed to it, due to organisational and legal barriers, traditional approaches to co-operation, a lack of human and technical resources, and inertia in Member States. 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 : - Need for more and complete, updated information - Need for own Eurojust analyst(s) (there is no direct access

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				by Eurojust to Europol's analysis files). - Need for more budgetary support MS are obliged to take the necessary measures to comply with the provisions of Council Decision 2005/671/JHA of 20 September 2005 on the exchange of information and co-operation concerning terrorist offences by 30 June 2006 at the latest.
3.4.3	Framework Decision on the application of the principle of mutual recognition to Confiscation Orders.	Council	As soon as possible	General approach reached mid 2004, awaiting lifting of one parliament reservation.
3.4.4	Develop best practice in witness protection programmes, including the issue of granting residence permits to foreign nationals who co-operate with CT investigations. European Protection Programme for the protection of witnesses in terrorist cases.	Commission	As soon as possible	Commission Communication on witness protection planned.
3.4.5	Make use of Joint Investigation Teams, when appropriate involving Europol and Eurojust, and consider options for funding JITs.	MS	Ongoing	Network of national experts on JITs established. First meeting took place on 23 November 2005. Funding issues to be considered in the context of discussions on the Security Framework Programme (prevention and fight against crime).
3.5 TERRORIST FINANCING (see also Strategy Terrorist Financing (16089/04) and its updates (11325/05 and 14349/05))				
3.5.1	Review the EU's performance on Terrorist Financing in particular in respect of FATF special recommendations and act on recommendations.	Commission/ Council	June 2006	Commission launched restricted tender for independent study in July. Study ready by end first semester 2006.

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3.5.2	Take forward national codes of conduct for Non-Profit Organisations (implementation FATF SR VIII).	MS/ Commission	June 2006	Council agreed on a code of conduct for non-profit organizations on July, 13 th 2005 (doc. 11158/1/05 REV 1) Council agreement on principles on 1-2 December 2005. Commission communication in November 2005.
3.5.3	Adopt Regulation on information on the payer accompanying transfers of funds (FATF SR VII).	Council/ EP	June 2006	Council general approach agreed on 6 December 2005.
3.5.4	Improve the effectiveness of EU asset freezing procedures, including non-financial economic resources, in accordance with UN obligations and the need to respect due process and rule of law.	Council / Commission / CTC	2006	Coreper noted a revised Best Practices paper on restrictive measures including on the application of Community freezing measures.
3.5.5	Ensure national asset freezing capability and improve implementation of freezing procedures.	MS	End 2006	Guidelines on sanctions and Best Practices Paper under constant review. Latest updates adopted in December 2005. Various seminars organised by Presidencies and will continue. FATF start in 2006 discussion on implementation of SR III among its members.
3.5.6	Adopt Directive on regulating the alternative remittance system (inter alia, implementation FATF SR VI).	Council/ EP/ Commission	End 2006	Proposal for Directive presented in December 2005. (tbc) Commission proposal for a draft Directive on a New Legal Framework for Payments in the Internal Market was adopted in December 2005.
3.5.7	Improve co-operation between investigation/law enforcement community including FIUs and financial supervisory authorities, including through the use of FIU.Net.	MS	Ongoing	Practitioners seminar held in September 2005. Commission assessed the best practices in 25 MS in the communication adopted on 29. November. 3 rd AML/CTF provides strong basis for cooperation.
3.5.8	Ensure that financial investigation is a core part of all terrorist investigations.			Practitioners seminar held in September 2005. Commission is organizing an EU Forum meeting to which EU 25 will be invited in March 2006.

