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NOTE

From: EU Counter-Terrorism Coordinator
To: Council

Subject: Implementation of the counter-terrorism agenda set by the European Council

Detailed description of recent and planned CT/CVE related activities

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I. ENSURING THE SECURITY OF CITIZENS

1. Information sharing and operational cooperation

The JHA Council discussed how to strengthen information sharing at its meetings in April, June (Ministers of Interior) and October (Ministers of Justice) 2016. In June 2016, under the Netherlands Presidency, the Council adopted the "**Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area**", setting out a broad range of measures. A detailed overview on implementation of the counter-terrorism part of the roadmap is contained in the Presidency report "State of play of the implementation of its Actions 17 to 40 (Chapter 3)" (doc. 12286/1/16 REV 1).

– **Europol**

On 13 April 2016, the European Parliament adopted the European Commission's proposal for an amended EU budget 2016, with a view to **increasing Europol's workforce in support of the ECTC**. The amending budget provided funding to strengthen the staffing level of Europol with 25 additional Temporary Agents, 5 additional Contract Agents and 5 additional Seconded National Experts (35 in total). The majority of the recruitment procedures have been finalised, with the remaining ones expected to be finalised in the coming weeks. Following the Communication from the Commission of 14 September 2016 on the next steps regarding the Security Union¹, the European Commission conducted a thorough needs assessment with Europol and released an amended budget proposal for 2017, suggesting an additional enforcement of 20 establishment plan posts for the ECTC. However, the current proposed staffing level (including the 20 posts), still lies 11 below the overall level of established posts agreed by the Europol Management Board in January 2016 for Europol as a whole.

¹ Enhancing security in a world of mobility: improved information exchange in the fight against terrorism and stronger external borders, COM(2016) 602 final

The Commission Communication of 14 September 2016 stressed the importance of finding a practical solution to allow for enhanced cooperation between the law enforcement community and the intelligence community. It invited Member States to share their experiences and lessons learnt in that field.

- Update of the Council Framework Decision on ECRIS

On 19 January 2016, the Commission adopted a proposal to amend and upgrade the European Criminal Records Information System (ECRIS) that has been established in 2012. The proposal aims at extending the existing system to third country nationals (TCN) by introducing, inter alia, the obligation to store criminal record information, including fingerprints, on convicted TCN and to exchange such information for the purpose of criminal proceedings.

The proposal suggests a decentralised system, functioning on the basis of an index-filter including fingerprints of the convicted TCN extracted from the national criminal record register of the convicting Member State, as well as a hit/no hit search mechanism. At the 9/10 June JHA Council, an approach different from the original Commission proposal was supported, providing for the establishment of the extended ECRIS for TCN as a centralised system for both fingerprints and alphanumeric data. A decision by the Commission on whether to introduce a proposal for a centralised system is expected before the end of the year.

– Eurojust

There is a positive trend towards making better use of **Eurojust** in the fight against terrorism, although this starts from a low level and still does not reflect the threat. Over the past years, Eurojust has been more frequently addressed with requests for assistance by the competent authorities of the Member States dealing with terrorism investigations and prosecutions. Eurojust has been requested to assist in a number of major complex CT cases of cross-border nature. The number of terrorism cases registered at Eurojust in 2016 was 47 until the end of September. This represents a substantial increase in casework considering the figures in 2015 (41 cases in total) and in 2014 (14 cases in total).

Eurojust's coordination tools have proven to be efficient for solving complex legal and practical issues. Eurojust's **coordination meetings** bring together law enforcement and judicial authorities from all countries involved in a case. They provide a trusted platform for exchange information, facilitate and/or coordinate the execution of mutual legal assistance (MLA) requests, coordinate ongoing investigations and coercive measures (e.g. search warrants and arrest warrants). Eurojust organised (until the end of September) 15 coordination meetings on operational terrorism cases in 2016 (15 in 2015). Eurojust's **coordination centres** provide increased operational support during common action days. There has not been a coordination centre on CT in 2016 yet (1 in 2015). Eurojust continued to provide support to **Joint Investigation Teams (JITs)** in terrorism cases: at the end of September 2016, one JIT established in 2014 is still ongoing, three JITs (two new) in 2015 and three JITs (one new) in 2016.

There was an increase in **information submitted on prosecutions and convictions to Eurojust** on the basis of Council Decision 2005/671/JHA. Information on ongoing prosecutions, for example, has increased significantly but remains low (in 2014 there were 30 cases with such information, in 2015 there were 100 and in 2016 - until the end of September - 113). The number of concluded court proceedings on terrorist offences reported to Eurojust increased but remains incomplete (from 180 in 2014 to 218 in 2015 concerning 513 individuals 85 of which were female, in 2016, at the end of September, 65).

Although the figures concerning terrorism cases dealt with at Eurojust are growing, Eurojust welcomes an increased exchange of information with the judicial authorities of the EU Member States and is prepared to receive all such information. The numbers of terrorism cases and the level of information received so far at Eurojust do not adequately reflect the current terrorist threat. A growing number of FTF may return back to the EU Member States in order to commit terrorist related crimes. This a matter of big concern. Therefore, Eurojust encourages the judicial authorities in the Member States to **make a better use of the spontaneous exchange of information** irrespective of Rogatory Letters, which is also a legal possibility to cooperate internationally, in a way which seems to be more adequate to the necessity of a fast and efficient circulation of information, supported by Eurojust.

As required by Council Decision 2005/671/JHA, the information exchanged with Eurojust needs to include information on prosecutions and convictions for terrorist offences, as well as information on the specific circumstances surrounding those offences, links to other relevant cases, MLA requests and information on the execution of such requests. Through **sharing of information on all prosecutions and convictions for terrorist offences including the circumstantial information**, Member States would benefit more from Eurojust's capabilities to detect links between cases, as well as from Eurojust's continuing efforts to centralise and analyse challenges and best practice related to prosecutions for terrorist offences, in particular via the Eurojust Terrorism Convictions Monitors (TCM).

On 22 and 23 June 2016, Eurojust gathered for the fourth consecutive year the EU national correspondents for terrorism to exchange views on the best way forward in building an effective judicial response to the phenomenon of foreign terrorist fighters (Eurojust tactical meeting on terrorism), also attended by specialised counter-terrorism prosecutors from Switzerland, Norway, the USA, Turkey, Montenegro, Albania, Serbia and Bosnia and Herzegovina. In the margins, the EU national correspondents for terrorism and terrorism experts from Norway, Switzerland and the USA attended a counter-terrorism meeting with officials of the International Criminal Court (ICC) during which the possibility of establishing a coordinated investigative and prosecutorial strategy on counter-terrorism matters among the ICC, Eurojust and the national judicial authorities was discussed. The ICC presented Libya as the pilot project State where this strategy could be implemented.

Eurojust is currently drafting its fourth classified **report on the criminal justice response to the FTFs phenomenon**, to be issued in November 2016 and presented to the JHA Ministers in December 2016.

The 11th meeting of the **Consultative Forum of Prosecutors General and Directors of Public Prosecutions of the Member States** of 3 June 2016² addressed the latest developments in key crime areas including terrorism as well as the challenges faced by the EU practitioners in judicial cooperation with key Third States in cases of serious and organised crime. Conclusions were reached on Eurojust's valuable role in providing assistance to the Member States' judicial cooperation processes with Third States in these areas and on potential ways through which Eurojust could further assist in this context.

