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NOTE

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Subject : Draft second annual Presidency report (2004) to the Council on the
implementation of the joint Programme of the Council and the Commission, of
20 December 2002, to improve cooperation in the European Union for preventing
and limiting the consequences of chemical, biological, radiological or nuclear
terrorist threats (2002 CBRN Programme)

When adopting, on 3 December 2004, the EU Solidarity Programme on the consequences of terrorist threats and attacks (revised/widened CBRN Programme) ¹, the Council agreed to take note at a later stage of the achievements under the joint Programme of the Council and the Commission, of 20 December 2002, to improve cooperation in the European Union for preventing and limiting the consequences of chemical, biological, radiological or nuclear terrorist threats (2002 CBRN Programme) ².

The Presidency accordingly established the annexed Second annual Presidency report (2004) to the Council on the implementation of the 2002 CBRN Programme. Like the first annual report (2003) ³, this report was drafted in close cooperation with the Civil Protection Working Party and includes contributions from the different services of the Commission Staff and the Council Secretariat.

This second Presidency report is the last report on the implementation of the 2002 CBRN Programme, as the latter has been superseded by the 2004 Solidarity Programme.

It is bound to become a public document.

It is suggested that the Civil Protection Working Party examine this draft under its general monitoring mandate from Coreper, with a view to its submission the Permanent Representatives Committee and the Council, so that they can take note of the report under "I/A"-items of their agendas.

¹ 15480/04.
² 14627/03.
³ 16285/04.

**Second annual Presidency report (2004) to the Council on
the implementation of the joint Programme of the Council and the Commission,
of 20 December 2002, to improve cooperation in the European Union for
preventing and limiting the consequences of chemical, biological,
radiological or nuclear terrorist threats (2002 CBRN Programme)**

INTRODUCTION BY THE PRESIDENCY OF THE COUNCIL

1. The joint Programme of the Council and the Commission, of 20 December 2002, to improve cooperation in the European Union for preventing and limiting the consequences of chemical, biological, radiological or nuclear terrorist threats (2002 CBRN Programme) ⁴, established following the attacks on the USA on 11 September 2001, was a multi-disciplinary Council and Commission programme that aimed at improving cooperation between Member States and Commission for preventing and limiting the consequences of CBRN threats for the population, the environment, the food chain and property on the territory of the Member States in matters of risk assessment, vulnerability reduction, detection and consequence management.
2. The CBRN Programme was accompanied by an inventory of the instruments relevant for that programme, collated by the Presidency in cooperation with the Commission Services and the Council Secretariat ⁵. This inventory was updated, in accordance with paragraph 44(i) of the Programme, through the first annual Presidency report (2003) on the implementation of the programme ⁶ of which the Council took note under "A"-items on 22 December 2003.
The present second Presidency report represents a second and last update of the inventory.

⁴ 14627/02.

⁵ 15873/02.

⁶ 16285/03.

3. In all, the 2002 CBRN Programme has, in its 2 years of existence, attempted to improve cooperation among Member States and use of EU-Instruments in each of its seven strategic objectives:
- The threat analyses and assessments and exchanges of information performed by the competent bodies have supported the vulnerability reduction and preparedness aimed for under the other strategic objectives.
 - The vulnerability of potential targets was reduced by measures to counter the proliferation of CBRN-weapons and to improve the safety and security of the food chain, animals, plants, water, environment, nuclear substances, electricity, gas, micro-organisms, dangerous industries, transport and telecommunications.
 - The detection of CBRN-attacks was improved by expanding and coordinating the Community detection, communication and information systems for B-C threats, for human and animal health, for radiological emissions and for water pollution.
 - The preparedness for mitigating the consequences of CBRN attacks was improved by progress in the implementation of the Civil Protection Mechanism, the development of pre-determined response scenarios, the databases of civil protection, health and military assets, a first assessment of civil protection capabilities, exercises and workshops, the interoperability of civil protection teams, the development of, and information gathering on, medicines, rules on handling diseases and the activities of the Health Security Committee.
 - An impressive amount of research was undertaken in all areas above.
 - International cooperation was undertaken in the framework of international organisations such as AEIA, G7, ICAO, IMO, NATO, OPCW, WHO and UNOCHA and of dialogues with the USA, Japan, Russia and China.
 - Coordination and implementation of the programme was enhanced by Coreper, the Council Civil Protection Working Party and the Counter-Terrorism Coordinator and by a Commission inter-service group.

4. The Programme seems to have met, to a wide extent, its ambition of contributing to a better protection of the European citizens. Fortunately, CBRN-incidents have remained minor. Nevertheless, as shown by several minor CBRN incidents and by intelligence, the threat of CBRN terrorism has remained a reality that justifies continued attention on behalf of the European Union. Therefore, there is still scope for improvement in areas such as the provision and coordination of capabilities.
5. These improvements will be undertaken in the framework of the Council and Commission's 2004 EU Solidarity Programme of 3 December 2004 on the consequences of terrorist threats and attacks (revised/widened CBRN Programme) ⁷, that has widened, revised and replaced the 2002 CBRN-Programme following the attacks on Madrid on 11 March 2004. The Presidency salutes the new 2004 Solidarity Programme as the worthy successor of the 2002 CBRN Programme.
6. The Council is invited to take note of the present report, which contains in:
 - Annex I, a report on the activities of the Council,
 - Annex II, a report on the activities of the Commission.

⁷ 15480/04.

Council's achievements in 2004 under the joint Council and Commission programme of 20 December 2002 to improve cooperation in the European Union for preventing and limiting the consequences of chemical, biological, radiological or nuclear terrorist threats (2002 CBRN programme)
(established by the Council Secretariat) ⁸

A. Horizontal action

1. Following the Terrorist attacks on Madrid on 11 March 2004, the European Council met in a special meeting on 25 March 2004 and adopted a Declaration on combating Terrorism ⁹ that i.a. updated the Strategic Objectives for a Revised EU Plan of action to combat terrorism. In strategic objective 5 – "to enhance the capability of the EU and of Member States to deal with the consequences of a terrorist attack" –, the European Council requested ensuring full implementation of the EU Health Security and CBRN Programmes. In part 11 of its conclusions, the European Council requested further action to alleviate the consequences of attacks, building on the above programmes.
2. The Presidency organised, in The Hague, on 7-8 July 2004, a seminar on cooperation between services on the civil preparedness for possible attacks against the civilian population with CBRN agents ¹⁰. Several of its recommendations found their way to the Solidarity Programme of the Council and the Commission of 3 December 2004 on the consequences of terrorist threats and attacks ¹¹, that has now succeeded to the 2002 CBRN Programme.

⁸ This annex also refers to certain events that took place in 2003 but were not recorded in the 2003 report.

⁹ 7906/04.

¹⁰ 11919/04.

¹¹ 15480/04.