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3.5.9	Implement the Third Money Laundering Directive.	MS	December 2007	Directive entered into force on 15 December 2005. Implementation by MS before mid-December 2007. Commission to adopt the implementation by mid-June 2006.
3.5.10	Initiate outreach programmes to EU financial private sector to coordinate procedures to combat terrorist financing.	Council/Commission		The Commission Communication adopted on 29 November 2005 addresses various ways in which public and private sector cooperation should be enhanced to ensure more effective fight against the financing of terrorism.
3.5.11	Implement Regulation on Cash Couriers (implementation FATF SR IX).	MS	June 2007	Directive enters into force in December 2005. Implementation by MS before June 2007.
3.5.12	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.	MS	1 January 2005	Partially achieved 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.
3.6 LIMIT TERRORISTS' ACCESS TO WEAPONS AND EXPLOSIVES				
3.6.1	Action on explosives, detonators, bomb-making equipment and fire arms in the context of the Commission Communication.	MS/ Commission/ Europol/ Council		Discussed in TWP during UK Presidency with policy recommendations agreed by Council. Next steps are for Commission to organize conference of all major stakeholders in first half of 2006. Analyse possibilities of making transmission of bomb-making expertise a crime under the Framework Decision on Combating Terrorism. Examine modification of related directives, eg Fertilizer regulation. Consideration of a monitoring regime regarding the precursors for home-made explosives. Consideration of improving the exchange of information on lost and stolen explosives.

	Measure/Action	Competent Body	Deadline	status/observations
3.6.2	Raise the importance of the adoption and enforcement of rigorous security regimes relating to weapons and explosives in bilaterals with third parties.	MS/ Council/ Presidency	Ongoing	Addressed in the policy recommendations based on the SitCen reports.
3.6.3	Improve control over illicit arms and explosives in the Balkans.	MS/ Council	Ongoing	
3.7 INTERNATIONAL DIMENSION				
3.7.1	Support the key role of the United Nations and its sub-organisations in sustaining the international consensus and mobilizing the international community.	Presidency/ Council/ CTC/ Commission	Ongoing	EU adopted robust position ahead of UN World Summit.
3.7.2	Ratification of 13 UN legal instruments against Terrorism and continue to lobby for this in third countries both bilaterally and at EU level.	MS	End 2006	Partially Achieved Not all Member States yet have a full record on ratification/implementation. To do: Work to ensure early ratification and implementation of the UN Convention on the Suppression of Acts of Nuclear Terrorism, which was adopted on 13 May 2005. This convention was signed by all EU MS on 14 September 2005.
3.7.3	Support the adoption of a Comprehensive Convention on Terrorism including through proactive outreach.	MS	Ongoing	
3.7.4	Support the adoption of a United Nations Counterterrorism Strategy.	MS	Ongoing	
3.7.5	Sign and ratify Council of Europe Convention on prevention of acts of terrorism.	MS		Work to ensure early ratification and subsequent implementation. Lobby for signature and ratification in third countries.

	Measure/Action	Competent Body	Deadline	status/observations
				Support the Council of Europe's work on combating terrorism in general.
3.7.6	Further develop contacts with the UNODC, UN CTC, the UN CTED, the 1267 Committee, including sharing of information on EU assistance programs and further develop contacts with the UN Special Representative for Human Rights and Terrorism.	Council/ EU CTC/ Commission/ MS	Ongoing	EU participation on CTED missions to Morocco, Kenya and Albania.
3.7.7	Continue to make available voluntary contributions for the UNODC's Global Programme against Terrorism.	MS	Ongoing	
3.7.8	Identify and demarche, third countries which are failing to meet their commitments under UNSCR 1373.	Council/ HR/ EU CTC/ Commission	Ongoing	
3.7.9	Further develop dialogue, including aspects on terrorist financing ,with, and provision of technical assistance to, regional and sub-regional organizations.	Council/ EU CTC/ Commission/ MS	Ongoing	(i) Commission has been providing support to JCLEC and is working on the provision of assistance to the AU centre in Algiers. 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 has been set up (iv) EU organised a seminar on financing of terrorism with Gulf Cooperation Council in March 2005 Another one is envisaged for the beginning of 2006.
3.7.10	Enhance co-ordination between Member States and the Commission, on technical assistance projects, working closely with the United Nations and other donors.	MS/ Commission/ EU CTC/ Council	Ongoing	
3.7.11	Deliver technical assistance to Morocco and Algeria in order to build their CT capacity, working closely with UN and other donors.	MS/ Commission	June 2006	
3.7.12	Develop and implement technical assistance programmes to other priority countries in order to build their CT capacity, in	MS/ Commission		Partially achieved (i) Commission has been providing support to JCLEC and is working on the provision of assistance to the AU centre in