On 9 June 2016, the **European Judicial Cybercrime Network (EJCN)** was established by Council Conclusions. Eurojust is tasked with providing support to this network, which will bring together practitioners from the Member States with a special expertise in cybercrime, with a goal to facilitate the exchange of expertise, best practices and other relevant knowledge and experience on the investigation and prosecution of cybercrime, cyber-enabled crime and investigations in cyberspace, as well to foster dialogue among different actors and stakeholders that have a role in ensuring the rule of law in cyberspace (e.g. EC3, Eurojust, ENISA, CEPOL, Interpol, Council of Europe, private sector and other relevant cyber security bodies and networks).

The kick-off meeting on 24 November 2016 at Eurojust will feature technical and legal challenges in relation to encryption and the legal obstacles to undercover investigations online. Eurojust will also start to produce a Judicial Monitor on Cybercrime.

Progress should be made in the cooperation between ECTC and Eurojust to facilitate an early involvement of judiciary and a full use of Eurojust's coordination tools and its long experience in casework, as well as its network of national correspondents for Eurojust for terrorism matters appointed in the Member States, Norway and Switzerland. Further steps for bridge making between Eurojust and ECTC are being explored building on the positive experience and added value of the Eurojust representative at the European Cybercrime Centre (EC3).

² doc. 12393/16

– **Structured and multilateral approach for operational cooperation on CT threats**

COSI had several discussions on the topic during the Netherlands Presidency and decided that regular separate future oriented threat assessments from INTCEN and Europol (law enforcement perspective) would be presented to COSI. COSI has started to implement this approach under the Slovak Presidency.

2. **External border controls**

– ***Solid legal basis for the contribution of the European Border and Coast Guard Agency (Frontex) to the fight against terrorism***

Frontex has been renamed and beefed up. The new regulation [2016/1624](#) on the European Border and Coast Guard (Frontex) was adopted on 14 September 2016. Measures related to the prevention and detection of terrorism during border control are now part of the European integrated border management as defined by the new mandate of the agency.

The new regulation also enables Frontex to process information containing personal data relating to persons suspected to be involved in acts of crime including terrorism and to cooperate with other EU agencies on the prevention of cross-border crime and terrorism.

– ***Feeding and use of the SIS II***

Following various implementing actions adopted in the last few months, SIS II has undergone a number of changes to enhance the potential for SIS II to trace individuals, and to take immediate action on alerts entered under SIS II Decision Article 36, in particular for fighting terrorism. There has been an increase in the number of Article 26 and 36 alerts in recent months.

Overview³:

<p>a) Number of alerts on persons entered under SIS II Art. 26 (European Arrest Warrant)</p> <table border="1"> <tr> <td>in 2014:</td> <td>34,651</td> </tr> <tr> <td>in 2015:</td> <td>34,590</td> </tr> <tr> <td>in 2016:</td> <td>35,534</td> </tr> </table> <p>b) Number of alerts entered on persons under SIS II Art. 36(2) (criminal offences)</p> <table border="1"> <tr> <td>in 2014:</td> <td>44,669</td> </tr> <tr> <td>in 2015:</td> <td>61,575</td> </tr> <tr> <td>in 2016:</td> <td>78,015</td> </tr> </table>	in 2014:	34,651	in 2015:	34,590	in 2016:	35,534	in 2014:	44,669	in 2015:	61,575	in 2016:	78,015	<p>c) Number of alerts entered on persons for discreet or specific check for national security (Art. 36(3) SIS II)</p> <table border="1"> <tr> <td>in 2014:</td> <td>1,859</td> </tr> <tr> <td>in 2015:</td> <td>7,945</td> </tr> <tr> <td>in 2016:</td> <td>9,516</td> </tr> </table> <p>d) Number of alerts on persons for discreet and specific checks for immediate reporting (SIS II Art. 36 (2) and (3)):</p> <table border="1"> <tr> <td>Sept. 2016:</td> <td>6,100</td> </tr> </table>	in 2014:	1,859	in 2015:	7,945	in 2016:	9,516	Sept. 2016:	6,100
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Since 3 July 2016, eu-LISA has started to prepare data quality reports for SIS alerts addressing individually the Member States which issued the alerts. Data quality and better use of the SIS II has also been discussed in the context of the High Level Expert Group on Information Systems and Interoperability.

³ 2016 data shown relates to the period January - September; reference date for 2014 is the 31 December 2014; reference date for 2015 is the 31 December 2015; aggregated data includes all Schengen members; information provided by Commission.

The Commission has continued the discussion with Member States to define common criteria on the different categories of SIS alerts for tackling terrorist suspects. It is still not possible to distinguish how many alerts concern FTF/terrorists. In September 2016, the SIS/VIS Committee agreed to add the type of offence, including 'terrorism-related activity' to alerts for specific checks and alerts for discreet and specific checks requiring immediate reporting. The change is on hold at the moment due to several operational and technical issues raised by various Member States, eu-LISA is making a technical assessment for several alternatives of the change to get an overview of the impact on the central and national systems. Further measures to improve the use of the SIS for counter-terrorism are included in the Roadmap on information sharing adopted under the Netherlands Presidency ((9368/1/16 REV1).

In its communication "Stronger and Smarter Information Systems for Borders and Security"⁴, the Commission announced its intention to propose a revision of the SIS to include the use of facial images for biometric identification. As required by the SIS II legal instruments (Article 50(5) of the Regulation SIS II and Article 66(5) of the Decision SIS II), the Commission carried out an overall evaluation of SIS three years after its entry into force. Based on the outcome of the evaluation the Commission is preparing a legislative proposal containing a series of measures aimed at maximising the effectiveness of SIS to be presented in the near future.

– *SIS II biometrics*

Access to photographs and fingerprints is currently possible only to confirm an identity in case of doubts (Art. 22(b) of both pertinent SIS II legal instruments⁵). The current SIS II legal instruments allow a biometric search function for fingerprints and technical developments to implement the biometric functionality in terms of fingerprints fully are ongoing.

⁴ COM(2016) 205 final, 6.4.2016

⁵ Regulation (EC) No 1987/2006 on the establishment, operation and use of the second generation Schengen Information System, OJ L 381, 28.12.2006, p. 4, and Decision 2007/533/JHA on the establishment, operation and use of the second generation Schengen Information System, OJ L 205, 7.8.2007, p. 63.

The Commission presented a report on the technology on 29 February 2016 and consulted the European Parliament (Art. 22(c) of both the SIS II regulation and the SIS II decision). The SIS II Automated Fingerprint Identification System (AFIS) is being developed by eu-LISA. eu-LISA has started working with the Commission and the Member States as of June 2016 and they are about to finalise the user and the technical requirements. The test phase in 2017 will involve eight Member States and the entry into operation of the biometric capability enabling searches based on fingerprints is scheduled for 2018.

The EU Fundamental Rights Agency (FRA) is implementing a project on the fundamental rights implications of large-scale biometric data in large EU IT systems in the areas of borders, visa and asylum.

The findings of the project which focuses on Eurodac, SIS II and VIS (report to be published at the end of 2017) could be relevant in the context of the impact assessment of up-coming legislation, such as ETIAS and SIS II, and in the discussions on interoperability.