B. Strategic Objective 1 on risk analysis and risk assessment

3. The competent Council bodies (Working Party on Terrorism-3rd pillar, Committee on Terrorism-COTER, Extreme Fundamentalism and Terrorism Group, Police Chief Task Force) and other relevant entities (Europol, the Joint Situation Centre-Sitcen), have continued:
- undertaking assessments of the terrorist threat in the EU and third countries, including CBRN threats, and of the proliferation of weapons of mass destruction;
 - exchanging information on terrorist activities and terrorism-related incidents;
 - drawing up situation reports and strategic and operational analyses;
 - updating the lists of the most significant terrorists and terrorist.¹²

These data have been communicated to trusted contact points in the Member States and the Commission.

C. Strategic Objective 2 on reducing vulnerability and preventive measures

Animal health

4. In the animal health area, there is a complete set of Community legislation in place to prevent and control animal disease outbreaks, including provisions on Member States contingency plans against major animal diseases. In 2003/04, the Council has adopted:
- on 29 September 2003, Directive 2003/89/EC on Community measures for the control of foot-and-mouth disease;¹³
 - on 17 December 2003, Regulation (EC) No 21/2004 establishing a system for the identification and registration of ovine and caprine animals that will improve the tracing of animals, including those that have been subject to CB-attacks;¹⁴
 - further rules that concern both animal health and food safety, which are mentioned under point 19 (food and feed).

¹² See 13496/04 and 15877/2/03 REV 2.

¹³ OJ L 306, 22.11.2003, p. 1.

¹⁴ OJ L 5, 9.1.2004, p. 8.

5. The Council discussed, on several occasions, the handling several natural outbreaks of natural diseases, thereby testing the mechanisms for handling a possible terrorism-impelled epidemic ¹⁵ such as in the case of the Avian Influenza crisis in the Netherlands in 2003 that had also a public health impact. In doing so, he recognized the validity and the reactive capabilities of the present Community systems for rapid decision-making in the area of animal disease control and the role of the Standing Committee on the Food Chain and Animal Health.

Atomic products and infrastructures

6. The Council adopted, on 29 April 2004, its *Decision enabling the Commission to adopt a Regulation on the application of EURATOM safeguards* ¹⁶. The implementing Commission Regulation is not yet adopted.
7. A Council Decision approving the accession of EURATOM to the (IAEA) Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management will shortly be submitted to Council for adoption. ¹⁷
8. The Council is also seeking agreement on a Council Decision on EURATOM accession to the IAEA ¹⁸ Conventions on:
 - Early notification of a nuclear accident;
 - Assistance in the case of a Nuclear Accident or Radiological Emergency.
9. The Council adopted, on 29 September 2004, a Decision approving the conclusion by the Commission of an agreement for cooperation in the peaceful uses of nuclear energy between EURATOM and the Cabinet of Ministers of Ukraine. ¹⁹ The Commission has not yet concluded the Agreement.

¹⁵ See e.g. 13129/04, p. 18.

¹⁶ 7768/3/04 REV 3.

¹⁷ 15494/04.

¹⁸ International Atomic Energy Agency.

¹⁹ 12033/04.

Customs

10. The Customs Cooperation Working Party agreed, in September 2004, an action plan aiming i.a. at promoting the detection and prevention of the smuggling of CBRN goods.²⁰
11. The Council adopted, on 30 March 2004, a Decision concerning the conclusion of an agreement with the USA on intensifying and broadening the Agreement on customs cooperation and mutual assistance in customs matters to include cooperation on container security and related matters.²¹

Energy (general)

12. It is recalled that EP and Council adopted, on 26 June 2003, *Decision 1229/03/EC laying down a series of guidelines for trans-European energy networks*²², which established new priority projects contributing to the security of energy supplies.

Energy (electricity)

13. Pending the 1st reading opinion of the EP, the Council reached, on 29 November 2004, a general approach on a *draft Directive on measures to safeguard security of electricity supply and infrastructure investment*²³. This Directive aims at ensuring continuity of energy supplies, reserve capacity, network security and operational security as a response to a recent series of black- and brownouts.
14. It is also recalled that EP and Council adopted, on 26 June 2003, *Directive 2003/54/EC concerning common rules for the internal market in electricity and repealing Directive 96/92/EC*²⁴, which requires Member States to monitor the security of energy supply.

²⁰ 10238/2/04.

²¹ 7113/04.

²² OJ L 176, 15.7.2003, p. 11.

²³ 14002/04.

²⁴ OJ L 176, 15.7.2003, p. 37.

Energy (gas)

15. The Council adopted, on 26 April 2004, *Directive 2004/67/EC concerning measures to safeguard security of natural gas supply*²⁵, which aims at a minimum security of gas supply and reserve capacity, as well as the preparedness for emergency measures at the level of the industry, the Member States and the Community.
16. EP and Council adopted, on 12 November 2004, a *common position for a Regulation on conditions for access to the natural gas transmission networks*, which will contribute to a more efficient use of gas networks and thus enhance security of gas supplies²⁶.
17. It is also recalled that EP and Council adopted, on 26 June 2003, *Directive 2003/55/EC concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC*²⁷. The new directive has the same objectives and Directive 2003/54/EC.

Environment

18. See strategic objective 3, No **42** below.

Food and feed

19. EP and Council adopted:
 - *Directive 2004/41/EC of 21 April 2004 repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408*; ²⁸
 - *Regulation (EC) No 852/2004 of 29 April 2004 of the hygiene of foodstuffs*; ²⁹

²⁵ OJ L 127, 29.4.2004, p. 92.

²⁶ 11652/2/04.

²⁷ OJ L 176, 15.7.2003, p. 57.

²⁸ OJ L 157, 30.4.2004, p. 33.

²⁹ OJ L 139, 30.4.2004, p. 1.

- *Regulation (EC) No 853/2004 of 29 April 2004 laying down specific hygiene rules for food of animal origin;* ³⁰
- *Regulation (EC) No 854/2004 of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption;* ³¹
- *Regulation (EC) No 882 of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules;* ³²
- *Regulation of December 2004 laying down requirements for feed hygiene* ³³.

The aim of the hygiene package is to provide a unified and consolidated Community legislation regarding both the rules for feed hygiene and food hygiene, consistent with the requirements laid down by the European Food Safety Authority and to extend the application of the Rapid Alert system for Food and Feed laid down by Regulation EC No 178/2002. These texts should allow traceability of the products from the producer to the consumer ("from farm to fork" approach) and a control at the main stages of production and processing by the introduction of the Hazard Analysis and Critical Control Point (HACCP) system.

Non-Proliferation and disarmament

20. The Council continued implementing the EU-strategy endorsed by the European Council of 12 December 2003 against the proliferation of weapons of mass destruction, that i.a. aims at preventing third countries and terrorists to acquire CBRN-materials and their means of delivery ³⁴ by seeking an effective multilateral response to this threat.

³⁰ OJ L 139, 30.4.2004, p. 55.

³¹ OJ L 139, 30.4.2004, p. 206.

³² OJ L 165, 30.4.2004, p. 1, replaced by corrigendum in OJ L 191, 28.5.2004, p. 1.

³³ 3677/04.

³⁴ 15656/03.

