



## Implementation of the European Agenda on Security: Questions & Answers

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The European Commission adopted the [European Agenda on Security](#) on 28 April 2015, setting out the main actions envisaged to ensure an effective EU response to security threats over the period 2015-2020.

Since its adoption, significant progress has been made in its implementation. This first year since its adoption has also been marked by tragic terrorist attacks around the world and notably on European soil in Paris in November 2015 and in Brussels yesterday. Against this background, this Memo highlights the actions to be completed as a matter of urgency in view of the current challenges faced, and summarises the actions already completed.

#### **1. What actions have been completed since the adoption of the European Agenda on Security in April 2015?**

##### **On terrorism**

The [European Counter Terrorism Centre](#) (EU ECTC) in Europol was launched on 1 January 2016. The aim is to step up the institutional support to Member States fighting terrorism and radicalisation by facilitating coordination and cooperation between relevant authorities within a secure environment with the highest confidentiality in its communication. As the Commission recalled in several meetings of the Justice and Home Affairs Council, sufficient expertise needs to be made available by Member States. The Commission has proposed an amending budget to increase the ECTC by 25 staff.

##### **On border management**

The Commission revised the Schengen Handbook in line with the need for additional checks against the relevant databases. As a result, today there are more than 66,000 alerts for discreet and specific checks. This is a 300% increase compared to June 2013. In 2015, the Commission made legal and technical improvements to the Schengen Information System (SIS) to provide for real-time communication from officials operating on the ground to the competent services in other Member States. The Commission also distributed an explanatory document to Member States at the beginning of October 2015 to help border guards in the seizing of invalidated documents. In the context of the revision of the SIS already foreseen for 2016, the Commission will look into possible needs to enhance the law enforcement aspect of the SIS. In the meantime, the Commission is urging Member States to make full use of the possibilities to enter into the SIS alerts relating to all measures involving expulsion, refusal of entry or removal from the territory of a Member State.

The Commission finalised in May 2015, in close cooperation with national experts, the EEAS, EU Agencies and Interpol, a first set of Common Risk Indicators concerning foreign terrorist fighters, with a view to detect terrorist travel. Common Risk Indicators support the work of national border authorities when conducting checks on persons. To operationalise the Common Risk Indicators, FRONTEX has developed a handbook to support Member States.

##### **On radicalisation**

The establishment of the EU Internet Referral Unit (IRU) at Europol aims to help reduce the volume of terrorist material online. It was launched on 1 July (pilot phase). In its first three months, it has made over 550 referrals. The Commission intends to support the IRU in reaching out to more internet companies, as well as encourage the companies to have adequate arrangements in place to receive referrals from the EU IRU.

The Commission launched the [EU Internet Forum](#) on 3 December 2015, bringing together Ministers and CEOs of major internet companies and other internet actors. It provides a framework for more efficient cooperation with the industry. The aim is to contribute to (i) reducing accessibility to terrorist material online (removal of content), (ii) making better use of the internet to challenge the terrorist narrative (development and dissemination of counter narratives), and (iii) exploring the concerns of law enforcement on new encryption technologies. Communication between terrorists is increasingly taking place using highly sophisticated encryption techniques. To respond to the requests coming from the EU

Internet Forum and from several Member States, internet companies have already implemented significant changes to their Terms and Conditions to take down terrorism propaganda and extremism content from their platform. Moreover, the companies have launched several campaigns at EU level to empower civil society to work on alternative narratives to radicalisation. Beyond the initial participants of the forum, there is high interest from other internet companies to join the action. A roadmap with concrete activities for 2016 is being finalised together with the companies.

The Commission has launched in 2015 an initiative in dialogue with the IT companies to tackle online hate speech in accordance with EU law (Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia) and national law, with a view to ensuring that hate speech is expeditiously taken down.

The Radicalisation Awareness Network (RAN) Centre of Excellence has been operational since 1 October 2015. The aim is (i) to facilitate and enhance the exchange of experiences and cooperation between the relevant stakeholders (inside and outside the EU), in particular through the RAN; (ii) to support the EU and the Member States in their prevent efforts through different support services, practical tools and policy contributions; and (iii) to consolidate, disseminate and share expertise, best practices and targeted research in the field of preventing radicalisation. The RAN Centre has stepped up its support to Member States and to priority third countries. It has been reinforced with a budget of EUR 25 million for the next 5 years.