– *Use of Interpol databases*

Use of the Interpol Stolen and Lost Travel Documents (SLTD), TDAWN (Travel Document Associated With Notices) and NOMInals (contains all notices) databases strongly increased during the last year. However, use heavily varies among Member States. While searches against Interpol databases are of key importance, populating Interpol repositories is also a key issue. Interpol strongly recommends to Member States to integrate Interpol search systems such as FIND 1.1 (accessing SLTD and TDAWN), FIND 1.2 (accessing NOMInals) and WISDM (automatic upload of SLTD records from the national repositories) to make the best use of Interpol policing capabilities. The FIND solution allows Member States to fully integrate into their national systems the necessary IT components to query systematically and automatically different databases, providing full interoperability by using the “One Query - Multiple Answers” mechanism accessing national, regional and international databases such INTERPOL SLTD, TDAWN and NOMInals.

Interpol has sent in July 2016 a letter to each EU National Central Bureau (NCB) in reference to the adoption by the EU Parliament of the PNR Directive in April 2016 mentioning that it is ready for welcoming requests from any EU PNR national system against NOMInals and SLTD databases. Member States using the Web Services Technology FIND to access Interpol NOMInals and SLTD databases will be able to easily integrate those Web Services into their new Passenger Name Record (PNR) / Passenger Information Unit (PIU) systems. Several Member States have already started tests or studies to link their national PNR systems and Interpol services.

– ***Implementation of Common Risk Indicators (CRI)***

The entry into force of the targeted amendment of the Schengen Borders Code on systematic checks for all travellers crossing the external borders against the relevant databases will influence the use of the CRI. After entry into force, CRI will remain relevant for the border crossing points subject to derogations/benefiting from a transitional period.

Frontex supports the Member States with the implementation of CRIs as part of all operations that are conducted at border crossing points (BCPs). As part of this operational activity, Frontex developed from the basis of the list of the Common Risk Indicators put together by the European Commission, Europol and Member States an awareness booklet tailored for the information needs of officers deployed by Frontex to different operational areas at the EU external borders, but also to be used by Member States' border guards in general. The first booklet was published in January 2016 and disseminated in a series of briefings for guest officers seconded from Member States in the beginning of the year. The booklet was updated twice, most recently in September 2016. All future updates however should be regular and done by the original authors for the CRIs (the European Commission, Europol and Member States).

Frontex is currently translating the CRIs booklet into seven priority languages (BG, GR, HU, ES, IT, FR, DE).

Frontex also plans to work with relevant third-country partners in the Western Balkans and the Eastern Partnership countries in order to produce tailored booklet similar to the above mentioned booklet to be used by border control authorities in the regions concerned.

– *Implementation of security aspects in hotspots*

The Commission has reported on the implementation of the hotspot approach in both Greece and Italy in the regular Reports on Relocation and Resettlement. SCIFA has discussed the security aspects of hotspots on 25 October 2016.

Since the full activation of the **EU Integrated Political Crisis Response (IPCR) arrangements** on 9 November 2015, the Presidency has convened several IPCR roundtable meetings which have examined the main shortcomings and possible solutions to the current migration and refugee crisis. Proposals supporting Council decision making have been developed. Since the last report, the migratory pressure on the Western Balkans route has significantly reduced, while on the Central Mediterranean route numbers are roughly equal to 2015. IPCR crisis meetings have continued to be organised around central topics, including hotspots, possible rerouting and identification of gaps.

The setting-up and proper functioning of the hotspots, including security checks, had been a priority topic for the Luxembourg and Netherlands Presidencies. Since the last dedicated IPCR roundtable meetings on 3 March 2016, in the presence notably of Italy, Greece, Europol and Frontex, progress has been made and security checks at the hotspots has featured less in the discussions.

It is important that information obtained by Frontex can be shared not only with Europol, but also with the relevant national authorities of Member States, now possible according to **Article 47 of the new EBCG regulation**. Frontex has already consulted with the European Data Protection Supervisor (EDPS) on this matter, which offers huge potential for the exchange of personal data between Member States. The outcome of this consultation is currently pending but EDPS have already indicated that they will issue a reaction with a matter of urgency.

Frontex would benefit from access to the Entry/Exit System (EES) in the future. The EES will be the first EU wide system where border guards or border police officers will have the main role when it comes to feeding the Database. The process must be totally automated (e.g. scanning relevant travel document) in order to reconcile the security but also facilitation requirements in the control of third country nationals. Frontex would clearly benefit from gaining access to all technological instruments and comprehensive tools to better assist in the control of passenger movements. Such access to comprehensive tools would enable Frontex as a whole to provide more tailored support in order to meet the needs of MS border guard authorities in addition to currently available tools such as API, SIS, and PNR. It would also enhance inter-agency cooperation and contribute to enriched inter connectivity between the various tools.

CT relevant aspects at the hotspots in Italy

Four hotspots are operational (Lampedusa, Trapani, Pozzallo and Taranto), eight further hotspots are under preparation. The concept of “mobile Hotspots”, covering other disembarkation ports/landing locations, while following the hotspot approach, is in planning stage.

CT relevant aspects at the hotspots in Greece

Currently, all the 5 planned hotspots are fully operational (Lesvos, Chios, Samos, Leros and Kos) and Europol has deployed officers for second line security checks.

- FADO (*False and Authentic Documents Online*)

FADO (False and Authentic Documents Online) is a web-based European image database, managed by the General Secretariat of the Council (GSC), with currently contains about 3.000 specimen of genuine and anonymised examples of false identity, residence and travel documents, visas, stamps, and driving licences, each associated with a structured multi-lingual technical document description (in particular regards security elements) and/or known forgery techniques. In addition, the system contains about 2.000 national false document alerts.

The database contents is classified as EU Restricted, Limited or Public and made available, in decreasing detail of information, by the respective three FADO subsystems Expert FADO (for document experts), iFADO (Intranet FADO, mainly for border guards and police), and PRADO (Public Register of Authentic Documents Online, for the general public).

Since 2005, Member States uploaded on a voluntary basis 2.883 genuine and false documents with technical document descriptions to FADO, from which 57 % (1.652) were “own authentic” documents issued by the MS themselves, and 43 % (1.231) third-country documents and/or forgeries. The growing rate of the database has been 8 % over the past 12 months. Despite these figures, the GSC observes a number of shortcomings such as a number of Member States not uploading own authentic documents such as residence permits, visas, travel documents for non-residents or vehicle licenses – a consequence of the non-compulsiveness of FADO. Furthermore, completeness as regards authentic third-country documents and as regards false documents is by its very nature impossible to assess.

As regards its user base, around 150 users (document experts) are registered by the GSC for Expert FADO, half of them being regular contributors ("originators"). Due to the delegation of the user management for *iFADO* to the Member States, the GSC is not in a position to indicate the total number of *iFADO* users. *iFADO* has a broad user base of more than 243.000 potential users within border guards and police forces, in some Member States even within Ministries including all subordinate organisations, immigration services, embassies and consulates. *iFADO* usage, which is at a voluntary basis, is estimated to be far higher than 1,5 million page views per month. In at least 23 Member States FADO is available at all international border crossing points. PRADO has an unlimited user base. With 2,6 million page views per months, originating from at least 50.000 different users per month, the PRADO web pages are the most frequented public web pages of the Council.

3. Firearms and explosives

The Commission has invited all Member States to set up national focal points on firearms to develop expertise and improve analysis and strategic reporting on illicit trafficking in firearms. So far, 10 Member States have set up a Focal Point (FP) "Weapons and Explosives" at national level.