21. Such action included support to the multilateral non-proliferation treaties (CTBT ³⁵, HCOC ³⁶, CWC ³⁷, BTWC ³⁸, IAEA Additional Protocol, NPT ³⁹) by 1) démarches to promote accession by third countries ⁴⁰, 2) Council common position 2003/805/CFSP of 17 November 2003 on the universalisation and reinforcement of multilateral agreements, 3) the EU report on the implementation of UN Security Council Resolution 1540(2004) on non-proliferation of 28 April 2004, 4) ratification by all Member States of those instruments, 5) political, logistic and/or financial support to specific projects conducted by multilateral institutions such as IAEA ⁴¹, CTBTO, OPCW ⁴², PSI ⁴³, 6) Joint Action of 22 November 2004 on support for activities by the OPCW ⁴⁴.
22. Non-proliferation clauses were included in agreements with third countries such as Tajikistan and Syria.
23. General cooperation statements were made with the USA (26 June 2004) ⁴⁵, Japan (22 June 2004) ⁴⁶, Russia (25 November 2004) ⁴⁷ and China (8 December 2004) ⁴⁸.
24. Staff to staff contacts were undertaken with NATO.
25. Export controls were enhanced by 1) the completion of the first stage of the peer reviews of the export controls of the Member States, 2) a seminar on intangible technology transfer, 3) active EU participation in multilateral export control meetings.

³⁵ Comprehensive Nuclear Test Ban Treaty.

³⁶ Hague Code of Conduct.

³⁷ Chemical Weapons Convention.

³⁸ Convention of the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological), and Toxin Weapons and on their Destruction.

³⁹ Non-Proliferation Treaty.

⁴⁰ See Common Position 2003/805/CFSP of 17.11.2003 on the universalisation and reinforcement of multilateral agreements in the field of non-proliferation of WMDs and their means of delivery, OJ L 502, 20.11.2003, p. 34.

⁴¹ See 8913/04.

⁴² Organisation for the Prohibition of Chemical Weapons. See 14519/04.

⁴³ Security Proliferation Initiative. See 9211/04 and 10052/04.

⁴⁴ 14519/04.

⁴⁵ 10809/04.

⁴⁶ 11001/1/04 REV 1.

⁴⁷ 15061/04.

⁴⁸ 15065/04.

26. The security of proliferation-sensitive materials, equipment and expertise was improved through 1) workshops and exercises on the identification, control and interception of illegal shipments, 2) the inclusion, in the 2005 budget, of a budget line 19 0212 for a Pilot Project to investigate measures by which EC instruments can support and reinforce CFSP actions against the proliferation of WMD and actions to combat the proliferation of light weapons and 3) further implementation of Joint Action 2003/472/CFSP on the continuation of the EU cooperation programme for non-proliferation and disarmament in the Russian Federation ⁴⁹ by Council Decision 2003/874/CFSP ⁵⁰ and Joint Action of 22 November 2004, for the support of the physical protection of a nuclear site in the Russian Federation ⁵¹.
27. Further details can be found in the half-yearly reports established by the Council Secretariat ⁵² with a view to the semestrial debates in the GAERC Council.

Telecommunications

28. The EP and the Council adopted, on 10 March 2004, *Regulation (EC) No 460/2004 establishing the European Network and Information Security Agency (ENISA)* ⁵³. The Agency will help the Commission and the Member States to address network and information security problems and to meet the requirements resulting from present and future Community legislation on this issue.
29. The Presidency organised in Amsterdam, on 27-28 October 2004, an expert meeting on "E-Security in Europe: Today's status and the next step", which examined the current state of threats, best practices and the organisation of a secure network and information systems.
30. The Council adopted, on 8 March and on 9-10 December 2004, *conclusions on unsolicited communications for direct marketing purposes or "spam"*. ⁵⁴

⁴⁹ OJ L 157, 26.6.2003, p. 69.

⁵⁰ OJ L 326, 13.12.2003, p. 49.

⁵¹ 6721/04, 14518/2/04.

⁵² 10448/04, 15246/04.

⁵³ OJ L 77, 13.3.2004, p. 1.

⁵⁴ 15481/1/04, 15472/04.

31. The Council reached political agreement, at its meeting on 9-10 December 2004, on a *draft Decision on establishing a multi-annual Community Programme on promoting safer use of the Internet and new online technologies for 2005-2008 (Safer Internet plus)*. The programme envisages promoting safer use of the Internet and encouraging at European level an environment favourable to the development of the Internet industry through shared-cost actions and accompanying measures, such as national hotlines, content rating and filtering, awareness-raising and self-regulation. ⁵⁵
32. The Council adopted, on 9-10 December 2004, a *Resolution on Looking into the future of Information Communication Technologies* that advocated, for the intention of Commission, industry and other stakeholders, a culture of network and information security, measures for combating illegal, harmful and unsolicited content in the internet and an appropriate level of network and information security. ⁵⁶

Transport - Aviation

33. EP and Council adopted, on 21 April 2004, *Regulation (EC) 785/2004 on insurance requirements for air carriers and aircraft operators*, that i.a. obliges air carriers and aircraft operators to be insured against risks of terrorism. ⁵⁷
34. On 29 April 2004, the Council adopted *Directive 2004/82/EC on the obligation of carriers to communicate passenger data* ⁵⁸. This directive aims at obliging carriers to transmit at the request of the competent authorities information concerning the passengers they will carry to a point of entry into a Member State. On 17 May 2004, the Council adopted Decision 2004/496/EC approving the conclusion of an agreement with the USA on access to passenger name records (PNR). ⁵⁹ On 22 September 2004, the Presidency submitted (on behalf of the EC and its MS) a working paper on establishing an international framework for the transfer of PNR data to the ICAO 35th Assembly (28/09-8/10/04). The paper was well received and work within ICAO will now begin.

⁵⁵ 15472/04.

⁵⁶ 15483/04, 15472/04.

⁵⁷ OJ L 138, 30.4.2004, p. 1.

⁵⁸ OJ L 261, 6.8.2004, p. 24.

⁵⁹ OJ L 235, 6.7.2004, p. 11.

35. Council EP adopted, on 29 April 2004, *Regulation (EC) No 849/2004*⁶⁰ amending *Regulation (EC) No 2320/2002 of 16 December 2002 establishing common rules in the field of aviation security* with a view to permit the same levels of security at the smallest airports.
36. On 9-10 December 2004, the Council adopted a Decision giving a mandate to the Commission to open negotiations leading to an aviation agreement with Morocco aiming essentially at market opening, but also at security in civil aviation.⁶¹

Transport - Shipping

37. *Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security*⁶² incorporates the maritime security measures adopted in December 2002 by IMO into Community legislation in order to prevent acts of terrorism against ships.
38. The Council and EP adopted two *Regulations amending Regulation (EC) No 1406/2002 establishing a European maritime Safety Agency*⁶³: Regulation (EC) 1644/2003 concerned access to documents and budgetary matters.⁶⁴ Regulation (EC) 724/2004 of 31 March 2004⁶⁵ aims at providing the Agency with the legal competence and the appropriate means to deal, not only with maritime safety and pollution prevention, but also with, i.a. maritime security. In this respect, it takes into account the 12 December 2003 amendments to SOLAS, Regulation (EC) 725/2004 and the Civil Protection Mechanism.

⁶⁰ OJ L 158, 30.4.2004, p. 1.

⁶¹ 15472/04.

