OUTCOME OF PROCEEDINGS

of: Working Party on Terrorism
on: 12 July 2011
Subject: Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda as set out in document CM 3772/11 with the addition of information points by PT and ES under AOB.

2. TWP work programme during the Polish Presidency

The Chair gave an overview of the priorities for work in the TWP throughout the coming semester which include counter-terrorism protection of mass sports events, summarizing the EU counter-terrorism policy in light of the ten year commemoration of the 9/11 attacks and cyber terrorism. The Presidency will also raise the issue of countering radicalisation in the context of recent events in North Caucasus. The work programme is outlined in document DS 1462/11.

The Chair informed delegations that in view of the heavy agenda and the reduced number of meetings during the PL Presidency, the item on the exchange of Member States' information on recent terrorist incidents will not be included on agendas of the TWP meetings in this semester. Member States are nevertheless welcome to continue to exchange the information through the BDL system. The Chair reassured the Working Party that matters that require immediate attention will be discussed without delay, including by convening an extra meeting if necessary.
3. **COTER work programme during the Polish Presidency**

The Chair of COTER drew the attention of delegations to the most important issues to be dealt with during the PL Presidency, such as the adoption of the Council conclusions commemorating the terrorist attacks of 11 September, links between border security and terrorism as well as fight against terrorism in Central Asia. COTER will also continue to cooperate with third countries as well as international organisations, exchange views on international events where EU engagement is foreseen and aim to further improve cooperation with other EU bodies and actors. Political dialogues with key partners on CT issues will be held under the EEAS Chairmanship.

4. **Cyber terrorism**
   - presentation by the NL delegation
   - presentation by ENISA

The Presidency presented the idea of launching a peer evaluation on cyber security with an emphasis on cyber terrorism as one of the three main priorities of the PL Presidency. The main elements of the initiative are contained in the discussion paper DS 1446/11.

The aim of the initiative is to collect the information on cyber terrorism and identify best practices, which would entail *inter alia* the preparation of a glossary of the most important terms and could possibly result in the identification of the need for legislative changes. According to the Presidency, the knowledge in the area is now rather fragmented and such an exercise could fill this gap and help save time and efforts elsewhere in the long term.

The representative of the Council Secretariat outlined the main elements of the procedure for peer evaluations on the basis of the experience from the first two rounds of peer evaluations on national counter-terrorism arrangements as well as peer evaluations in other fields.

In the discussion that followed the delegations:
- confirmed that cyber security is a priority but the scope of the initiative has to be narrowed strictly to cyber terrorism;
- confirmed the need for further experience and knowledge on the threat;
- stressed that the concept of cyber terrorism is not yet clearly defined in the EU and there is a need to develop a common understanding of the threat;
agreed that there it would be necessary to have a clear definition of cyber terrorism before the start of the evaluation;
- stated that a wider glossary of the most important terms also needs to be discussed at an early stage;
- stressed the need to avoid duplication of efforts with ongoing initiatives coordinated by other bodies, e.g. with the European Forum for Member States (EFMS);
- raised some concerns on the need to launch the cumbersome activity of a peer evaluation at this stage and would prefer to start with an exchange of best practices.

The representative of the Commission confirmed that cyber security was high on the political agenda and one of the pillars of the Digital Agenda for Europe. For the sake of placing the paper in a wider context and deciding on further steps, the main ongoing initiatives in the area were reminded of:
- Action Plan on critical infrastructure protection (2009);
- Council Resolution on collaborative European approach on Network and Information Security;
- Communication from the Commission on critical infrastructure protection "Achievements and next steps: towards global cyber-security";
- Council conclusions on critical infrastructure protection "Achievements and next steps: towards global cyber-security".

The current priority of the Commission is the establishment of well-functioning CERTs in all Member States and a network of CERTs by the end of 2012. CERTs have no role in combating cyber terrorism and have also no investigative powers. The representative of the Commission agreed with the majority of delegations on the need to clarify the concepts, agree on the definition of cyber terrorism and avoid any duplication. It would nonetheless be preferable to carry out an evaluation on cyber attacks in general first and concentrate on cyber terrorism only at a later stage.

Delegations were invited to send written comments on the idea of the peer evaluation and on the discussion paper by 15 August 2011 to the Presidency and the Council Secretariat.

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1 8375/09
2 15841/09
3 8548/11
4 10299/11
A representative of ENISA (European Network and Information Security Agency) gave a presentation on the role of the agency which is to contribute to the high level of network security in the EU, including by facilitating the exchange of information between European institutions, public and private sector and disseminating information. ENISA is acting as a centre of expertise in the area of network security. It was stressed that cyber terrorism is not within the mandate of the agency which only deals with cyber security in general. The importance of the CERTs as well as the need for strong public-private-partnerships were also mentioned.