Actions to improve tracking and traceability of firearms continue. The current data collection systems have been assessed in all MS and a manual on best practice guidance has been produced by the European Firearms Experts (EFE) Group.

The increased use of **FP Weapons and Explosives at Europol** is significant.

Interpol ended the FIND project for a single search in iARMS from national databases. In addition Interpol, the Commission and Europol created a joint proposal for interoperability of iARMS and SIS based on UMF (Universal Message Format).

Frontex has increased its engagement in six operational actions within the EU Policy Cycle Firearms Priority, with a special focus on the Western Balkans and stepped up efforts to contribute to the fight against firearms trafficking at the EU's external borders. Eurosur Fusion Services have been made available to EMPACT Firearms Priority action leaders to facilitate the fight against cross-border trafficking of firearms. A series of awareness raising sessions were organized by Frontex and the EMPACT Firearms Priority driver to make the investigators aware of the tools.

The testing phase for the new firearms-related crime indicators has started with Western Balkan countries within the framework of the regional Western Balkans Risk Analysis Network (WB-RAN) managed by Frontex. It aims at data collection on detections of illegal firearms at the borders. An assessment will be made during early 2017 for possible consolidation of the new data exchange model to tailor better the operational response. Frontex will also extend the fire-arms related data collection to Member States in accordance with the new mandate.

Frontex took part in the Joint Action Days (JADs) organized under Europol's Blue Amber Operation in 2015 aimed at tackling firearms trafficking and has continued its support for JADs in 2016 by means of multi-purpose Joint Operations, especially in the Western Balkans. The Agency will also support the EMPACT related JAD in November 2016 focused on firearms trafficking with the participation of Member States and Third Countries, with focus on border control in the Western Balkans region. Frontex has also started to participate in the European Firearms Expert group to improve its capacity in the field of detection and counteracting firearms trafficking.

COSI agreed on a model for a firearms matrix which would provide an overview of all actions with regard to illegal firearms. The feeding of this matrix started and COSI will return to this issue in December 2016.

Europol has recently reshaped the use of its bomb database, the European Union Bomb Data System (EBDS), now also accessible through the so-called Europol Platform for Experts (EPE), connecting all end-users. Operational and classified information is only available through the EPE application on Europol's operational network (accessible via Europol's secure network).

4. Security Services

Under the leadership of the Netherlands Presidency to further step up cooperation of the security services outside of the EU context, the Counter-Terrorism Group (CTG) is working to strengthen real-time multilateral exchanges and has launched a new platform to facilitate this in mid-2016. The President of the CTG briefed the JHA Council in June 2016 on the progress. The new platform has already facilitated operational results.

At the request of the European Parliament, FRA launched some research on surveillance by national intelligence authorities and fundamental rights. In November 2015, FRA published a report mapping the legal framework on surveillance in the Member States. The report highlights that introducing and maintaining clear and accessible legislation and strong oversight mechanisms is challenging, but vital in striking a balance between security and privacy. FRA is working on the second and last phase with fieldwork in seven Member States. The report will be published during the second semester of 2017

5. Countering the financing of terrorism (CFT)

The 4th **Anti-Money Laundering Directive (AMLD)** adopted on 20 May 2015 needs to be legally transposed at the national level by 26 June 2017. Member States have committed to speed up the transposition process by the end of 2016.

On 5 July 2016 the Commission presented a legislative proposal to amend the 4th AMLD in respect of harmonised and enhanced due diligence measures with regards to high-risk third countries, virtual currency exchange platforms and wallet providers, and prepaid instruments. The proposed amendment covers also access by Financial Intelligence Units (FIU) and other competent authorities to centralised bank and payment account registers or electronic data retrieval systems and improving the access to information and exchange of information by FIUs. The amendment also aims to achieve more transparency in financial transactions.

On 14 July the Commission adopted a list of high-risk third countries having strategic deficiencies in their AML/CFT regimes, through a delegated act that was published in the Official Journal on 20 September 2016.

The Commission has also launched a mapping exercise in the EU FIU platform in order to identify FIU powers in accessing, exchanging and using information. The objective is to identify further obstacles to FIU cooperation, root causes and possible solutions. The Commission will present appropriate measures in this regard in mid-2017.

As foreseen in Article 6 of the 4th Anti-Money Laundering Directive, the Commission has been tasked with conducting an assessment of the Money Laundering and Terrorist Financing risks affecting the internal market and related to cross-border activities. The final report is foreseen for June 2017.

The Commission adopted an action plan to tackle illicit financial flows related to wildlife trafficking on 26 February 2016 and announced to soon present a proposal to harmonise the criminalisation of money laundering offences and sanctions.

– *EU-US Terrorist Financing Tracking Programme (TFTP)*

More than 33 900 intelligence leads have been provided by the TFTP since it came into force in 2010.

The Commission Communication on fighting terrorist financing of 2 February 2016 announced an appraisal for a possible European system which would complement the existing EU-US TFTP agreement.

– *FIU.net*

FIU.net was embedded into Europol on 1 January 2016 and a Service Level Agreement was concluded on 19 October 2016 between Europol and all 28 FIUs. Currently, Europol hosts the platform. It is important to preserve the functionalities of the system and to further develop so-called anonymised matching tools (Ma³tch3).

Europol's efforts are being directed at developing FIU.net and finding ways to enhance operational cooperation between FIUs and law enforcement authorities, as the embedment of FIU.net should allow for enhanced cooperation with FIUs via FIU.net around counter-terrorism.

- *Adoption of the new anti-terrorism CFSP regime (allowing for autonomous EU listings for assets freezing and entry bans)*

The EU-UN terrorist sanctions regime has been replaced by an "EU-UN + EU autonomous" regime adopted by the Council on 20 September 2016, ie adding to the existing EU-UN regime new provisions allowing to take also EU autonomous sanctions (Art. 2(2) and Art. 3(3) of the new CFSP Decision 2016/1693), which therefore allows the Council to list entities and persons (also of EU nationality) for assets freezing and entry bans. The old EU autonomous regime of 2001 which combined external and internal terrorist listing has remained untouched. The annexes to the new acts attached are still empty because there has not been a listing yet on the basis of this new EU autonomous regime, but the necessary powers are now there to be used by the Council (Art. 5(1) of the Decision).

Such CFSP entry bans are enforced through introducing the names in the SIS (Art. 26 of the SIS Regulation on the obligation to make such entries for implementing CFSP obligations, normally taken care of by the Member State holding the Presidency, if it's a Schengen Member State or continuation of the previous presidency if not).

6. Network and Information Security (NIS) Directive

On 6 July 2016, the NIS Directive was adopted. It lays down measures with a view to achieving a high common level of security of network and information systems within the Union so as to improve the functioning of the internal market. It also creates a Cooperation Group to facilitate cooperation and information exchange among Member States, as well as a computer security incident response teams' network to promote swift and effective operational cooperation.

7. E-evidence

E-evidence has high relevance in the context of counter-terrorism. The Netherlands Presidency continued the work of the Luxembourg Presidency and organized a Conference on Jurisdiction in Cyberspace on 7-8 March 2016. On that basis, Council Conclusions on improving criminal justice in cyberspace which were adopted at the 9 June JHA Council this year addressed:

(1) cooperation with internet service providers with a view to the development of a common framework for the purpose of obtaining specific categories of electronic data;

(2) streamlining of the MLA by adapting, where necessary, existing procedures and by developing a secure online portal for electronic requests

and (3), enforcement of jurisdiction in cyberspace, giving to the Commission the mandate to explore a common EU approach. The Commission is working closely with Member States, Eurojust and Europol in this regard and has launched a process of experts' meetings with a view to provide a report at the JHA Council in December 2016 on progress made so far.