⁶² OJ L 129, 29.04.2004 p. 6.

⁶³ OJ L 208, 5.8.2002, p. 4.

⁶⁴ OJ L 245, 29.9.2003, p. 10.

⁶⁵ OJ L 129, 29.4.2004, p. 1.

39. *Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Network*⁶⁶ lays down a regulatory framework providing that tunnels falling within the scope of the Directive (tunnels of a length of more than 500 meters) will be designed or adapted so as to facilitate the evacuation of users in emergency situations.

D. Strategic Objective 3 on detection of CBRN-attacks

40. *Regulation (EC) No 851/2004 of the European Parliament and of the Council of 21 April 2004 establishing a European Centre for Disease Prevention and Control*⁶⁷ provides that this Centre, which is a Community Agency and is based in Stockholm, will enhance the capacity of the European Community and the Member States to protect human health through prevention and control of human diseases, by:
- identifying and assessing current and emerging threats to human health from communicable diseases;
 - ensuring the integrated operation of the dedicated surveillance networks designated under Decision 2119/98/EC establishing a Communicable Diseases Network, including its Early Warning and Response System (EWRS);
 - collecting, collating, evaluating, and disseminating relevant scientific and technical data, information and best practices;
 - coordinating European networking.
41. At its meetings on 1 December 2003 and 1-2 June 2004, the Council authorised the Commission to negotiate on behalf of the European Community the revision of the *1969 International Health Regulations (IHR)* set up in the framework of the World Health Organisation (WHO). The IHR are a set of legally binding provisions for WHO Member States aimed at sharing epidemiological information on the transboundary spread of infectious diseases. The revision concerns, in particular, the widening of the range of diseases to be covered.

⁶⁶ OJ L 167, 30/04/2004 p. 39.

⁶⁷ OJ L 142, 30.4.2004, p. 1.

42. The Council started work on the Commission proposal for a Directive establishing an infrastructure of spatial information in the Community (INSPIRE) ⁶⁸, that aims at acquiring environmental data through spatial monitoring, which could support the prevention policies, the response and recovery of CBRN threats and the operation of emergency services.

E. Strategic Objective 4 on mitigating the consequences of an attack

Civil Protection

43. The Council adopted, on 4 October 2004, *conclusions on strengthening the overall civil protection capacity in the EU* ⁶⁹, that, apart from welcoming several Commission initiatives, concerning, i.a. rapid response teams, invited the Commission to examine interoperability and invited Member States to inform the MIC at the earliest possible stage of any major emergency.
44. On 20 December 2004, the Council adopted a *Decision amending Decision 1999/847/EC as regards the extension of the Community action programme in the field of civil protection*, which prolongs for two years the current civil protection action programme. ⁷⁰ In implementing the action programme, priority will be given to public information and self-protection of the populations.
45. The Council received a restricted Commission report on civil protection assets and capabilities potentially available for the assistance through the Community Civil Protection Mechanism in case of a terrorist attack, which had been requested by the European Council of June 2004. A presentation was made at Coreper on 24 November 2004. In its conclusions of 2 December 2004 on prevention, preparedness and response to terrorist attacks ⁷¹, Council invited the Member States to continue contributing to the assessment of the capabilities available for assistance and of the upgrading of the Commission database of civil protection means and experts.

⁶⁸ 11781/04.

⁶⁹ 11549/04.

⁷⁰ 15276/04.

⁷¹ 15232/04.

Human health protection

46. The 2-3 June 2004 Council (EPSCO) adopted *Conclusions on Community Influenza Pandemic Preparedness Planning*⁷² which inter alia invited the Commission and the Health Ministers to extend the mandate of the Health Security Committee⁷³ so as to cover the area of Community influenza pandemic preparedness and response planning for a temporary transitional period of one year to the end of May 2005 and then to review its mandate once the European Centre for Disease Prevention and Control has become operational.

Pharmaceuticals

47. Parliament and Council adopted on 31 March 2004⁷⁴:
- *Regulation (EC) 726/2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinarian use and establishing a European Medicines Agency*, whose Article 57(1)(q) entrusts the European Medicines Agency with the task of compiling scientific information concerning pathogenic agents which might be used in biological warfare, including the existence of vaccines and other medicinal products available to prevent, or to treat, the effects of such agents;

⁷² 9507/04.

⁷³ The Health Security Committee was established as an informal co-operation and co-ordination body by the Health Ministers and the European Commissioner for Health and Consumer Protection on 28 October 2001. It is composed of high-level accredited representatives of the Health Ministers of the Health Security Committee and of the European Commission. Its terms of reference are to exchange information on health-related threats from acts of terrorism or any deliberate release of biological or other agents with intent to harm health; share information and experience on preparedness and response plans and crisis management strategies; be able to communicate rapidly in case of health-related crises; advise Health Ministers and the European Commission services on preparedness and response as well as on co-ordination of emergency planning at EU level; share and co-ordinate health-related crisis responses by Member States and the Commission; and facilitate and support co-ordination and cooperation efforts and initiatives undertaken at EU level and help and contribute to their implementation at national level.

⁷⁴ See OJ L 136, 30.4.2004.

- *Directive 2004/27/EC amending Directive 2001/83/EC on the Community code relating to medicinal products for human use*, whose Article 5 authorises Member States to allow, on a temporary basis, the distribution of unauthorised medicinal products in response to an attack involving the spread of pathogenic agents, toxins, chemical agents or nuclear radiation.

48. In the abovementioned *conclusions on the influenza pandemic*, the Council (EPSCO) of 2-3 June 2004 asked the Health Security Committee to assess the desirability or otherwise of any future collective negotiation process with the pharmaceutical industry for the development and purchase of vaccines and anti-virals.
49. *The Council conclusions of 6 December 2004 on a European response to emerging zoonotic diseases*⁷⁵ welcome the Commission's intention to propose a European Plan for zoonoses preparedness and control that would implement an inter-sectoral and responsive Community strategy including integrated public health and animal health policy measures to emerging threats from zoonotic diseases.

Peer review

50. The Council took note, on 3 December 2004, of an *Interim Report on the Evaluation of National Anti-Terrorist Arrangements*, established by Article 36 Committee in association with the Counter Terrorist Coordinator⁷⁶. This report i.a. contains certain suggestions for national consequence management preparedness and training programmes, for the reduction of the vulnerability of critical infrastructures, for national crisis arrangements and for public communication and information.

⁷⁵ 16051/04.

⁷⁶ 14306/3/04 REV 3.

Military resources

51. *A database of military assets and capabilities relevant to the protection of civilian populations against the effects of terrorist attacks, including CBRN* was set up in accordance with conclusions of the Council of 8 December 2003. The content of this database has been made available to the Community Civil Protection Mechanism, in accordance with the modalities, procedures and criteria endorsed by the Council on 17 May 2004 ⁷⁷. On this basis, work on deepening and widening this military database started in autumn 2004. The conceptual Framework on the ESDP dimension of the fight against terrorism ⁷⁸, adopted by the Council on 22 November 2004 and annexed to the December 2004 EDPS Presidency report, requested the PSC to consolidate work in this field by identifying a set of recommendations to the Council on the role of this database in the wider context of the Headline Goal 2010 and on possible more systematic updates.