### **On cross border cooperation**

A platform bringing together Financial Intelligence Units (FIUs) from the Member States is in place. Its purpose is to detect and disrupt terrorist finance and money laundering activities. It meets on a regular basis with the Commission services with a view to enhance cooperation, develop common tools and better identify suspicious financial transactions. They have developed well-performing IT tools for direct information exchange (FIU.NET) among FIUs, that since 1 January 2016 is embedded in EUROPOL, and in particular in its ECTC.

### **On firearms**

The Commission adopted an [implementing regulation on common firearms deactivation standards](#) on 18 November 2015. It will enter into force on 8 April 2016 to ensure that deactivated firearms are rendered irreversibly inoperable and cover both domestic and cross-border situations in order to fulfil the security objectives.

### **On the external dimension**

The Commission also took action, in close cooperation with the External Action Service and the EU Counter Terrorism Coordinator, to ensure further coherence between internal and external actions in the field of security.

Security and counter-terrorism experts have been deployed in the EU delegations of Turkey, Tunisia, Morocco, Jordan, Algeria and Egypt.

Targeted and upgraded security and counter-terrorism dialogues have been established, in particular with Tunisia, Lebanon, Morocco and Turkey, and concrete action plans are being agreed with those countries.

## **2. What other relevant actions have been launched by the Commission which need to be sped up?**

### **Priorities for implementation**

**Action Plan on Terrorist Financing:** On 2 February 2016, the Commission announced a wide range of measures to cut terrorists off from their sources of revenue and to trace them through financial activities. Among the immediate priorities in the [Action Plan](#) are measures to enhance the effectiveness of sanctions and asset freezing measures within the EU and in third countries. In the first half of 2016, the Commission will propose targeted amendments to the EU Anti-Money Laundering framework to address emerging terrorist financing risks and potential loopholes. Also this year, the Commission intends to propose EU legislation against illicit cash movements, including possible limits on cash or assets carried or transported across borders. The Commission will also assess the need for additional EU legislation for freezing terrorist assets within the EU and the possibilities to complement the existing EU-US Terrorist Finance Tracking Programme.

**Action Plan on firearms and explosives:** The Commission presented on 2 December 2015 an [Action Plan on firearms and explosives](#) that called for a number of measures to prevent terrorist attacks such as those that occurred in Paris and Brussels. These include (i) specific actions on the use of detection technology and towards standardising its use (soft targets, critical infrastructures, public areas; (ii) development of innovative detection tools, (iii) strengthening of existing measures and creation of new tools for increasing the security of passengers on international train services; (iv) use of new

technologies to reinforce security in rail transport. The Commission has already identified significant gaps in the implementation of Regulation 98/2013 on explosives precursors and is taking action to improve the situation.

**Dissemination of guidance on soft target protection:** In May 2015 the Commission and the EU Airport Police network completed work on an EU Airport Soft Target Protection manual. This manual has been translated into the official EU languages and should be shortly distributed to all the Police forces so that the recommendations can be used to better secure airports against similar attacks to the one that occurred on 22 March 2016. Similar work has been launched in October 2015 by the Commission to develop guidance material on protection against other soft target areas such as rail and metro and other areas (sport stadiums, shopping malls, public garages, transport hubs, etc). The issuance of the Manual will be accelerated and accompanied by adequate training.

**Detection and protection trials:** Detection and protection trials have been launched by the Commission together with several Member States in February 2015 in different operational environments such as airports, train station, sport events and public buildings. New trials are scheduled for May 2016. Dedicated manuals for Member State practitioners have been issued by the Commission together with AIRPOL on airport security and protection.

### **Pending proposals to be adopted by the co-legislators**

**Commission proposal for a directive on terrorism:** Following the adoption of the additional protocol to the Council of Europe convention of terrorism, the Commission proposed on 2 December 2015 a [directive](#) harmonising the criminalisation of offences linked to terrorist travel, passive training, financing and facilitation of such travel. Following the general approach reached by the Council at the Home Affairs Council on 11 March, the Commission invites the co-legislators to agree on the Commission's ambitious proposal as a matter of priority.