	Measure/Action	Competent Body	Deadline	status/observations
	co-ordination with the UN and other donors and review existing projects in priority countries to identify duplication. Further develop political dialogue with priority countries in order to strengthen political capacity in the fight against terrorism.			Algiers. 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 has been set up (iv) EU organised a seminar on financing of terrorism with Gulf Cooperation Council in March 2005 Another one is envisaged for the beginning of 2006.
3.7.13	Cooperate closely with the Financial Action Task Force (FATF) on all issues regarding the financing of terrorism .	All		
3.7.14	Mainstream CT objectives into the work of geographical working groups and external assistance programs include through the insertion of counter-terrorism clauses into agreements with third countries.	Council/ Commission	Ongoing	Commission is working on mainstreaming within external assistance programmes. CT clauses prepared for insertion into agreements.
3.7.15	Produce country and thematic CT threat assessments as the basis for policy development.	SitCen	Ongoing	First nine reports drawn up by SitCen and presented to the Working Party on Terrorism. The Article 36 Committee has equally dealt with a number of reports. Policy recommendations based on six reports to be endorsed by the Council.
3.7.16	Develop technical capacity for monitoring and analysing open source information relevant to third country CT activities.	SitCen/ MS/ Commission	Ongoing	
3.7.17	Coordinated EU position on reservations to Conventions should be encouraged.	Council/MS	Ongoing	This issue is regularly discussed in COTER and COJUR.

	Measure/Action	Competent Body	Deadline	status/observations
4. RESPOND				
4.1 CIVILIAN RAPID EU RESPONSE CAPABILITY TO DEAL WITH THE AFTERMATH OF A TERRORIST ATTACK				
4.1.1	Make a proposal for a revision of Council decision 2001/792 establishing a Community mechanism in civil protection assistance, to improve the Civil Protection Mechanism.	Council / Commission	Im- mediate	
4.1.2	Agree a proposal for a Council regulation establishing a Rapid Response and Preparedness Instrument for major emergencies ("financial instrument") (12827/05).	Council	End 2006	
4.1.3	Follow up the Commission report on the assessment of civil protection assistance through the Mechanism in case of major terrorist attack in the EU, including the medical resources required to respond to a bio-terrorist attack .	Council	Mid 2006	Within the framework of the Community Mechanism, 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 latest Commission report was noted by the JHA December 2005 Council and will be taken into account in the framework of the examination of the proposals on a Rapid Response Instrument and on a revision of the civil protection mechanism.
4.1.4	Improve the ability of MS to use a risk based approach to develop their capabilities to respond to national emergencies and those of their neighbours in a spirit of solidarity.	Council	Mid 2006	Two expert seminars were held in September and December 2005.
4.1.5	Develop the concept of Civil Protection Modules, capable of rapid reaction, interoperable and trained to work together.	Commission/ Council	Mid 2006	

	Measure/Action	Competent Body	Deadline	status/observations
4.1.6	Make improvements once agreed by the Council to the Civil Protection Mechanism which do not require a new legal instrument.	Commission	As soon as possible	
4.1.7	Carry out training and exercises directed at interoperability in coping with terrorist attacks.	Commission/ Council	On-going	1) 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. 2.) Training activities in the framework of the Civil Protection Mechanism help preparing first responders for assistance in case of major emergencies, including terrorism. 3) Joint Training Programme of Commission with EUROPOL on interaction between Law Enforcement and Public Health (April 2004)
4.1.8.	Agree a common insignia for EU intervention teams.	Commission	End 2005	Draft common insignia were presented at the Civil Protection Directors General meeting in London in October 2005.
4.1.9	Improve exchange of information on victim identification	Council	Ongoing	Council in dialogue with Interpol on the use and further development of Interpol's database.
4.1.10	Ensure appropriate consideration is given within Civilian Headline Goal 2008 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.	Council	Ongoing	
4.1.11	Protect minority communities which may be at risk of a backlash in the event of a major attack.	Council/Commission		Continued monitoring by the European Monitoring Centre on Racism and Xenophobia of racial violence and discrimination.