F. Strategic Objective 5 on strengthening the scientific basis of the programme

52. On the basis of the Commission communications on the future European research policy ⁷⁹ and security research ⁸⁰, the Council had an exchange of views leading to Presidency conclusions at the Council ("Competitiveness") on 25/26 November 2004 ⁸¹ relating to the future European policy to support research and the Seventh Framework Programme (including the envisaged European Security Research Programme), on which Commission proposals are expected in 2005.

⁷⁷ 15564/03.
⁷⁸ 14797/04.
⁷⁹ 10740/04.
⁸⁰ 12368/04.
⁸¹ 14687/04.

G. Strategic Objective 6 on international cooperation

53. International cooperation is mentioned in Nos 7,8,9, 11, 21-24, 34, 36 and 41 above.
54. In addition, the Declaration on combating terrorism adopted at the EU-US Summit of Dromoland, of 26 June 2004, confirmed the intention of the EU and the US to work together to develop further their capabilities to deal with the consequences of terrorist attacks.⁸²
55. At informal meetings between the EU and NATO staff on the urgent civilian reactions in crisis management, there were exchanges of information about non-binding standards for the protection of civilian populations against CBRN-risks.

H. Strategic Objective 7 on coordination and implementation

56. The Civil Protection Working Party of the Council has implemented the general monitoring role of the CBRN Programme entrusted to it by Coreper.
57. In addition, the Counter-Terrorism Coordinator has maintained an overview of the instruments in the CBRN Programme with a view to their effective follow-up.

⁸² 10809/04.

Commission staff working paper
Annual report on the actions by the Commission
in the context of the Council and Commission programme of 20 December 2002
to improve cooperation in the European Union for preventing and limiting
the consequences of chemical, biological, radiological or nuclear terrorist threats

INTRODUCTION

1. The terrorist attacks in the US on 11 September 2001, and a spate of terrorist incidents since, showed that terrorism, including its chemical, biological, radiological and nuclear (CBRN) forms, has become a major threat to international peace and security. The fight against terrorism requires a comprehensive approach comprising political, economic, diplomatic, military and legal means. It should also include preparation for attacks, and the prevention and limitation of the consequences of any attack.
2. At the Ghent European Council of 19 October 2001, following threats of the use of biological and chemical means in terrorist operations, the Heads of State and Government asked the Council and the Commission "*to prepare a programme to improve cooperation between the Member States on the evaluation of risks, alerts and intervention, the storage of such means, and in the field of research*".⁸³
3. The Laeken European Council on 13 and 14 December 2001 invited "*the Council and the Commission to move swiftly towards finalising the programme to improve cooperation between Member States with regard to threats of the use of biological and chemical means*".⁸⁴ The Council agreed, on 13 June 2002, to broaden the scope of the programme so as to cover nuclear and radiological terrorism as well.⁸⁵ The Seville European Council of 21 and 22 June 2002 reiterated its determination to combat terrorism.⁸⁶

⁸³ SN 4296/2/01 REV 2, p. 4, No 5.

⁸⁴ SN 300/01, p. 5.

⁸⁵ 9593/02 + COR 1.

⁸⁶ SN 200/02.

4. Following the request made in Laeken by the Heads of States and Governments, a programme to improve co-operation on preventing and limiting the consequences of chemical, biological, radiological or nuclear terrorist threats (CBRN Programme) was adopted by the Commission on 21 November 2002 and by the Council at the end of 2002.⁸⁷ This Programme sets out seven strategic objectives that need to be addressed in order to improve protection of the population, the environment, the food chain and property against CBRN threats and attacks, and describes where there is a need for further action. On 20 December 2002, the Presidency, acting in cooperation with the Commission Services, issued an inventory of the instruments relevant to the programme.⁸⁸
5. As reaction to the Madrid bombings of 11 March 2004 the European Council issued the Declaration on Combating Terrorism, stressing the necessity of joint action against terrorism. The Declaration emphasized the need for enhanced capability in the European Union and Member States to deal with the consequences of a terrorist attack. This could be achieved through the full implementation of the CBRN Programme.
6. The Presidency of the Council is currently working on widening the scope of the CBRN programme. The Commission's position on the question of critical infrastructure, financing of terrorism and consequence management of terrorist attacks is covered by four Communications adopted on 20 October 2004⁸⁹.
7. Paragraph 44 of the CBRN Programme states that "the programme will be regularly reviewed i.a. on the basis of information transmitted by the Member States and a brief status report on the progress of the Programme will be presented to the Council once a year".
8. The present report is the Commission's contribution to the second annual report for 2004.
It only mentions the changes that have occurred since the first annual report and until the end of September 2004 for each of the strategic objectives of the Programme.

⁸⁷ 14627/02

⁸⁸ 15873/02

⁸⁹ COM(2004) 698 final, COM(2004) 700 final, COM(2004) 701 final, COM(2004) 702 final

1 STRATEGIC OBJECTIVE ONE:

Strengthening the risk analysis and the risk assessment of threats of CBRN-terrorism and their lines of propagation

To enhance the Community public health systems preparedness for CBRN terrorism, the focus is on strengthening risk assessment, communication and management of all kinds of health threats. Preparedness for threats to health has to cover the spectrum of activities. This ranges from a simple threat or suspicion of a deliberate release designed to cause harm all the way up to mass casualties and interdiction of movement that might require law enforcement and civil protection interventions.

The Commission has already devised a system for the classification of CBRN incidents. It has also envisaged scenarios of releases of each of the different categories of CBRN agents under different circumstances and corresponding algorithms for introducing counter-measures and for informing partners in the Rapid Alert System RAS-BICHAT and the communication system between the Global Health Security Initiative partners (Canada, France, Germany, Japan, Italy, Mexico, United Kingdom, United States, the World Health Organisation, and the Commission).

Furthermore, the Commission addresses the risk analysis and the risk assessment of critical industrial, chemical and petrochemical plants falling under the scope of the Seveso II Directive ⁹⁰.

In the field of threat assessment and scenario analysis for emergency planning, the Commission is preparing to classify terrorist actions (both CBRN and conventional) into scenarios and to model their impact on the population. It is also working on assessment of the effects of potential countermeasures. Moreover, the Commission is participating in the development of "Probabilistic Risk Assessment: ASTRA" in the context of anti-fraud and on "Assessment of threats in country profiles" in the field of non-proliferation.

⁹⁰ 96/82 EC

2 STRATEGIC OBJECTIVE TWO:

Reducing the vulnerability of the population, the environment, the food chain and property against CBRN threats through preventive measures

2.1 Analysis of vulnerabilities to terrorist attacks

In the chemicals sector (a so-called critical infrastructure) the Commission is working on a methodology to identify the sensitive areas within an industrial installation in order to make operators more aware of the potential weaknesses of their safety and security systems.

As far as the vulnerability of the population is concerned, the Commission is developing a method for the definition of areas at risk from attacks on hazardous installations. In 2002 the Commission, taking into account scientific and social developments, performed a prospective study which identifies, explains and evaluates the ways in which EU society is or may become significantly vulnerable to attack by terrorists using infective and toxic agents. Due to the sensitivity of its content, access to the final report has been restricted.