**Commission proposal for revised firearms legislation:** On 18 November 2015, the Commission presented a [proposal](#) for the full revision of Directive 477/91 setting the legal framework on firearms. The revision aims at strengthening rules and reducing the legal uncertainty caused by national divergences, thus facilitating the role of national police and investigation authorities. The adoption by the co-legislators should be a priority for ensuring the high standards of the Commission's proposal.

**EU PNR Directive:** The agreement found on the Commission's proposal for a Directive on the use of Passenger Names Record (PNR) data by law enforcement authorities should be formalised as soon as possible by the co-legislators, replacing a set of diverging national rules.

**Revised Europol Regulation:** The final adoption of the revised Europol Regulation, following the political agreement reached between the co-legislators on the Commission's proposal, will constitute a decisive step towards making Europol a hub for information exchange for law enforcement authorities within the EU and to better support their actions.

**Border package:** The [package](#) was adopted by the Commission on 15 December 2015. It proposes the setting up of a European Border and Coast Guard to move towards integrated border management to raise common standards at the external border. It also contains proposals for the modification of the Schengen Borders Code to impose the obligation of carrying out systematic checks at the external borders on all persons, including those enjoying the right of free movement under Union law (i.e. EU citizens and members of their families who are not EU citizens), in order to verify that such persons do not represent a threat to public order and internal security. The discussion in the Council on the package should be sped up under the Dutch Presidency, ensuring the high level of ambition proposed by the Commission.

**Extension of ECRIS to Third Country Nationals:** The Commission proposed on 19 January 2016 to amend the EU system for the exchange of information on criminal convictions to render it more effective for the exchange of criminal records of Third Country Nationals. The Commission invites the co-legislators to agree on the [Commission's proposal](#) as a matter of priority.

### **3. What are the current challenges and related actions?**

Member States have the primary responsibility to ensure security on the ground. Action at EU level must focus on where we can bring added-value to the action of the Member States.

In that regard, the Commission has devoted significant efforts under the European Agenda on Security to address the main challenges for an effective and sustainable action at EU level to fight terrorism and organised crime: (1) the exchange of information between Member States' law enforcement authorities and with the EU Agencies, and (2) the issue of the inter-operability of relevant databases and information systems.

A number of actions are being undertaken to address these challenges:

**Communication on stronger borders:** The Commission is working on a Communication, which will

build on the synergies between the European Agendas on Security and Migration. It will present a way forward on how technology and information exchange systems could develop in the next five years to ensure that border guards and police officers have the necessary information at their disposal in order to effectively manage external borders and ensure internal security. It will urge the better application and implementation of existing EU instruments, maximising the benefits of existing EU measures and, where necessary, delivering new and complementary actions. It will highlight the need to achieve a more joined-up, inter-agency and cross-sectoral approach, which is coordinated at the nexus of different threats, actions and policies.

**Information exchange for law enforcement purposes:** In view of the importance of cross-border information exchange for law enforcement purposes within the EU and the challenges that such exchanges raise, the Commission continues to prioritise the enforcement of the existing Prüm framework (an information exchange tool that can offer automated comparison of DNA profiles, fingerprint data and vehicle registration data) as a matter of urgency. The first EU Pilots were sent at the end of 2015. A more systematic use of Interpol's Stolen and Lost Travel Documents database is also a high priority, in line with JHA Council Conclusions from November 2015.

**Action plan on SIS and foreign terrorist fighters' movements:** The Council Presidency, in close cooperation with the Commission, is preparing an action plan to be issued by the end of the current Presidency on the use of SIS in relation to foreign terrorist fighters and to address important operational difficulties.

**Joint Framework on countering hybrid threats;** the Commission and the High Representative will soon present a Joint Communication to address hybrid threats more effectively with a coordinated response at EU level by using EU policies and instruments, to build on European solidarity, mutual assistance and the full potential of the Lisbon Treaty.

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