



**COUNCIL OF
THE EUROPEAN UNION**

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REV 1**

**ENFOPOL 382
AVIATION 179
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NOTE

from: Presidency
to: delegations

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Subject: Draft Council Conclusions on aviation security against terrorist threats

Delegations will find in Annex draft Council conclusions on aviation security against terrorist threats as revised following the discussion at the Terrorism Working Party meeting on 27 November.

Draft Council Conclusions
on aviation security against terrorist threats

THE COUNCIL OF THE EUROPEAN UNION,

Reaffirming the Union's commitment to fighting terrorism, to securing air transport and, above all, to protect human lives ~~passengers~~,

Recalling the terrorist attack against soft targets in the context of aviation security conducted in July 2012 at the Burgas airport in Bulgaria ~~–the most deadly terrorist attack in the European Union in several years,~~

Having regard to the Commission's communication on the EU Internal Security Strategy in Action: Five steps towards a more secure Europe¹, which contributes to the implementation of the Internal Security Strategy and which calls on the EU to establish by 2014 a coherent risk management policy linking threat and risk assessments to decision making,

Acknowledging that only an integrated approach within the EU involving the enhancement and further development and harmonisation of existing aviation security rules, EU coordination and exchange of information as well the enhancement of global standards will deliver the highest level of aviation security,

Noting the progress made by the EU in the aviation security field, notably in the implementation of the EU Action Plan on strengthening air cargo security², in accordance with the Council conclusions of December 2010³,

Welcoming the implementation, ~~in close cooperation with private operators,~~ of air cargo security control measures based on joint threat and risk assessments and the reassessments of the threats and risks to aviation security related to liquids, aerosols and gels with a view to support related policy making,

¹ 16797/10 JAI 990

² 16271/1/10 REV 1 AVIATION 184 JAI 1021 ENFOPOL 353

³ 17563/10 AVIATION 201 JAI 1053 ENFOPOL 363 + COR 1

Welcoming the Council conclusions of 25 October 2012 on the protection of soft targets from terrorist activities⁴ which highlighted the need for various approaches to be developed, including through national assessments of the vulnerabilities of soft targets~~through carrying out effective vulnerability assessments~~,

Emphasizing the need for effective communication, processes and mutual understanding at the public level, at the private level and between the public and the private sector, as well as the importance of the private sector in implementing aviation security measures,

Noting the Presidency conclusions ~~results~~ of the Conference on “Aviation security against terrorist threats” held in Nicosia on 31 October 2012⁵,

Underlining the EU's commitment to reinforcing global aviation security in cooperation with the International Civil Aviation Organisation and partner countries and the importance of close collaboration with private operators,

Reaffirming its conclusions on enhancing the links between internal and external aspects of counter-terrorism⁶, and in particular the important role of EU IntCen,

Noticing, thanks to the work of the ICAO, that the wide range of passenger data collected upstream of the flight and their risk assessment can deliver information for the aviation security processes at an earliest time, and that it would enable an in-depth control of a small number of passengers before boarding (proposal by FR)

ADOPTED the following conclusions:

The Council welcomes and encourages the cooperation underway between relevant Member States' authorities, inter alia in the AirPol context, to identify, develop and share good practices with a view to enhance the prevention and protection of both aviation infrastructures and related soft targets against terrorist attacks.

⁴ 14591/12 ENFOPOL 316

⁵ 16252/12 ENFOPOL 374 AVIATION 174 JAI 800

⁶ 11075/11 ENFOPOL 185 COTER 54 JAIEX 56 COSI 47 CATS 47

The Council ~~encourages~~ requests the Commission, the High Representative EU IntCen (EEAS) and the Member States, in accordance with their respective roles and areas of competence, to further examine the extension of ~~extend~~ the risk assessment activities hitherto conducted on air cargo and liquid explosives, to other domains of aviation security to support risk based policy making, in a first instance as regards passenger related risks.

FR proposal for an alternative wording of the second operational paragraph:

The Council requests that the Commission, the EU IntCen (EEAS) and the Member States, when considering the extension of the existing risk assessment activities to other domains and in a first instance as regards passenger related risks, examine whether, in a context of continuous increase in international air traffic, passenger data processing could improve risk assessment for aviation security, in full deference to fundamental rights and the protection of individuals with regard to the processing of personal data.

Proposal by EEAS for an additional operational paragraph:

The Council invites the High Representative and the Commission, in accordance with their respective fields of competence, to include the exchange of information and best practice on aviation security as appropriate in their dialogues with third countries and international organisations; and to consider the possibilities under appropriate programmes to assist third countries in their efforts to implement effective aviation security measures.