The Commission has also undertaken a study on the issue of the security of supply of various strategic products. This document consists of an inventory which describes extensively the current situation as regards inter alia security of supply at European Union level in the health sector, the energy and transport sector, as well as civil protection and communication.

2.2 Implementation of preventive measures

a) Human health

Health security is a major component in the Commission's "stability and security" objective for 2003 and 2004. A Communication on progress with the implementation of the Health Security Programme was published on 2 June 2003.⁹¹ The Commission and the Member States are in the process of implementing and developing the 25 action points of this programme.

⁹¹ 10327/03 - COM(2003) 320 final

At the request of the Council, in 2003 the Commission services prepared a blueprint for work to start on Generic Preparedness Planning for Community level health threats. This has been the subject of consultation with the Member States in the framework of the Health Security Committee. Once updated and developed, it will be presented in 2005 as a Commission Communication.

The goal of the EU in generic preparedness planning is to assist Member States in factoring in their plans the EU dimension with its body of laws in various sectors that impinge on emergency plans and to make possible the inter-operability of such plan, mainly by the setting up of a co-ordination mechanism that enhance co-operation between key Member States' and Commission-players. By doing so the draft for discussion of a Planning contains different chapters aiming to identify shortcomings, vulnerabilities and incompatibilities between national and/or EU systems, policies and co-ordination.

Moreover, on 26 March 2004 the Commission published a working paper on pandemic influenza planning which will apply irrespective of the origin (natural or deliberate) of the pandemic.

b) Food chain

Emergency measures could be adopted for each stage of the food chain. A general plan for food/feed crisis management was adopted on 29 April 2004 by the Commission.⁹² The plan focuses not only on the management of crises, but also on tools to prevent a difficult situation from developing into a real crisis.

⁹² Commission Decision 2004/478/EC

c) Environment

The Seveso II Directive⁹³ was extended in December 2003. The new legislation took account of recent accidents (Baia Mare, Enschede, Toulouse) and of the outcome of technical work carried out in the field of Seveso, in particular on carcinogens, substances dangerous for the environment, explosives and fertilizers. The amendment imposes additional requirements on operators and on Member States and emphasizes the need to facilitate reinforced cooperation with civil protection assistance operations.

d) Transports and energy

The Commission has adopted a number of measures relating to aviation, maritime, railway and road security:

- implementation of the common basic standards on aviation security;⁹⁴
- common specifications for national civil aviation security quality control programmes;⁹⁵
- procedures for conducting Commission inspections in the field of civil aviation security;^{96 97}
- measures on the security of maritime vessels and port installations;⁹⁸
- minimal requirements for security applicable to the tunnels of the trans-European road networks;⁹⁹
- measures on the security of the Community railroads.¹⁰⁰

⁹³ 96/82/EC

⁹⁴ Commission Regulation (EC) No 622/2003 of 4 April 2003

⁹⁵ Commission Regulation (EC) No 1217/2003 of 4 July 2003

⁹⁶ Commission Regulation (EC) No 1486/2003 of 22 August 2003

⁹⁷ The three Commission regulations mentioned above are based on the Council Regulation 2320/2002 EC

⁹⁸ Commission Regulation (EC) No 725/2004

⁹⁹ Directive (EC) No 2004/54

¹⁰⁰ Directive (EC) No 2004/49

The Commission has also submitted a proposal on international rail passengers' rights and obligations ¹⁰¹ requiring railways to take adequate measures to ensure high level of security in the railway stations and on trains.

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3 STRATEGIC OBJECTIVE THREE:

Ensuring a quick detection and identification of an actual attack and spreading of information (monitoring, warning and communications)

3.1 Detection and identification of a biological and chemical attack

The detection of deliberate releases of biological agents relies first and foremost on Member States' surveillance systems for monitoring the occurrence of infectious diseases. Co-ordination of these surveillance systems at EU level, especially for notification and exchange of information on outbreaks, is conducted in the framework of Decision 2119/98/EC on the surveillance and control of communicable diseases and its specific executive Commission Decision on case definitions for potential BT-pathogens. ¹⁰²

Inventories of laboratories and their diagnostic capabilities were compiled to ensure the reliable and timely detection of agents likely to be used in a bio-terrorist attack.

¹⁰¹ COM (2004) 143 final

¹⁰² Commission Decision 2003/534/EC, of 17 July 2003 amending Decision No 2119/98/EC of the European Parliament and of the Council and Decision 2000/96/EC as regards communicable diseases listed in those decisions and amending Decision 2002/253/EC as regards the case definitions for communicable - OJ L 184 , 23/07/2003 P. 0035 - 0039

The Commission services have evaluated the means available to diagnose some of the "very high and high threat" pathogens in some Member States. To do this projects have been launched on laboratory networking to ensure state of the art diagnosis of those pathogens likely to be used in a terrorist attack. A laboratory-working group has been established under the Health Security Committee (HSC). The mandate of the group is to provide a sensitive and reliable diagnosis of rare pathogens, including ortho-poxes, in each Member State through officially appointed laboratories and to reach agreement on methods and protocols. In the same field, the Commission is developing supporting equipment.

3.2 New developments relating to existing networks

– *the Rapid Alert System BICHAT in the Health Sector*

A risk analysis of this system was performed at the end of 2003. This determined the needs and the level of security involved, established the risks and the level of threats the system may face, and fixed the cost effectiveness of its implementation. An enhanced system will be in place in the new crisis and communication centre to be developed in the coming months.

A medical intelligence system (MedISys) reinforces the network for surveillance of communicable diseases and the early detection of bio-terrorism activities. It uses online electronic information sources in order to detect rapidly, track and assess threats so that advance warning can be provided before any official confirmation or news reports.

– *the Rapid Alert System for Food and Feed (RASFF)*

A rapid alert system for the notification of a direct or indirect risk to human health deriving from food or feed was established in 2002. It involves Member States, the Commission and the European Food Safety Authority. Where a member of the network has any information on a serious direct or indirect risk to human health deriving from food or feed, this information must be immediately notified to the Commission under the rapid alert system. The Commission immediately transmits the notification to members of the network, together with any supplementary information on measures to restrict placing on the market, or forcing withdrawal from the market, etc.

– Common Emergency Communication System (CECIS)

In the field of civil protection and marine pollution, the CECIS communication system is currently undergoing a number of technical tests. At the same time the Commission has held two cycles of training courses for trainers from different Member States in order to prepare the national operational centers for the implementation of the system.

The testing phase will start in November 2004.

4 STRATEGIC OBJECTIVE FOUR:

Mitigating the consequences of an attack and facilitating the return to normal conditions, and using and further developing all instruments that may be needed for such efficient consequence management

4.1 Civil protection

a) Inventory of equipment and resources available

– **military database**

In February 2003, the European Union Military Committee was mandated to establish a database of military assets and capabilities that could be used to protect civilian populations against the effects of terrorist attacks, including CBRN. This database, kept by the EUMS, is the military equivalent of the civil protection database kept by the Commission.

