



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 5 November 2012

15558/12

**ENFOPOL 344
COTER 105**

OUTCOME OF PROCEEDINGS

of: Joint meeting of the Working Party on Terrorism and COTER
on: 5 October 2012
Subject: Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda set out in document CM 4569/12 with the addition of an information item by COM under AOB.

2. Briefing by the Presidency on TWP and COTER work programmes and progress

The COTER Chair explained that in his term COTER was dealing notably with the implementation report mentioned under point 6 of the current meeting, the Action Plan for the Horn of Africa and Yemen and the protection of human rights in the context of counter-terrorism. Moreover, the Presidency had chosen to have a debate with a different geographical focus at each meeting. The TWP Presidency explained that it was continuing to implement the trio programme for this group and that the TWP this semester was dealing essentially with the protection of soft targets, aviation security and radicalisation and recruitment issues.

3. Arab Spring: De-brief by the CTC on his visit to Tunisia and way ahead (EU assistance on SSR)

Briefly sketching the situation, the EU CTC noted that the two positive evolutions of the Arab spring and the democratic elections might be mitigated by the reorganisation of the security organisations, allowing for more freedom of movement of jihadists than before, and the serious crises of state failure, which is a pull factor for jihadists.

He stressed the need to consider how the EU could assist in the reform of the security sector, referring to the financial and human resources and expertise that had been put at the disposal by the EU after the fall of the Berlin wall, which had been an important element to transform the security sector.

The EU CTC reported that the Tunisian government was eager to work with the EU on SSR, wishing to start with borders and migration issues but also willing to look at police and criminal justice areas. He appealed to delegations to support, notably by providing the required human resources, the efforts from COM (dedicating 25 Mio EUR to modernise the judicial system) and from EEAS, which would be organising peer reviews. The UK delegation urged to use this spirit of openness and the willingness for cooperation.

Replying to a question of the German delegation, the EU CTC explained that assistance to Yemen was as important and urgent as in Tunisia so that as soon as the security situation allowed and Yemen progressed on GCC, it should be provided with EU support.

4. "Film / cartoon riots" and reactions in Member States and third countries

The EU CTC and the EEAS updated on the above-mentioned events and stressed the need to strike the difficult balance between preserving the fundamental right of freedom of speech and addressing islamophobia. There is a need to better understand the groups that organise the riots as it was noted that the demonstrations were not spontaneous. This was confirmed by a number of delegations who reported on manifestations in their Member States related to the film or cartoon published in the local papers. At these occasions, it was noticed that the manifestations were not attended by the targeted communities, which had condemned the violence. However, while the incidents remained isolated and there had been no terrorist attacks so far related to the film or cartoons, it was stressed that preparation and vigilance remained necessary to see whether such events would create an atmosphere where a lone wolf would feel justified to avenge.

The EU CTC welcomed the intention of the incoming LT Presidency to update the EU media communication strategy.

5. Briefing by Cyprus on the recent arrest of a Hezbollah member (EU CONFIDENTIAL)

A representative of the Cypriot delegation gave a briefing on the above-mentioned subject.

6. Implementation Report on the Council Conclusions on enhancing the links between the internal and external aspects of counter-terrorism

The Presidency briefly presented the above-mentioned report, set out in doc. 13460/2/12 REV 2 ENFOPOL 257 COTER 89 JAIEX 65 COSI 70 CATS 57, and explained that comments had been included which were made at the meetings of TWP and COTER of the previous day.

The EEAS and the CTC requested a number of factual changes to be made and the German delegation stated that it had still outstanding issues with the document. The Chair concluded that any further comments that would not substantially modify the text could be sent in till 8 October at noon, when a revised document would be issued. Following that, a 2-hours silence procedure would be held as the document would have to be submitted to CATS on 9 October 2012.

7. Information from the Commission on the work of the RAN Working Group on Foreign Fighters and the Role of Diaspora communities

Due to the limited time available, the Presidency decided jointly with COM that this issue would be addressed at the next TWP meeting.

8. Mini Seminar on Cyber Security and possible vulnerabilities for terrorist attacks

Delegations took note of and discussed the following presentations

- by INTCEN on Political Non State Actors (EU CONFIDENTIAL);
- by an NL expert on Anonymous;
- by a UK expert on terrorism and the Internet

- by a US expert on the NCTC work on cyberterrorism
- by the CY Office of the Commissioner of Electronic Communications and Postal Regulations on the CY cyber strategy.

A number of the presentations and interventions focused on the difficulties to define cyberterrorism and clarify its boundary with cybercrime and hacktivism. Most speakers advocated for a rather strict definition of cyberterrorism (known terrorists, loss of life) and cautioned against the tendency in the media to view it very broadly. There were calls for more reflection on the matter but also a warning that more discussions may increase the vulnerability towards hacktivism for example.

9. AOB

The COM representative informed the meeting about the second review of the TFTP agreement, that had started with a first visit at Europol the day before and would continue with a visit to the US on 29-30 October 2012. Without prejudice to the final report, which was expected towards the end of November, the COM representative highlighted the very extensive checking measures that have been established at Europol and the problem that the US sometimes received the same request from different authorities from the same Member State.