	Measure/Action	Competent Body	Deadline	status/observations
4.1.12	Ensure full implementation of the EU Health Security Strategy and Solidarity Programme.	Council/Commission/MS		
4.2 MILITARY RAPID RESPONSE CAPABILITY TO DEAL WITH THE AFTERMATH OF A TERRORIST ATTACK				
4.2.1	Adapt the military database of assets and capabilities relevant to the protection of civilian populations against the effects of terrorist attacks (including CBRN) to reflect its expansion to all types of natural and man-made disasters.	Council/Commission	First half 2006.	Develop co-operation between relevant Council and Commission bodies as appropriate.
4.2.2	Elaboration of a detailed report 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.	Council	Mid 2006	
4.2.3	Follow-up the "trilateral initiative" at NATO in the framework of civil emergency planning in crisis management (cf. 14797/04 sub 19.1).	Council/ Commission	Soonest possible	The EU will continue to seek ways to cooperate with NATO in the context of the "trilateral initiative". The Secretariat, with the participation of the Commission, will continue to maintain the necessary contacts with the IS to ensure the exchange of information and to enable PSC-NAC and PMG-PCG meetings to be held with all the Member States.
4.2.4	Ensure the terrorist threat is incorporated into the illustrative scenarios of the Headline Goal 2010 .	Council	Ongoing	
4.2.5	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	Council	Ongoing	

	Measure/Action	Competent Body	Deadline	status/observations
	infrastructure, in the area of operations within available means and capabilities and on a case by case basis based on the threat analysis.			
4.3. EARLY WARNING OF TERRORIST ATTACKS				
4.3.1	Create a secure general rapid alert system (ARGUS) to link all existing specialised rapid alert systems for emergencies that require action at European level.	Commission	End 2006	ARGUS would interconnect all specialised rapid alert systems for emergencies that require action on the European level. While establishing ARGUS and the CCC (bringing together representatives of all relevant Commission services, coordinating efforts and proposing the appropriate response measures, with respect to the national competences), the feasibility of the establishment of links with Council Services and other competent authorities could be examined.
4.3.2	Timely analysis of attacks carried out by terrorists.	Sitcen		
4.4 CAPABILITIES TO COORDINATE EFFECTIVELY THE MANAGEMENT OF THE RESPONSE				
4.4.1	Implement EU Crisis Coordination arrangements to share information, ensure coordination and enable collective decision-making at politico-strategic level in the event of an emergency .	Council / Commission	Ongoing. Report in June 2006	Agreed by the Council in December 2005.
4.4.2	Agree Integrated Crisis Management Arrangements which develop the necessary procedures for the above EU Crisis Coordination arrangements.	Council / Commission	Mid 2006	
4.5 ASSISTANCE TO VICTIMS				
4.5.1	Ensure that support and assistance is provided to the victims of terrorism.	MS / Commission	Ongoing	Commission will launch a call for proposals for pilot projects supporting victims of terrorism, including actions to commemorate the first "victims of terrorism day". Follow up until end 2006.

	Measure/Action	Competent Body	Deadline	status/observations
4.6 INTERNATIONAL DIMENSION				
4.6.1	Establishing working and cooperation methods, concepts and procedures between the EU and the UN.	Council/ Commission	Ongoing	
4.6.2	Deliver technical assistance on consequence management as a component of technical assistance to priority third countries.	MS/ Council/ Commission	Ongoing	
4.6.3	Reinforce the protection of European citizens in third countries.			In April 2005, the Commission proposed to make the MIC available to facilitate and support consular cooperation in the event of major emergencies in third countries, affecting EU citizens. This was welcomed by the GAERC on 18.07.05.
4.7 RESEARCH				
4.7.1	Implementation of the 6th Framework Programme for Research and Development.	Commission		Research should, in particular, aim at promoting interoperability.
4.7.2.	7th R&D Programme, including the Security Research Programme (8087/05).	Commission	Mid 2006	In the proposal for the 7 th Framework Programme the Commission proposes to include Security as one of the research themes in order to develop the technologies and knowledge for building capabilities needed to ensure the security of citizens from threats such as terrorism and crime.
4.7.3	Scientific support to policies.	Commission		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 ongoing on biological agents, risk assessment, crop bioterrorism and modelling the propagation of bioterrorist agents.