In December 2003, the Council decided to make the content of the military database available to the Community Mechanism. Following the adoption of the modalities, procedures and criteria on 17 May 2004, the Commission was given access to this database in June.

– **scenario approach**

In the area of health protection, the Commission has established a system of CBRN classification of incidents based on scenarios and algorithms for action developed with the Member States and the Global Health Security Initiative partners. These scenarios and algorithms have resulted in a classification system in RAS BICHAT and in GHSAG (Global Health Security Action Group) communications and serve for the formulation and testing of emergency plans in Member States. Scenarios have also been developed for exercises evaluating response plans for smallpox and anthrax outbreaks.

The Commission has actively contributed to exercises in Member States concerning the release of chemical and biological agents. The lessons from these exercises have been considered by all the Member States in the context of the Health Security Committee.

In response to the request put forward by the June European Council, and after consultation with the EU Counter-Terrorism Coordinator, the Commission has initiated a new process designed to assess the civil protection capabilities that are available at European level to assist countries affected by a major terrorist attack. This exercise is not intended to provide a realistic picture of all national civil protection resources available within the participating countries, but focuses specifically on the assets and capabilities that could be made available to assist other countries in the event of a major terrorist attack.

The Commission has taken a scenario-based approach to identify both the needs for assistance at EU level and the resources available in such cases. These scenarios cover the following types of attacks: a massive explosion affecting critical infrastructure in the affected country, the dispersal of a chemical agent, the dispersal of a biological agent, the dispersal of radiological material (N and R-scenario), an attack against a sea-going tanker, agri-terrorism and the deliberate contamination of food.

Based on the scenarios, the Commission has developed a consolidated list of the civil protection assets and capabilities required to handle the consequences of major terrorist attacks in Europe, and a comprehensive questionnaire focusing both on quantitative and qualitative information. The Commission has requested the 30 countries participating in the Community Mechanism to provide information on the civil protection assistance they could offer in each of these scenarios. In the meantime, the European Union Military Staff has started upgrading the military database on the basis of the consolidated list and questionnaire developed by the Commission.

b) Organisation of workshops and exercises

In the area of health protection, numerous workshops, conferences and seminars have been organised by the Commission, including on forensic epidemiology with Europol, on deliberate releases of chemical agents, on vaccines and antivirals, and on the interoperability of emergency plans.

In the period 2004/05, in the framework of the Community Civil Protection Mechanism, the Commission funded five exercises, accompanied by workshops. While not uniquely devoted to terrorist threats, one exercise deals with an explosion in a petrochemical plant and two of them are on the release of dangerous CBRN materials as the result of an earthquake. The Austrian exercise EUDREx 2004, for instance, will involve search and rescue activities in full protective gear due to the release of R, B and C agents. The mitigation measures under these scenarios are very much the same as would be needed following a terrorist attack.

The call for proposals launched in May 2004 requested proposals for exercises simulating either terrorist attacks or natural disasters. Unfortunately, none of the proposals submitted involves a terrorist scenario. Based on this experience, the 2005 call for proposals may focus exclusively on terrorist scenarios.

4.2 Health

The *Programme of cooperation on preparedness and response to biological and chemical agent attacks (health security)* includes actions relevant to the mitigation of the consequences of an attack.

a) **Creation of a database of health experts**

Knowledge about bio-terror agents and corresponding diseases and their clinical and epidemiological management and laboratory analysis is limited. Identifying experts in the EU and listing them in a Directory of Experts on health assistance to be shared by Member States authorities will help with mutual assistance.

A Directory of Experts has already been set up, but more information from Member States on the resources available and on those willing to participate is needed.

b) **Working Group on medicinal product development set up under the Health Security Committee**

This group investigates the capabilities of Member States for the development and production of medicinal products (including vaccines) against bio-terror agents.

A study has been completed on the dilution of existing smallpox vaccines and on vaccine immuno-globulin development. The study showed that dilution of first generation vaccines will be difficult in case of urgent need.

Clinical guidelines for the recognition and case management of diseases related to the pathogens that may be used in deliberate releases have been developed on the basis of a consensus process and peer review. Ten manuscripts have been prepared and will be published, on anthrax, smallpox, botulism, plague, tularaemia, haemorrhagic fever viruses, brucella, Q fever, encephalitis viruses, glanders and melioidosis.

c) Co-ordination and evaluation of emergency plans

It has become a necessity to intensify work on emergency planning, in particular through modelling, to permit the refinement and strengthening of current plans. A detailed comparison of smallpox plans of all the Member States has been carried out and the issues of the interface and Community dimension have been identified for action. The Commission jointly with EUROPOL has developed a training module on interaction between Public Health and Law Enforcement to develop understanding of relevant laws and common approaches, using the "train-the-trainers" strategy.

4.3 Research and development

The Commission is currently working on modelling the consequences of possible attacks, and estimating the area affected and the extent of the consequences and thus the needs for emergency response. It is examining the adequacy of conventional tools for assessing the consequences of chemical attacks.

5 STRATEGIC OBJECTIVE FIVE:

Strengthening the scientific basis of the programme

5.1 Cooperation between the Commission and the Member States

The Sixth Research and Development Framework Programme provides for studies and research on issues related to civil protection, crisis management, life sciences, radiation emergency management, genomics and biotechnology for health, food quality and safety (including traceability of food and food components with regard to malicious introduction of pathogens), bio-security and protection against risks arising from terrorist attacks.

In the context of "Scientific Support for Policies", six co-ordination activities are currently being implemented following the launch of two calls for proposals in 2002 and 2003, in the following areas:

- detection of haemorrhagic fever viruses and variola virus and their use in diagnostics;
- European research networking activities to develop safe products and policies to protect citizens from the threat of anthrax attacks and other agents of bio-terrorism;
- assessment of the vulnerabilities of modern societies to terrorist acts employing radiological, biochemical or chemical agents with a view to helping develop preventive and suppressive crisis management strategies;
- transmission modelling and risk assessment for released or newly emergent infectious disease agents;
- crop bio-security as a means of preventing and preparing for bio-terrorism;
- a European approach to nuclear and radiological emergency management and rehabilitation strategies, to provide better coherence and transparency in decision-making processes on local, national and cross-border operations.

Under "Support for Policies", a third call for research proposals has been launched. It will cover topics in the areas of protection, cure, biology of pathogens, and policy.

In the context of GMES (Global Monitoring for Environment and Security), a Network of Excellence in support of Security, GMOSS (Global Monitoring for Security and Stability), started in March. The objective of this project is to work towards enhancing European monitoring capability, based on earth observation, for civil applications such as humanitarian aid, reconstruction, verification of compliance with non-proliferation treaties, policing operations, including vulnerability assessment, and developing stability beyond EU's borders.

In addition to INSPIRE (Infrastructure for Spatial Information In Europe), a specific support action has been introduced to the Work Programme on Space on data harmonisation in order to increase the level of interoperability among geospatial information systems. The development of common standards and specifications for data documentation, collection, and exchange is central to the successful technical implementation of INSPIRE.

Under the objective "Improving aircraft safety and security", a project on Security of Aircraft in the Future European Environment, SAFEE, started in early 2004. The general aim of the project is the construction of an advanced aircraft security system designed to operate during on-board terrorist threat scenarios.

