



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 30 November 2012**

**16610/3/12  
REV 3**

**ENFOPOL 382  
AVIATION 179  
JAI 829**

**NOTE**

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from: Presidency  
to: delegations

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No. of prev. doc.: 16252/12 ENFOPOL 374 AVIATION 174 JAI 800

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Subject: Draft Council Conclusions on aviation security against terrorist threats

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Delegations will find in Annex a compromise proposal on the abovementioned draft Council conclusions, revised on the basis of written comments of delegations.

The draft is hereby submitted to a silence procedure that will expire on 3 December 2012 at 13.00.

**Draft Council Conclusions**  
**on aviation security against terrorist threats**

THE COUNCIL OF THE EUROPEAN UNION,

Reaffirming the Union's commitment to fighting terrorism, to securing air transport and, above all, to protect human lives,

Recalling the terrorist attack ~~against soft targets in the context of aviation security~~ conducted in July 2012 at the Burgas airport in Bulgaria,

Having regard to the Commission's communication on the EU Internal Security Strategy in Action: Five steps towards a more secure Europe<sup>1</sup>, which contributes to the implementation of the Internal Security Strategy and which calls on the EU to establish by 2014 a coherent risk management policy linking threat and risk assessments to decision making,

Acknowledging that only an integrated approach within the EU involving the enhancement and further development and harmonisation of existing aviation security rules, EU coordination and exchange of information as well the enhancement of global standards will deliver the highest level of aviation security,

Noting the progress made by the EU in the aviation security field, notably in the implementation of the EU Action Plan on strengthening air cargo security<sup>2</sup>, in accordance with the Council conclusions of December 2010<sup>3</sup>,

Welcoming the implementation, of air cargo security control measures based on joint threat and risk assessments and the reassessments of the threats and risks to aviation security related to liquids, aerosols and gels with a view to support related policy making,

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<sup>1</sup> 16797/10 JAI 990

<sup>2</sup> 16271/1/10 REV 1 AVIATION 184 JAI 1021 ENFOPOL 353

<sup>3</sup> 17563/10 AVIATION 201 JAI 1053 ENFOPOL 363 + COR 1

Reaffirming its conclusions on enhancing the links between internal and external aspects of counter-terrorism<sup>4</sup>, and in particular the important role of EU IntCen,

Welcoming the Council conclusions of 25 October 2012 on the protection of soft targets from terrorist activities<sup>5</sup> which highlighted the need for various approaches to be developed, including ~~through~~ national assessments of the vulnerabilities of soft targets,

Emphasizing the need for effective communication, processes and mutual understanding at the public level, at the private level and between the public and the private sector, as well as the importance of the private sector in implementing aviation security measures,

Noting the Presidency conclusions of the Conference on “Aviation security against terrorist threats” held in Nicosia on 31 October 2012<sup>6</sup>,

Underlining the EU's commitment to reinforcing global aviation security in cooperation with the International Civil Aviation Organisation and partner countries and the importance of close collaboration with private operators,

Noticing, thanks notably to the work of the ICAO, that ~~the wide range of passenger identity data collected upstream of the flight and their risk assessment can be instrumental in preventing access of known terrorists to airport secure zones and airplanes, deliver information for the aviation security processes at an earliest time,~~ *(proposal by FR)*

ADOPTED the following conclusions:

The Council welcomes and encourages the cooperation underway between relevant Member States' authorities, inter alia in the AirPol context, to identify, develop and share good practices with a view to enhance the prevention and protection of both aviation infrastructures and related soft targets against terrorist attacks.

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<sup>4</sup> 11075/11 ENFOPOL 185 COTER 54 JAIEX 56 COSI 47 CATS 47

<sup>5</sup> 14591/12 ENFOPOL 316

<sup>6</sup> 16252/12 ENFOPOL 374 AVIATION 174 JAI 800

The Council ~~requests~~ encourages the Commission, the High Representative and the Member States, in accordance with their respective roles and areas of competence, to consider extending further ~~examine the extension~~ of the risk assessment activities hitherto conducted on air cargo and liquid explosives, to other commonly agreed domains of aviation security in the remit of Regulation 300/2008 to support risk based policy making ~~in a first instance as regards passenger related risks.~~

*~~ER proposal for an alternative wording of the second operational paragraph:~~*

~~The Council requests that the Commission, the High Representative and the Member States, when considering the extension of the existing risk assessment activities to other domains and in a first instance regarding the passenger field, examine as well whether, in a context of continuous increase in international air traffic, additional data processing could improve risk assessment for aviation security, in full deference to fundamental rights and the protection of individuals with regard to the processing of personal data.~~

The Council invites the Commission, the High Representative and the Member States ~~Commission,~~ in accordance with their respective roles and areas of ~~fields of~~ competence, to include the exchange of information and best practice on aviation security where applicable ~~as appropriate~~ in their dialogues with third countries and international organisations; and to consider the possibilities under appropriate programmes to assist third countries in their efforts to implement effective aviation security measures.