The NL delegation gave a presentation on combating the use of internet for terrorist purposes in general and on the Clean IT Project, the aim of which is to build trust between public and private parties and develop an EU code of conduct by organising a series of workshops and conferences.

5. Presentation of a SitCen report

A representative of SitCen presented a recent report.

6. Summarizing EU counter-terrorism policy in light of the 10th commemoration of the 9/11 attacks

The Presidency presented the questionnaire contained in document CM 3783/11 that aims at collecting information from Member States on the changes in the counter terrorism policy in the Member States over the past ten years. Delegations were invited to reply to the questionnaire and send the responses to the Presidency and the Council Secretariat before 15 August 2011. The replies will be summarised at the TWP meeting on 15 September at which a debate on the EU counter terrorism policy in the light of the ten year commemoration of the 9/11 attacks will take place.

7. Protection of mass sports events from terrorist attacks

A delegation from Ukraine (Ukrainian Security Service (SBU)) gave a presentation on the preparations for the UEFA EURO 2012. Ukrainian national structures, in particular CT structures, and legislation were briefly presented. Cooperation with international partners, and notably with PL, co-organiser of the championship, that includes organisation of CT exercises, was an important part of the preparations.
The UK delegation then gave an overview of the security plans for the 2012 Olympics. The preparations are being carried out by the existing structures under the Olympic Safety and Security programme.

The representative of Europol presented the activities of the agency at major sporting events carried out on the request of a Member State organising the event. These activities are tailor-made and usually involve the dispatch of a mobile office with direct access to CT databases.

The PL delegation gave a presentation on the project dealing with the role of national counter-terrorism centres that aimed at the development of cross-border operational cooperation and enhancement of interoperability and safety standards. A counter-terrorist exercise "Offside 2010" as well as a series of regional seminars and a conference were organised as part of the project.

Another presentation was given by the PL delegation on forensic science relating to counter-terrorism. A CEPOL exercise on international investigative post-explosive procedures was briefly presented in this framework.

Following these introductory presentations, the Presidency presented the draft Annex to the Handbook on cooperation at major events with an international dimension, outlined in document DS 1452/11. The Annex to the existing Handbook (OJ C 314, 22.12.2007, p. 4) should fill the gap in EU guidelines on sporting events and should cover the counter-terrorism protection of these events. The draft Annex was prepared on the basis of responses to the questionnaire sent out in June (CM 3061/11). Delegations were invited to comment on the draft document in writing before 1 September 2011 at the latest and send their input to the Presidency and the Council Secretariat.

8. **Merger of counter-terrorism AWFs at Europol**

The representative of Europol informed delegations on the merger of the CT Analysis Work Files at Europol. The objective is to have only two big AWFs at Europol that should provide greater flexibility of resources and offer better support to Member States' investigations.
9. Information on recent counter-terrorism activities

The representative of the Commission informed on the following events/activities:
- next meeting of the programming committee under the ISEC and CIPS programmes that will discuss and vote on the Annual work programme for 2012 to take place on 18 July 2011;
- presentation by the Commission on 29 June of the package for the next financial perspectives 2014-2020; the draft legislative proposal is under preparation;
- official release on 13 July 2011 of the Commission communication "A European terrorist finance tracking system: available options"\(^1\) prepared in reply to the request by the EP and the Council in July 2010.

10. AOB

- Conference on terrorist travel movements, 23-24 June, Berlin
  The DE delegation gave a presentation on the conference that examined whether the instruments available to security agencies can help identify and prevent attacks and to what extent can the use of the information about travel movements provide help for these purposes.

- The PT delegation regretted that the Presidency does not intend to include the item on the exchange of recent terrorist incidents to the agenda of the TWP meetings, noting that for the PT delegation the exchange of information among the Member States was important and useful. The Presidency reassured the Working Party of its openness for debate on this and reminded of the possibility to continue to exchange information via BDL. Other delegations were also invited to submit their views to the Presidency.

- The ES delegation informed the meeting of the recent terrorist attacks in Spain.

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\(^1\) 12957/11
The following working documents were made available in the meeting room:

- Presentation by DE: Summary of the conference „Travel movements of terrorist networks“
  Berlin, 23 – 24 June 2011
- Presentation by UK: Olympic and paralympic safety and security
- Presentation by PL: Counter terrorist activities during international sports events - The role of national counter terrorist centres - project