In a joint letter of 28 October 2016, the Ministers of the Interior of France and Germany highlight the importance of strengthening the legal obligation of electronic communication service providers to cooperate directly with the competent authorities of Member States with regard to criminal investigations, irrespective of where the companies are based, of greater speed in the cooperation and of addressing also the issue of **encryption** on that context.

Following the ruling by the US Second Circuit Court of Appeals of 14 July 2016, Eurojust assessed the impact for EU law enforcement and judicial authorities to obtain electronic evidence from Cloud providers. Based on this assessment, Eurojust advised Member States on the current procedures and policies for (direct) cooperation with certain US-based providers.

II. PREVENTING RADICALISATION AND SAFEGUARDING VALUES

On 14 June 2016 the Commission adopted the Communication supporting the prevention of radicalisation leading to violent extremism. The Communication provides a series of 26 key actions aimed at supporting Member States in preventing radicalisation leading to violent extremism.

The structure of the Communication highlights the priority attributed to seven specific areas where cooperation at EU level can bring added value: from promoting inclusive education and common values, to tackling extremist propaganda online and radicalisation in prisons, strengthening cooperation with third countries, and enhancing research to better understand the evolving nature of radicalisation and better inform policy responses.

1. Radicalization Awareness Network (RAN) Centre of Excellence

The Radicalisation Awareness Network is a key tool at EU level for addressing the root causes of radicalisation and developing effective counter measures. The RAN Centre of Excellence was established in 2015 to bolster the support provided to practitioners in Member States, including tailor made support services to Member States and selected third countries (see below, section 9). Over 2400 front line practitioners including educators, social workers, community leaders, psychologists, NGOs, think tanks, community police, prison and probation officers as well as representatives of local authorities are connected to the RAN.

The Centre and RAN Working Groups organise gatherings across the EU with practitioners every week. The RAN Centre of Excellence provides Member States with expertise and guidance, where requested, e.g. in designing prevent strategies or setting up networks of practitioners. This support can take the form of the deployment of a RAN advisory team, a train-the-trainer course or a workshop on a specific topic.

In September 2016, the RAN launched the "**Exit Hate**" campaign to provide alternative narratives to extremist propaganda based on personal testimony.

On 9 November 2016, the Commission will organise the **RAN High Level Conference on radicalisation**, bringing together national and local policy-makers and front line practitioners to discuss effective ways to tackle radicalisation and focusing on challenges related to returning foreign terrorist fighters, children and polarisation in society. The conference does not only aim at feeding back practitioners' insights and recommendations to policy makers but also to pave the way for increased exchanges of experiences and expertise on prevention strategies and approaches among Member States.

2. INTERNET

– *EU Internet Referral Unit (IRU)*

By October 2016, 15 421 referrals of relevant internet content were identified by the EU IRU for removal by social media and respective online service providers (88.9% of these decisions for referral were successful). 26 Member States now have national contact points for the IRU. The EU IRU plans to provide real time access to referral information for Member States' points of contact.

Since April 2016, the IRU is organising "**joint referral action days**" in cooperation with experts from the EU Member States and online service providers.

– *EU Internet Forum*

Following the first Ministerial meeting of the Internet Forum in December 2015, the European Commission has been pressing the Internet and social media industry to take further steps to ensure that DAESH's capacity to exploit the internet for recruitment and incitement purposes is reduced.

The scale of the problem has been revealed by the groups' reliance on social media not only to recruit new followers and foreign terrorist fighters and inspire attacks, but also to plan a series of attacks in Member States in 2016 and in targeting our partners across the Middle East and North Africa.

A number of companies have responded this year by tightening their internal procedures, thereby making it easier for the EU IRU to refer content for removal. At the next Ministerial meeting of the Internet Forum on 8 December, the EU should hold the industry to its commitment to take additional steps through the establishment of an industry-wide Joint Referrals Platform to facilitate the prompt and permanent removal from the internet of DAESH-related material aimed at promoting their message, glorifying their violence and inspiring others to act in their name. Given the scale of the problem, in the future, voluntary implementation of automated detection mechanisms to facilitate removals by the companies should be promoted, keeping in mind that the e-Commerce Directive does not provide for an obligation to monitor the entire content. The meeting should also address how the industry can provide match funding to support the Commission's Civil Society Empowerment Programme to be launched with the aim to equip civil society groups with the skills they need to tackle DAESH's online narrative in communities across Europe.

On 31st May 2016 the Commission and four big IT companies (Facebook, Twitter, Youtube and Microsoft) agreed upon a code of conduct on countering illegal hate speech online⁶. Those companies, which are also part of the EU Internet Forum, committed to remove hate speech-related content published on their platforms within 24 hours upon receipt of a valid referral. The code also mentions that the companies will communicate their procedures for submitting notices. A system of "trusted reporters" is envisaged and companies engaged in making this information available on their websites. The High Level Group on Combating Racism, Xenophobia and other forms of intolerance will assess the implementation of the code during the next meeting scheduled in December 2016.

Other key issues which will need to be addressed with the internet companies are e-evidence and encryption.

In addition, the key threats characterising the internet governance landscape, as identified in Europol's recent Internet – Organised Crime Threat Assessment (I-OCTA) 2016, should be addressed as a priority, in order to ensure efficient and effective investigations, especially also in the area of counter terrorism.

– *European Strategic Communications Network (ESCN)*

The European Strategic Communications Network (ESCN) is a Belgian-led project, funded by the European Commission. It started in October 2016 with a duration of 12 months. The project emerged from the Syria Strategic Communications Advisory Team (SSCAT) project that was established in January 2015. The network of Member States aims to share best practice on the use of strategic communications in countering violent extremism.

⁶ http://ec.europa.eu/justice/fundamental-rights/files/hate_speech_code_of_conduct_en.pdf

During the upcoming twelve months, ESCN will focus its work on a group of selected Member States and support them on how to apply a strategic communications approach to develop their own domestic capacity to challenge violent extremist influence at the pace and scale required. Moreover, ESCN will continue offering consultancy to Member States in the context of the network to deepen a shared understanding of both the problem and the role of communications in any response. Member States and European institutions should second experts into the ESCN team in Brussels to extend their capacity.

3. Criminal Justice response to radicalisation

– Activities through the European Judicial Training Network (EJTN)

Following the Commission's request, EJTN adjusted its budget for 2015 and 2016 and has foreseen training open to judges and prosecutors from the 28 Member States. EJTN expects the participation of 240 judges, prosecutors and judicial trainers and exchange programmes in which some 54 specialised and non-specialised judges and prosecutors are participating from seven Member States (IT, FR, UK, BE, SE, ES, DE). On 20 May 2016, the Commission organised in cooperation with EJTN a conference in Brussels for representatives of various national bodies on the existing training programmes in Member States and to evaluate the need for additional training.