**Implementation of the legislative Instruments listed in the Declaration on terrorism
of the European Council of 25 March 2004 – state as on 13 February 2006**

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK
1. Instruments of the European Union¹																								
a) Framework Decision of 13 June 2002 on the European Arrest Warrant (initial deadline for old Member States: 31 December 2003; for new Member States: date of accession; deadline set by the Declaration of the European Council: June 2004) ²																								
y	y	y ³	y	p ⁴	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y
b) Framework Decision of 13 June 2002 on Joint Investigation Teams (initial deadline for old Member States: 1 January 2003; for new Member States: date of accession; deadline set by the Declaration of the European Council: June 2004) ⁵																								
y	y	y	y	y	y	y	y	y	y	- ⁶	y	y	- ⁷	y	y	- ⁸	y	y	y	y	y	y	y	y

¹ y= in case of a Framework Decision: implementation completed, legislation has entered into force; - = implementation not completed; c= implementation completed, legislation has not entered into force; p= implemented in part; in case the Commission has already submitted a report on the implementation of an instrument (by the old Member States), the report is taken account of;

y= in case of a Convention or a Protocol: notified the General Secretariat of the Council that the Member State has ratified the instrument; - = no notification;

°= Member State has informed General Secretariat of the Council that the instrument has been implemented, but legislation has not been sent to the Council Secretariat;

² In February 2005, the Commission submitted a report on the implementation of the FD on the EAW (doc. 6815/05 COPEN 42 + ADD 1) and in January 2006 a revised report taking account of the implementation by IT (doc. 5706/06 COPEN 5 EJM 2 EUROJUST 6 + ADD1). According to this report, the legislation of in particular CZ, DK, EE, IE, IT, LU, MT, NL, SI and UK does not fully comply with the FD.

³ Following a decision taken by the Supreme Court of Cyprus on 7 November 2005, Cyprus will not be in a position to execute European Arrest Warrants against Cypriot nationals until its Constitution has been changed.

⁴ On 18 July 2005 the German Constitutional Court declared the German law to implement the FD on the EAW null and void. During the transitional period until a new German act has been enacted and entered into force, Germany will apply extradition arrangements; the extradition of German nationals to other Member States is not possible during that provisional period. However, German judicial authorities can continue to issue European arrest warrants.

⁵ In January 2005, the Commission submitted a report on national measures taken to comply with the FD on JITs (doc. 5448/05 COPEN 10 + ADD 1). According to this report, only the legislation of ES (out of the 19 Member States whose legislation was examined) fully complies with the FD.

⁶ GR has indicated that its draft legislation to implement the FD on Joint Investigation Teams has been submitted to the Greek Parliament.

⁷ IT has indicated that its draft legislation to implement the FD on Joint Investigation Teams is currently pending before its Parliament and that no estimate can be given as to when the Parliament will approve it.

⁸ LU has indicated that its draft legislation to implement the FD on Joint Investigation Teams is currently pending before its Parliament.

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK
c) Framework Decision of 13 June 2002 on Combating Terrorism (initial deadline for old Member States: 31 December 2002; for new Member States: date of accession; deadline set by the Declaration of the European Council: June 2004) ¹																								
y ²	y	- ³	p ⁴	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	p ⁵	y

¹ On 8 June 2004 the Commission submitted a report on the implementation of the FD on Combating Terrorism by the 15 old Member States (doc. 10528/04 DROIPEN 28 CATS 30 + ADD 1 issued on 15 June 2004). According to this report, only FIN, FR and PT appear to have fulfilled entirely the obligations emerging from the FD on Combating Terrorism except Article 9(2) of the FD. The latter provision appears to have been incorporated, according to the aforementioned report, by none of the Member States. This report is the basis for a note from the Presidency to the Council (doc. 11687/2/04 DROIPEN 40 REV 2). The legislation of the 10 new Member States as well as further progress in implementing this Framework Decision and additional information provided for by the old Member States will be examined in a second report from the Commission (to be submitted to the Council by 30 June 2005).

