



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 11 November 2008 (12.11)
(OR. fr)**

15294/08

**JAI 608
ENFOPOL 220
PROCIV 168**

COVER NOTE

from : Chair of the Article 36 Committee
to : Coreper

No. prev. doc.: 15170/08 JAI 596 ENFOPOL 208 PROCIV 165

Subject : Draft conclusions of the Council of the European Union on the creation of an
NRBC database

1. The Article 36 Committee discussed the above draft at its meeting on 10 November 2008. The text as it stands after those discussions (see Annex) takes account of comments by the Commission and the Austrian delegation.
2. Coreper is asked to approve this draft, so that it may be forwarded to the Council.

**DRAFT CONCLUSIONS OF THE COUNCIL OF THE EUROPEAN UNION
ON THE CREATION OF AN NRBC DATABASE**

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING that one of the aims of the European Union is to establish gradually an area of freedom, security and justice by developing common action among the Member States in the fields of police and judicial cooperation in criminal matters,

RECALLING that for Europe the terrorist threat is a tangible reality and a challenge and that the European Union has a responsibility to equip itself with the tools needed to neutralise that threat,

EMPHASISING that the nuclear, radiological, biological and chemical (NRBC) terrorist threat looms particularly large because of its deadly potential and its psychological impact,

BEARING IN MIND that the Council conclusions of December 2007 state that the issue of terrorist access to weapons and explosives, ranging from components for homemade explosives to NRBC products, is a priority under the European Union Counter-terrorism Strategy and under the European Union Strategy against proliferation of weapons of mass destruction,

BEARING IN MIND that, as part of its implementation of those Council conclusions, the Commission has announced its intention of submitting a package of NRBC-related measures in 2009 on the basis of broad consultation of Member States and stakeholders,

NOTING that while that threat seems less immediate than others, no scenario can be ruled out at a time when advances in science and public awareness of them require us to be ever more vigilant,

CONSIDERING that to combat this form of terrorism we need a realistic analysis of the threat and close cooperation between the agencies involved, particularly the intelligence and investigation services and the scientific community,

EMPHASISING that the problems related to the awareness and use of NRBC materials call for expert skills in advance threat assessment and dealing with suspect devices,

NOTING that the highly confidential nature of information exchange on NRBC matters requires the various European Union actors to know each other and to form genuine bonds of trust,

OBSERVING that the record of the seminar on the NRBC threat held in Paris on 30 and 31 October 2008 under the aegis of the French Presidency underlines the need to develop a European NRBC database,

CONCLUDES THAT MEASURES TO COMBAT THE NRBC TERRORIST THREAT SHOULD BE CONSOLIDATED BY FACILITATING EXCHANGE OF INFORMATION IN THE NRBC FIELD AND, TO THAT END:

CONSIDERS that in the interests of convergence, the relevant agencies should be encouraged to engage in closer operational cooperation, thereby increasing the sharing of experience and simple, secure exchange of information on NRBC matters,

INVITES EUROPOL, with the support of the European Commission, to develop and to host in the European Bomb Data System (EBDS) the European NRBC database in which to gather and centralise technical information on NRBC terrorism-related events and NRBC products and materials which may be used with malicious intent,

INVITES EUROPOL to keep the Council informed of any measures it takes to implement these conclusions,

CALLS ON the Member States to take the necessary measures to feed the European NRBC database.