– Project funding under the Justice Programme

For 2015 and 2016, EUR 6.5 million has been earmarked for action grants to support projects with the aim to prevent radicalisation leading to terrorism and violent extremism. The 2015 call was published in November 2015 and the 2016 call in June 2016. The priorities of the 2015 and 2016 calls are (1) Prevention of radicalisation in prisons, in particular by the development of de-radicalisation, disengagement and rehabilitation programmes to be used in prison; (2) Promotion of alternatives to detention and exploration of the role of probation at EU level in the fight against radicalisation; (3) Development of risk assessment methodologies which could be used by prison administrations, judges and prosecutors; and (4) Training of professionals (in particular prison management and staff, probation officers, prosecutors, judiciary, prison chaplains/imams, counsellors) involved in dealing with radicalised violent extremists or those at risk of becoming radicalised, in a sustained and multi-disciplinary way.

– *Cooperation with Eurojust on terrorism and violent radicalisation*

Cooperation with Eurojust to monitor the developments and trends with regard to the applicable legislative framework and relevant jurisprudence in the Member States on terrorism and violent radicalisation, including the use of alternatives to prosecution and detention, is done, inter alia, through the Terrorism Conviction Monitor (TCM) and the Eurojust questionnaires on the criminal justice response to foreign terrorist fighters and through Eurojust tactical meetings on terrorism.

– *Work with the European Confederation for Probation (CEP) and EuroPris*

The European Confederation for Probation (CEP) and EuroPris are funded by operating grants under the Justice Programme to involve them in specific training of prison and probation staff. On 26 April 2016 the Criminal Justice Platform (EuroPris, CEP and European Forum for Restorative Justice) organised a conference on Radicalisation and Violent Extremism in Barcelona. EuroPris will develop targeted training for prison staff in 2017 in cooperation with the European Prison Training Academy (EPTA).

4. Preventing radicalisation through education, promoting tolerance and combating discrimination, racism and xenophobia

– *Education, youth*

The objectives of the Paris Declaration of Education Ministers of 17 March 2015 have been given priority. In 2016, the Commission has mobilised more than EUR 200 million for grass-root projects in the field of **education** (Erasmus+ funding) aimed at promoting social and civic competences; non-discrimination; social inclusion; critical thinking and media literacy and intercultural understanding, as a way to prevent violent radicalisation. In addition, a number of projects have been selected through a dedicated call with a total envelope of EUR 13 million with the objective of disseminating and upscaling good practices across the EU.

More than 300 **youth projects** in the field of learning mobility deal specifically with areas linked to the Paris Declaration and more than 1,700 projects with broader issues linked to intercultural dialogue, social inclusion and solidarity.

Moreover, as announced in the Communication on preventing radicalisation leading to violent extremism adopted on 14 June 2016, the Commission has launched a series of new initiatives, such as (i) preparation of a policy framework on promoting inclusion and common EU values through formal and non-formal learning (ii) enhancing the use of eTwinning (school community linking more than 400,000 teachers) and expanding it to certain neighbourhood countries (iii) establishing a network of role models for young people who would visit schools, sport and youth clubs to share their experience and inspire others (iv) encouraging higher education institutions to award credits for volunteering and develop curricula that combine academic content with civic engagement (v) setting up virtual youth exchanges to complement physical mobility to enable greater intercultural understanding and awareness (vi) developing a specific toolkit for youth workers on preventing violent radicalisation (vii) strengthening the European Voluntary Service and (viii) preventing radicalisation in prisons and supporting rehabilitation programmes. The eTwinning network is already active in some third countries, notably in Tunisia, where nearly 300 teachers and 85 schools are registered on this online platform. Also, a forthcoming Erasmus+ project on "**moderated virtual exchanges**" to connect young people from the EU and third countries, in particular in North Africa and the Middle East, with the aim of reaching 200,000 young people by 2019, is currently being developed.

The Commission proposed to extend certain provisions of the **Audiovisual Media Services Directive** (2010/13/EU, OJ L 95, 15.4.2010, p.1), in particular the prohibition of incitement to violence and hatred, to video-sharing platforms (doc. 9479/16).

An **Expert Group on youth work for active citizenship & prevention of marginalisation and violent radicalisation** has been set up in January 2016 (work ongoing, mandate until June 2017). This group aims at collecting and analysing good practice examples and compiling a practical toolbox and policy recommendations. The Group is to seek synergy with the Education and Training (ET) 2020 working group on promoting citizenship and the common values of freedom, tolerance and non-discrimination through education (follow-up to Paris Declaration).

One of the relevant areas of support to Member States available through the **European Social Fund** is inclusion. This can also be used for the integration of refugees.

The Commission is currently developing a communication/proposal on the **European Solidarity Corps**, based partly on European Voluntary Service and partly on Youth Guarantee mechanisms.

The **Education Council** will adopt Conclusions on prevention of radicalization in November 2016.

- ***Combating racism and xenophobia: Preventing radicalisation by countering intolerance and hatred, including combating hate speech online***

On 31 May 2016, the Commission and the major IT Companies (Facebook, Twitter, YouTube and Microsoft) agreed on a **Code of Conduct on countering illegal hate speech online**. In the Code IT companies committed to ensure that notifications concerning illegal hate speech online sent by users of social media platforms are assessed, and where necessary removed, in accordance with the law, not only with the global terms and conditions of the companies. Secondly, the companies commit to ensure that a majority of such notifications are assessed in less than 24 hours. The IT companies will also endeavour to strengthen their ongoing partnerships with civil society organisations that will help flag content that promotes incitement to violence and hateful conduct. The Commission will present preliminary results of the Code of Conduct on 7 December.

On 14 June 2016 the Commission launched the **High Level Group on combating Racism, Xenophobia and other forms of intolerance**, which brings together Member States authorities, civil society organisations, community representatives, EU agencies and in particular the FRA, and also relevant international organisations. The Group is stepping up cooperation and coordination and help maximise synergies between all stakeholders to discuss gaps and ways to better prevent and combat hate crime and hate speech on the ground. The next meeting will be held on 7 December, which will address, among other topics, training of law enforcement including countering discriminatory attitudes by police.

– ***Project funding under the Rights, Equality and Citizenship Programme***

The Commission is fostering intercultural and interfaith dialogue between communities, under the Rights, Equality and Citizenship programme, and has allocated EUR 4.5 million in 2016 to fund, among other priorities, projects aiming to create better understanding between communities, including religious communities, to prevent and combat racism and xenophobia through interreligious and intercultural activities. Moreover, EUR 1.5 million has also been allocated to fund projects involving mutual learning, exchange of good practices, strengthened cooperation and coordination between national authorities as regards the recording, investigation and prosecution of hate crime and hate speech incidents.

– ***Fundamental Rights Agency (FRA)***

In 2017, FRA will publish findings of the **second EU Minorities and Discrimination Survey**, EU-MIDIS II, which collected data from about 25,000 people with an immigrant or ethnic minority background on, among others, their experiences of discrimination and criminal victimisation, including contact with law enforcement authorities. About 62 % of migrant respondents in the survey identify as Muslim, the largest data set of its kind.

In 2017, FRA will update its **Guide on Discriminatory Ethnic Profiling**, which provides law enforcement officers using profiling a working tool with a clear explanation of the meaning of profiling, its legal implications and the framework in which profiling might be used in an efficient and lawful way. The update of the Guide will also assess how profiling methods are impacted by new technologies and expand its scope to border management. FRA facilitates a subgroup on developing methodologies for recording and collecting data on hate crime, under the EU High Level Group on Combating Racism, Xenophobia and other forms of intolerance launched by the Commission in June 2016, to propose a common methodology to record incidents and collect comparable data on hate crimes, ready to be tested by Member States.