² According to the aforementioned report from the Commission (doc. 10528/04 DROIPEN 28 CATS 30 + ADD 1), AT did not entirely comply with the Framework Decision at the time of the drafting of the report. Since then, AT has introduced further legislative procedures so as to enact supplementary legislation.

³ CY has indicated that new counter terrorism legislation is in preparation.

⁴ CZ has indicated that it has implemented the FD on Combating Terrorism with the exception of the provisions on liability of legal persons.

⁵ SK has informed the General Secretariat of the Council that it has implemented the FD on Combating Terrorism with the exception of the provisions on liability of legal persons. Criminal liability of legal persons will be established in the framework of the new Criminal Code which is currently in preparation.

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK
d) Framework Decision of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime¹ (initial deadline for old Member States: 31 December 2002; for new Member States: date of accession; deadline set by the Declaration of the European Council: June 2004)																								
y ²	y	°	p ³	y	y	y	y ⁴	y	y	y	y	y	y ⁵	°	y	-	-	y	y	y ⁶	y	y	y	y

¹ The report from the Commission on the implementation of this Framework Decision (doc. 9251/04 DROIPEN 14) which is the basis for the Presidency's note to Council (doc. 10369/2/04 DROIPEN 24 REV 2 + COR 1) examines only the legislation of the 15 old Member States. The legislation of the 10 new Member States as well as further progress in implementing this Framework Decision and additional information provided for by the old Member States will be examined in a second report from the Commission (to be submitted to the Council by 30 June 2005). According to the report from the Commission on the implementation of this Framework Decision (doc. 9251/04 DROIPEN 14), ES, IT and LU were, at the time of the drafting of the report, preparing legislation that had not yet entered into force, and a special legislative drafting committee was producing national transposing provisions in GR. Since then, GR has enacted legislation to implement the Framework Decision.

² According to the aforementioned report from the Commission (doc. 9251/04 DROIPEN 14), AT did not entirely comply with the Framework Decision at the time of the drafting of the report. Since then, AT has notified the COM and the GSC of legislation that was enacted in order to comply with the Framework Decision.

³ CZ has indicated that draft legislation to fully implement the Framework Decision is being discussed in Parliament.

⁴ According to the aforementioned report from the Commission (doc. 9251/04 DROIPEN 14), ES did not entirely comply with Articles 1 and 3 of the Framework Decision at the time of the drafting of the report. Since then, ES has enacted new legislation in order to transpose the Framework Decision. These provisions are applicable to offences committed after 1 October 2004.

⁵ According to the aforementioned report from the Commission (doc. 9251/04 DROIPEN 14), IT did not inform on provisions implementing Article 2 of the Framework Decision. Since then, IT has notified the COM and the GSC of legislation that was enacted in order to comply with the Framework Decision.

⁶ According to the aforementioned report from the Commission (doc. 9251/04 DROIPEN 14), PT did not entirely comply with the Framework Decision at the time of the drafting of the report. Since then, PT has enacted new legislation in order to transpose the Framework Decision.

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK
e) Decision of 28 February 2002 establishing Eurojust¹ (initial deadline: 6 September 2003; deadline set by the Declaration of the European Council: June 2004)																								
y	y	-	y	y	y	y	- ²	y	y	- ³	y	y	y	°	y	y	y	y	y	y	y	y	y	y
f) Decision of 19 December 2002 on the implementation of specific measures for police and judicial cooperation to combat terrorism⁴ (deadline set by the Declaration of the European Council: June 2004)																								
y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y	y
g) Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union (deadline set by the Declaration of the European Council: December 2004); entry into force on 23 August 2005																								
y	y	y	- ⁵	y	y	y	y	y	y	- ³	y	- ⁶	- ⁷	y	y	-	-	y	y	y	y	y	- ⁸	y

¹ The information refers to the question whether Member States have enacted legislation or take the view that they comply with the Council Decision on the basis of existing provisions (=y) or not (= -). As to the appointment of national members of Eurojust, all (old and new) Member States have notified the General Secretariat of the Council of the EU of their decisions. On 6 July 2004 the Commission submitted a report on the legal transposition of the Council Decision setting up Eurojust by the 15 old Member States (doc. 11280/04 EUROJUST 66 + ADD 1). According to this report from the Commission, FIN, UK, IE, GR, SE and DK still had to bring, at the time of the drafting of the report, their national legislation into conformity with the Eurojust Decision.