5.2 Coordination activities

The Research and Development Expert Group on Countering the Effects of Biological and Chemical Terrorism has met six times. The inventory of research activities in Member States discussed by this group is being updated in the second half of 2004. The Commission services have started an initiative on exploring the ethical implications of scientific research on bio-weapons and prevention of bio-terrorism, which addresses issues such as the science/security dilemma and raising the awareness of scientists regarding the possible dual use of their findings. A conference on ethical implications took place in Brussels in February 2004. As part of the follow-up, a research topic on "The Science-Security Dilemma (SSD) and its implications for research on or with possible spin-offs for bio-terrorism" is planned for inclusion in the Call for Proposals on Scientific Support to Policies (to be launched in October 2004).

Based on lessons learnt from previous disasters, accidents and acts of terrorism, the Commission reviews the available techniques of decontamination following attacks involving dangerous substances. Furthermore, it models the dispersion of radioactive materials and estimates dose rates by using the software simulation code, combined with digital maps and satellite information.

5.3 Contribution from the Information Society Technologies (IST) work programme

Electronic communications networks and information infrastructures are converging and becoming increasingly intertwined, leading to complex new physical and logical interdependencies. There is thus potential for new threats through intentional attacks or accidental disruptions that could be launched or propagated from anywhere in the world to anywhere in the world at any time. Both current and future IST work programmes address prevention and management by encouraging the development of integrated multidisciplinary frameworks for dependability and security, and advanced modelling/simulation techniques and technologies for critical infrastructure, interdependencies, recovery and continuity.

Research projects newly funded, as of September 2004, by the IST programme's strategic objective on risk management are addressing among other themes: inspection of explosives in containers via neutron technology; positioning and communication with rescue personnel via ultra-broad band radio; emergency interventions and bomb disposal support via secure mobile mechatronics; real-time alert in dangerous goods transport incidents; and advanced crisis management systems for efficient response to crises based on dual-use technologies such as C4I (command, control, communication, computer & intelligence).

5.4 Preparatory Action on security related research

Following the different requests from the Parliament and the Council, the Commission has started a Preparatory Action entitled "Enhancement of European industrial potential in the field of security research 2004-2006", designed to help improve European citizens' security, to reinforce European technological and industrial potential in this area, and to develop advanced technological tools in support of policy makers. This Preparatory Action covers the period 2004-2006 and addresses five main areas, including protection against terrorism.

The first call for proposals, which closed on 23 June 2004, generated tremendous interest and resulted in 173 eligible proposals. Twelve proposals were retained for funding, seven for research projects and five for supporting activities. Out of the seven research proposals, two proposals are related to the fight against terrorism, including CBRN.

5.5 Towards a "European Security Research Programme" (ESRP)

A Group of Personalities (GoP) was established in 2003 and tasked to propose key orientations, principles and priorities for a future European Security Research Programme (ESRP).

The GoP report, presented to Romano Prodi on 15 March 2004, describes the essential elements of a "**European Security Research Programme**" (ESRP) and its contribution towards addressing the new security challenges of a changing world. Its main recommendations include:

- the establishment of an ESRP, from 2007 onwards, with funding of at least 1 billion euros per year ¹⁰³, additional to currently existing resources;
- the creation of a "**European Security Research Advisory Board**" to define strategic lines of action, user involvement, implementation mechanisms and a strategic agenda for the ESRP;
- the need for cooperation between European institutions and the other stakeholders involved (e.g. industry, research institutes, public authorities and other end users).

As a follow-up, the Commission adopted on 7 September a **Communication** entitled "**Security Research: The Next Steps**", ¹⁰⁴ to initiate a debate with the Council and the Parliament. It subscribes to the main thrust of the report, and indicates steps for taking the activity forward:

- consultation and cooperation with stakeholders, especially via the "European Security Research Advisory Board" to be established in the autumn of 2004;

¹⁰³ This funding will not be covered in total by the Community budget.

¹⁰⁴ COM (2004) 590.

- development of an ESRP, to become, from 2007, a specific programme within the 7th Framework Programme of Community Research;
- ensuring an effective institutional setting, taking into account the Common Foreign and Security Policy and European Security and Defence Policy and other relevant Community policies (e.g. fight against terrorism including bio-terrorism, cross-border control, transport, and environment), and developing cooperation and synergies with the European Defence Agency;
- establishing a governance structure responding to the needs of security research work in terms of contract, participation and funding.

6 STRATEGIC OBJECTIVE SIX:

Cooperating with third countries and international organisations (international cooperation)

6.1 Health security

The Global Health Security Initiative (GHSI) was agreed in Ottawa on 7 November 2001 by the G7, Mexican Health Ministers and the Commissioner for Health and Consumer Protection and has similar goals to those of EU co-operation (collaboration on smallpox emergency plans and training, laboratory detection techniques, risk management and communication, chemical incident preparedness, patient isolation techniques). The WHO is fully associated in these activities.

An incident scale for risk communication and rules for response in various CBRN scenarios have been developed between the parties to the initiative and shared with all the EU Member States. Workshops have been held on smallpox, using the "training-the-trainers" approach. Other workshops on smallpox vaccines and patient isolation have been carried out. Inter-laboratory tests have been carried out on smallpox and anthrax. Groups have been set up on laboratory collaboration, risk communication and co-ordination, field investigation, radionuclear terrorist events and chemical terrorist events and influenza.

In September 2003 a smallpox plan evaluation exercise (Global Mercury) was conducted. Ministers and the Commissioner for Health and Consumer Protection meet regularly to review progress. At the last meeting of the GHSI in Berlin on 7 November the Commission was tasked with the establishment of a co-operation platform on bio-safety research. The Ministers and the Commissioner are due to meet in Paris on 10 December 2004.

6.2 Civil protection

On 19 May 2004, an Administrative Arrangement was signed by the Commission with the Russian Federation Ministry for Civil Defence, Emergencies and Elimination of Consequences of Natural Disasters (EMERCOM of Russia) on cooperation between the Monitoring and Information Centre and the Operational Centre of EMERCOM of Russia in order to facilitate the rapid exchange of information in emergencies.

6.3 Research and development

The Commission cooperates with international bodies such as: International Atomic Energy Agency (IAEA), Europol and International Technical Working Group (ITWG) to combat illicit trafficking of nuclear and radioactive materials. It has developed:

- administrative and organisational measures through the implementation of a "Model Action Plan";
- scientific/technical measures through detection systems, categorisation and training of law enforcement officers.

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7 STRATEGIC OBJECTIVE SEVEN:

Ensuring an efficient overall use and coordination of the instruments used in implementing this programme (coordination and implementation)

The Commission and the Council have each within their respective areas of competence, ensured the efficient coordination of the relevant instruments and initiatives within the sectors relating to preventing and limiting the consequences of CBRN terrorism.

The Commission had already brought under one heading the various services and networks responsible for civil protection, health protection and research expertise. Since 2002, there has been an inter service group on civil protection to facilitate exchange and coordination in the area of CBRN terrorism.

In this context, the Commission has organised workshops and exercises in cooperation with the Community networks likely to be involved in dealing with emergencies.