– *Communicating respect, tolerance and non-discrimination and fostering interfaith and interreligious dialogue*

In December 2015, the Commission appointed a Coordinator on combating Anti-Semitism and a Coordinator on combating anti-Muslim hatred. The Coordinators serve as contact points for the Jewish and Muslim communities, respectively, and bring to the attention of the political level of the Commission these communities' specific concerns in relation to developments on the ground as well as policy, both national and EU-level and contributes to the development of the EU overarching strategy to combat radicalisation and violent extremism, including the external dimension..

Under Article 17 TFEU, the Commission carries on a dialogue with churches, religious associations or communities and philosophical and non-confessional organisations, which allows for an open exchange of views on topical issues and contributes to foster interfaith and intercultural exchanges between communities.

In December 2015, the FRA and the Federal Ministry of the Interior of the Republic of Austria jointly organized a workshop in Vienna on the development of a toolbox of best practices on communicating respect, tolerance and non-discrimination in the EU. Outcomes were presented at relevant Council Working Groups and to relevant actors at EU and national levels, and results fed into FRA's Fundamental Rights Forum in June 2016. FRA is currently developing a media toolkit on fundamental rights for journalists.

III. COOPERATING WITH OUR INTERNATIONAL PARTNERS

1. MENA region and Turkey

The EEAS, Commission services and the EU CTC with the active involvement of EU JHA agencies have continued to develop and implement counter-terrorism packages with the partners in the region as a matter of priority (implementation of the FAC Conclusions on Counter-Terrorism of 9 February 2015). The Communication on the Security Union⁷ adopted in April 2016 and the Global Strategy for the European Union's Foreign and Security Policy launched by the HRVP in June 2016 reiterated the importance of security cooperation in the MENA region, as well as in Turkey and the Western Balkans. The Strategy also focuses on key thematic priorities, including counter-terrorism, countering violent extremism, aviation security and terrorist financing. **EU CT/security experts** deployed to the countries in the region are strengthening cooperation with these partners. An additional CT/security expert was deployed to Lebanon in September 2016, bringing the total number of experts in EU Delegations worldwide to fourteen.

In spring 2016, the HRVP presented to the Tunisian Government the comprehensive CT assistance package the EU had offered to put in place, based on previous discussions. This was accepted by **Tunisia** and various programmes are now being implemented. Tunisia has started successfully to implement the EU's EUR 23 million Security Sector Reform programme. Tunisia has recently accepted an invitation to Eurojust premises to explore ways to enhance cooperation. The date for this study visit is still to be determined. Judicial cooperation in criminal matters is encouraged via the promotion of Council of Europe instruments in particular on substantive criminal matters and the approximation with European standards on fundamental rights - including on data protection. The EU is also assisting Tunisia in the area of prevention of radicalization, including strategic communications and strengthening the link between Government and law enforcement, on the one hand, and civil society, on the other hand. CEPOL has started to carry out CT training.

⁷ Communication on delivering on the European Agenda on Security to fight against terrorism and pave the way towards an effective and genuine Security Union, COM(2016) 230 final

The EU continues to co-lead the G 7 + 3 group on counter-terrorism, where international assistance is coordinated with the Tunisian counterparts. The visit in July by the Commander of the European Gendarmerie Force (EUROGENDFOR) has helped to maintain momentum for the development of project to strengthen the Tunisian Gendarmerie Force. A project to second experts in particular to the judicial and CT poles is under preparation. A visit by the Radicalization Awareness Network (RAN) to Tunis is planned for 13 December. The EU and Tunisia will review progress in the near future at a CT Political Dialogue in Brussels.

The **Jordanian Government** hosted a CT workshop involving experts from EU institutions, JHA agencies and Member States on 15 March 2016. Following the workshop, a CT roadmap was agreed with relevant Jordanian counterparts in order to intensify cooperation on countering violent extremism, border management, critical infrastructure and foreign terrorist fighters. A EUR 10 million project on prevention of radicalization is ongoing (IfS short term). Other current EU assistance includes a programme to strengthen the rule of law in the justice sector.

The EU CT roadmap has been agreed with the **Lebanese authorities** and is now guiding our cooperation in the following areas: countering violent extremism; justice and law enforcement; judicial cooperation in criminal matters; aviation security; and countering terrorist finance. Both sides agreed that the EU agencies, particularly Europol and CEPOL, could play a substantive role in building stronger law enforcement links. The EU is currently exploring how to implement the roadmap with a comprehensive CT assistance package which will be presented to the COTER working party on 16 November. Technical assistance and capacity building support to Lebanon is currently being provided through a number of CVE-related projects.

Compacts (partnership priorities) for Jordan and Lebanon which are foreseen to be approved by the respective Association Councils before the end of the year highlight the importance of effective CT cooperation, as well as the need for more progress on socio-economic issues and absorption of refugees. CEPOL has already started to offer CT trainings for Lebanon and Jordan.

A visit by the EU Counter-Terrorism Coordinator and the EEAS Deputy Secretary General in February 2016 to Algiers served to explore avenues for closer CT cooperation with **Algeria** and a number of potential areas for cooperation were identified. An MoU on CT is being prepared. So far, Algeria has not responded to the EU's suggestion to hold a CT workshop to explore areas for cooperation among experts. **Algeria** proposed the EU to benefit from its national expertise/experience, in particular on de-radicalisation and organised a workshop in September 2016 on "the prevention of violent extremism", in which the EU participated.

Following the CT workshop with **Turkey** in June 2015 an upgraded and targeted CT dialogue was conducted in June 2016 to discuss EU-Turkish cooperation in a number of key areas, including cooperation with EU agencies. A visit by RAN to Ankara took place in May 2016 with the focus on addressing youth radicalisation. The RAN stands ready to support follow-up discussions in 2017.

The Commission is also finalising preparations for an IcSP-funded project on "Improving effectiveness of the EU-Turkish joint action vis-à-vis foreign terrorist fighter threats". This will help raise the awareness of the Turkish border authorities on handling the immigration challenge posed by returning foreign terrorist fighters, including Europeans. As part of the EU's deal with Turkey on migration, Turkey has also been called on to revise its CT law to meet EU standards, including with the assistance of the Council of Europe. CEPOL has also started to implement CT training in Turkey. Since April 2016 Frontex has deployed a Liaison Officer at the EU Delegation in Ankara who has established a good partnership with the Turkish authorities on all Frontex-related business. Eurojust participated in the Turkey - EU CT dialogue of June 2016, where the Turkish determination to work closely with Eurojust to counter the FTF phenomenon was reiterated.

Eurojust actively works towards enlarging its **network of contact points** in third States. With respect to the MENA region, since July 2015, contact points for Eurojust have been nominated in the Palestine Authority, Lebanon, Jordan, Algeria, Saudi Arabia and Iraq, in addition to those already appointed in Egypt, Israel and Tunisia. The Tunisian judicial authorities are currently in the process of nominating a contact point to deal exclusively with counter-terrorism matters. On 24 October, Eurojust was informally advised by the Libyan authorities of the appointment of a Libyan prosecutor as Eurojust contact point, to stimulate and improve the coordination of investigations and prosecutions on transnational serious crimes, including counter-terrorism.

A visit by the EU Counter-Terrorism Coordinator, the EEAS Deputy Secretary General and Commission services to Cairo took place in September 2016 to explore how to strengthen the EU's CT partnership with **Egypt**. A number of potential actions for cooperation have been identified, which will now be further pursued with the Egyptian authorities. CT is one of the Partnership Priorities (under finalization). Several TAIEX requests by Egypt have already been approved in the areas of terrorist financing and cybersecurity.