² ES has indicated that the draft legislation to implement the Eurojust Decision has been submitted to Parliament.

³ GR has indicated that its legislation to implement the Eurojust Decision has been submitted to the Greek Parliament.

⁴ Designation of a Eurojust national correspondent for terrorism matters by each Member State

⁵ CZ has indicated that the MLA Convention and the Protocol thereto were approved by its Government and Parliament and have been submitted to the President in order to complete the ratification process.

⁶ IE has indicated that legislation to implement the MLA Convention is in preparation.

⁷ IT has indicated that a draft law to ratify the MLA Convention is currently pending before its Parliament

⁸ SK has indicated that it is preparing its accession to the MLA Convention and the Protocol thereto.

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK	
h) Protocol of 16 October 2001 to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union (deadline set by the Declaration of the European Council: December 2004); entry into force on 5 October 2005																									
y	y	y	- ¹	y	y	- ²	y	y	y	- ³	y	- ⁴	- ⁵	y	y	-	-	y	y	- ⁶	y	y	- ⁷	- ⁸	
i) Protocol of 30 November 2000 amending the Europol Convention (deadline set by the Declaration of the European Council: December 2004)																									
y	y	y	y	y	y	y	y	y	y	y	y	- ⁴	y	y	y	- ⁹	y	- ¹⁰	y	y	y	y	y	y	y
j) Protocol of 28 November 2002 amending the Europol Convention and the Protocol on the privileges and immunities of Europol (deadline set by the Declaration of the European Council: December 2004)																									
y	y	y	y	y	y	y	y	y	y	y	y	- ⁴	- ¹¹	y	y	- ⁹	y	y	y	- ⁶	- ¹²	y	y	y	
k) Protocol of 27 November 2003 amending the Europol Convention (deadline set by the Declaration of the European Council: December 2004)																									
y	y	y	y	- ¹³	y	y	y	y	-	y	y	- ⁴	- ¹⁴	y	y	- ⁹	y	y	y	- ⁶	- ¹²	y	y	y	

¹ CZ has indicated that the MLA Convention and the Protocol thereto were approved by its Government and Parliament and have been submitted to the President in order to complete the ratification process.

² EE has indicated that a draft act will be submitted to the Ministry of Foreign Affairs in February 2006. Thereafter it will be sent to the Government for approval and to the Parliament for ratification.

³ GR has indicated that an ad hoc committee of the Ministry of Justice has prepared draft laws to implement the FD on JITs, the Eurojust Decision, the 2000 MLA Convention and the 2001 Protocol thereto as well as the FD on freezing orders. Their submission to the Parliament is imminent.

⁴ IE has indicated that legislation to implement the instrument is in preparation.

⁵ IT has indicated that a draft bill to ratify the 2001 Protocol is being prepared.

⁶ PT has indicated that the ratification process has been delayed by the elections of the Parliament.

⁷ SK has indicated that it is preparing its accession to the MLA Convention and the Protocol thereto.

⁸ UK has indicated that it is in a position to ratify the 2001 Protocol.

⁹ LU has indicated that its draft legislation to implement the Protocols to the Europol Convention is currently pending before its Parliament.

¹⁰ NL has indicated that it does not intend to ratify the 2000 Protocol since that Protocol will become obsolete when the 2003 Protocol will enter into force.

¹¹ IT has indicated that a draft bill to ratify the Protocol was examined by the Senate on 30 November 2005.

¹² SE has indicated that the ratification procedure is expected to be completed by spring 2006.

¹³ DE has indicated that its draft legislation to ratify the 2003 Protocol is expected to be sent to the Parliament (Bundestag and Bundesrat) once the new government is in place. The ratification process is expected to be concluded early 2006.

