NOTE

from: the Netherlands delegation

to: the meeting of the Terrorist group

No. prev. doc.: 13401/00 ENFOPOL 81

Subject: Open EU threat assessment document

Please find herewith pursuant to a debate launched by the Netherlands delegation in the terrorist group on 24 November 1999 (cfr. 13401/99 ENFOPOL 81) a note by this delegation on the elaboration of an open terrorist threat assessment document.
I. Introduction

As stated in the "EU Guidelines for a common approach to suppress international terrorism" (submitted to the Council in December 1999) terrorism constitutes a threat to internal and international security, to peaceful relations between States, to the development and functioning of democratic institutions throughout the world and to the enjoyment of human rights. The European Union condemns terrorism in all its forms. The fight against terrorism remains a matter of the highest priority for the EU. The EU should demonstrate its commitment to suppress terrorism in a more visible and coherent way.

It is in this perspective that we must see the initiative to produce an unclassified EU terrorism threat assessment document.

II. Problem

The EU and the individual memberstates are involved in lots of international forums, where international terrorism and the combat against it are discussed. Of special importance is the work in 6th committee of the United Nations in New York, where UN counter-terrorism treaties are drafted. The intentions of not only the EU-memberstates but of all UN-memberstates are determined as far as the fight against terrorism is concerned.

In quite a lot of the other international work the result of talks are often yet another (public) statement about the importance of the combat against terrorism. Though these (public) statements are important to enhance the fight against terrorism, it is important too the EU, also as a consequence of these statements, is more open about the real content of the terrorist threat and what is specifically done against it. All this in line with the EU-policy to make visible what can be made visible.
The last couple of years the demand for transparency increased in the EU. There is a definite need for information on terrorism, especially because of the fact that the real threat has become less clear. Not only the real threat caused by terrorism in, for instance, Spain, France and the United Kingdom, but also the possible threat from, for instance, fundamentalist groups like the UBL-network, creates a feeling of insecurity in EU-countries. This unrest increases when the media or all kinds of scientific institutes for various reasons report about the existence of threats or the possible indiscriminate use of violence (killings in large numbers, use of weapons of mass destruction etc.). The public, national parliaments and the European parliament therefore need balanced and evaluated information on terrorism.

The EU should do more to fulfill this need for more information and transparency.

III. Proposal

In light of the above a good step forward is the compiling of an open EU threat assessment document, so during each Presidency the Council can make a statement on the terrorist threat against the EU, including possible trends. Essential are two things:

- No confidential information must be revealed
- Not only the third pillar working group on terrorism must agree on the document but also the second pillar working group on terrorism, obviously taking into consideration the political aspects of this document.

Envisaged procedure:
- Each presidency presents an open EU terrorism threat assessment document to the third pillar working group on terrorism; delegations adopt the content of the document
- Delegations in the combined meeting of second and third pillar working groups on terrorism adopt the document
- Comite Politique and comite art. 36 adopt the document
- Via Coreper the document will be submitted to the JHA-Council for agreement and can be used for a public statement on terrorism by the presidency of the EU.
Thus the strong will of the EU to fight terrorism will be made more visible, as stated in the above mentioned EU guidelines.

Addendum: EU-summit in Tampere, relevant in this context.
Tampere

During the Tampere Summit (15 and 16 October 1999) the European Council expressed its determination to develop the European Union into a space of freedom, security and justice. To that end it will make full use of the possibilities offered by the Amsterdam Treaty. In this connection the European Council emphasised the importance of transparency and a regular provision of information to the European parliament. The European parliament has specifically asked for information in all areas that are relevant to the European Union. These matters were once more underlined in point 7 of the conclusions of the Tampere summit: the space of freedom, security and justice should be based upon the principles of transparency and democratic control.

In 2001 the Council will devote an entire debate to an evaluation of the progress in this field. In addition, during this summit a first step was made to create a European ‘Charter of the Fundamental Rights of the European Union’. Many tasks of the intelligence and security services in the member states can be related to this charter.

Furthermore it was concluded that one of the key aims of the activities of the European Union in the next few years would be a strengthening of the common foreign and security policy. Matters in the field of Justice and the Interior should be integrated into EU policy making and activities in other areas and in the implementation of these policies. This implies that at least part of the activities of intelligence and security services will also be integrated.