¹⁴ IT has indicated that a draft bill to ratify the Protocol was approved by the Council of Ministers and will now be submitted to the Italian Parliament.

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK
I) Framework Decision of 22 July 2003 on the execution of orders freezing property or evidence (initial deadline for Member States (and current Acceding States): 2 August 2005; deadline set by the Declaration of the European Council: December 2004)																								
y	-	o	- ¹	- ²	y	- ³	- ⁴	y	y	- ⁵	y	- ⁶	- ⁷	- ⁸	- ⁹	-	- ¹⁰	y	y	- ¹¹	y	-	- ¹²	p ^{o13}

¹ CZ has indicated that legislation to fully implement the FD on freezing orders is being discussed in Parliament. The legislation is expected to enter into force on 1 July 2006.

² DE has indicated that a draft bill to implement the FD on freezing orders is currently being revised by in light of constitutional requirements.

³ EE has indicated that a draft act to implement the FD on freezing orders will be submitted to the Government in March 2006.

⁴ ES has indicated that its Council of Ministers adopted on 18 November 2005 a draft bill to implement the FD on freezing orders. The draft bill will now have to be adopted by the Spanish Parliament.

⁵ GR has indicated that an ad hoc committee of the Ministry of Justice has prepared draft laws to implement the FD on JITs, the Eurojust Decision, the 2000 MLA Convention and the 2001 Protocol thereto as well as the FD on freezing orders. Their submission to the Parliament is imminent.

⁶ IE has indicated that legislation to implement the instrument is in preparation.

⁷ IT has indicated that an examination of already existing legislation is ongoing to assess whether additional legislation is necessary to comply with the FD freezing orders.

⁸ LV has indicated that the legislation to implement the FD on freezing orders is being prepared.

⁹ LT has indicated that a draft law to implement the FD on freezing orders is under preparation and that it is expected that the law will be adopted during the first half of the year 2006.

¹⁰ MT has indicated that the legislation to implement the FD on freezing orders is being prepared.

¹¹ PT has indicated that a draft bill which is currently being finalised, will soon be submitted to the government and the Parliament for approval.

¹² SK has indicated that its draft legislation to implement the FD on freezing orders is currently in preparation.

¹³ UK has indicated that it has implemented the FD on freezing orders insofar as terrorist assets are concerned. UK is making progress towards full implementation.

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK	
2. INSTRUMENTS OF THE UNITED NATIONS¹																									
a) Convention on Offences and Certain Other Acts Committed on Board Aircraft of 14 September 1963																									
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
b) Convention for the Suppression of Unlawful Seizure of Aircraft of 16 December 1970																									
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
c) Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 23 September 1971																									
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
d) Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents of 14 December 1973																									
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	- ²	r	r	r	r	r	r	r	r	r
e) International Convention against the Taking of Hostages of 17 December 1979																									
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
f) Convention on the Physical Protection of Nuclear Material of 3 March 1980																									
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
g) Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 24 February 1988																									
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
h) Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 10 March 1988																									
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	-	r	r	r	r	r	r	r	r	r

¹ r= ratification (or accession or succession or accession); s= signature (without ratification);

² LU has indicated that the draft law to ratify the Convention was submitted to the Luxembourg Parliament in October 2005.

AT	BE	CY	CZ	DE	DK	EE	ES	FIN	FR	GR	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	SE	SI	SK	UK
i) Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf of 10 March 1988																								
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	-	r	r	r	r	r	r	r	r
j) Convention on the Marking of Plastic Explosives for the Purpose of Detection of 1 March 1991																								
r	s	r	r	r	r	r	r	r	r	r	r	r	r	r	r	- ¹	r	r	- ²	r	s ³	r	r	r
k) International Convention for the Suppression of Terrorist Bombings of 15 December 1997																								
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r
l) International Convention for the Suppression of the Financing of Terrorism of 9 December 1999																								
r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r	r

¹ LU has indicated that the draft law to ratify the Convention was submitted to the Luxembourg Parliament in October 2005.

² PL has indicated that the ratification procedure has been initiated.

³ SE has indicated that work on the ratification of the Convention is ongoing. It is expected that the Parliament will deal with the ratification in spring 2006.