The EU Counter-Terrorism Coordinator, the EEAS Deputy Secretary General, Commission services and EU agencies visited Tel Aviv in September for a CT Dialogue with the Israeli authorities. There was an exchange of views on the current threat level in Europe and in **Israel**, and agreement to follow up in several areas including countering the financing of terrorism, CBRN issues, and aviation security.

As per the Commission Communication of 14 September 2016, there is a need to progress enhanced cooperation especially with MENA region third countries for cross-checking data against Europol's databases. With the support of security experts deployed in EU delegations efforts concerning anti-terrorism partnerships with countries in the Middle East and North Africa (with a view to improving **transmission of information by third countries** - including through Interpol as intermediary) should be exploited.

Gulf States: The EU Counter-Terrorism Coordinator led a CT Political dialogue with the United Arab Emirates (UAE) and a high-level visit to Qatar in April 2016. At the EU-Gulf Cooperation Council (GCC) Ministerial Meeting held in Brussels on 18 July 2016, it was agreed to intensify joint work on addressing extremism and radicalisation by kick-starting preparation for an EU-GCC expert-level Conference on such themes, to be held in Riyadh in the course of 2017. The EU is currently preparing a first outline for such a conference – in view of submitting this for agreement to the GCC. The EU Counter-Terrorism Coordinator plans to visit Riyadh in December for CT discussions with the Saudi authorities.

The EU is currently addressing, together with **Iraqi** and international partners areas such as SSR, CT and intelligence as well as police and criminal justice. Particular effort is being devoted to a programme on coordination and information-sharing among Iraqi security and intelligence services. This programme (TANSIQ) is expected to foster further initiatives. Other projects under consideration aim at including Iraq in work related to Anti-Money-laundering / Counter-terrorist Financing and at supporting the Iraqi Ministry of Foreign Affairs CT Division. The EU Delegation in Iraq has organized a workshop with the Iraqi MFA to share best practice on the organization of a Counter Terrorism Department within Foreign Ministry setting. In the margins of this workshop, the EEAS had meetings with the Deputy National Security Advisor, identifying as possible priority areas for EU-Iraqi CT cooperation: 1) support to the development of a national strategy for CT and Prevention of Violent Extremism (PVE); 2) Information exchange on foreign terrorist fighters; 3) Further technical assistance in priority areas identified by the UN CTED; and 4) Support to the development of appropriate standards for the Iraqi Financial Investigation Unit. A project to provide **EU support to assist the "Task Force Carabinieri"** (implemented by the Italian gendarmerie, Instrument contributing to Stability and Peace (IcSP) short term, EUR 4 million) in order to scale up the training (through the deployment of other Member States experts) of Iraqi police officers to be deployed in liberated areas (including Mosul) is under preparation. The action will be launched before end of the year.

– **Relevant Programme Assistance for the MENA Region**

The programme **CT MENA** (EUR 13 million, IcSP-long term) was signed in early October 2016 with a consortium of EU Member States. CEPOL is also involved. The project aims to assist countries in the MENA region to operationalise and implement some of the actions agreed in the CT political dialogues. It includes an expert support facility which can provide CT training and assistance in a flexible way to the region as well as support to the League of Arab States. The CT experts deployed in EU Delegations in the MENA region will play a major role in the implementation of the programme.

DG NEAR has also programmed a range of relevant activity. Under the **Euromed Police IV** project (EUR 4,8 million over 4 years) which was launched in September 2016, CEPOL, Europol and Interpol will be partnering with law enforcement experts across the MENA region to intensify cooperation on counter-terrorism. The Commission is also supporting efforts to combat violent extremism in the Sahel/Maghreb through a EUR 5 million project over the next four years. The project, implemented by **UNICRI**, will seek to identify local civil society partners which can work with governments across the region to tackle the causes of violent extremism. UNICRI received 39 proposals following the first call for expressions of interest in August. The project review panel is now shortlisting eligible bidders.

The Commission is supporting work to support **rule of law compliant investigations and prosecutions in the Maghreb** region. This is implemented with the UNODC and CTED (EUR 3 million). The project ends in January 2018. Since March 2016, the project has supported a national workshop on countering the Use of the Internet for Terrorist Purposes in Algeria; in Libya there has been a Train-the-Trainers' workshop on "Human Rights and Criminal Justice Responses to Terrorism"; and a regional workshop on the challenges posed by a criminal justice preventative response to terrorism took place in Morocco in July 2016. The Commission is supporting a project with **UNODC on the foreign terrorist fighter phenomenon across the MENA region** (worth 5 million euro over 4 years). The contract for the project was signed in October 2016.

In addition, over the next three years the Commission will provide EUR 6 million in support for projects to strengthen MENA partner countries' capacity to tackle cybercrime and cooperate effectively (**Cybercrime@South**), in compliance with the Convention on Cybercrime of the Council of Europe (Budapest Convention), including judicial and law enforcement training and co-operation between law enforcement agencies and private internet service providers. A project implemented by **Interpol (Interpol South)** will help to increase the flow of operational information between the Neighbourhood South and the EU, on issues related to organised crime, terrorism, smuggling of migrants, trafficking of human beings and trafficking of small arms. This should have the added effect of enhancing data collection (Foreign Fighters database, Stolen and Lost Documents, iArms and iTrace, notices, Stolen Art Works etc.) from the Neighbourhood South.

2. Western Balkans

The **EU Western Balkan CT initiative (WBCTi)** plan of action 2015-2017 is currently being implemented. The Commission financially supports the implementation of the WBCTi through the Instrument for Pre-Accession. It will be important to continue and increase this support in the coming years, including through rapid provision of RAN expertise, while building on experiences obtained in other regions. Engagement is already underway to determine the most appropriate form of RAN assistance. In relation to CVE, the Commission is funding the First Line Project focused on the setting up of adequate national RAN capacities and structures in the region. The RAN remains on standby to provide additional assistance as and when required.

In the context of Western Balkans Risk Analysis Network, Frontex is tailoring an awareness booklet on Common Risk Indicators on FTFs for the border control authorities in the region, to be translated into local languages.

From 4 to 8 July 2016, eight Eurojust contact points from the Ministries of Justice and prosecution offices from Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia followed a one week training at Eurojust's premise in The Hague, facilitated by the EU funded regional IPA2014 project International Cooperation in Criminal Justice: Prosecutors' Network of the Western Balkans. Eurojust and the Western Balkans experts exchanged views on potential ways to enhance the information exchange on terrorism and to promote a swifter coordination of transnational FTF cases. On 3 May 2016 Eurojust signed a cooperation agreement with Montenegro and on 27 June 2016 a cooperation agreement with Ukraine, to facilitate the exchange of operational data and cases. The agreements provide for the designation of contact points in Montenegro and Ukraine as national correspondents for terrorism matters. The agreements also foresee the possibility of posting Eurojust Liaison Magistrates in Montenegro and in Ukraine.

Eurojust aims at concluding other bilateral Cooperation Agreements with the other enlargement countries as well as with Georgia and Israel.

3. Sahel and Nigeria

CT engagement in **Nigeria** continues through action focusing on the de-radicalisation of incarcerated Boko Haram prisoners, and through an EU-Nigeria UNODC-CTED partnership project assisting Nigeria to strengthen rule-of-law-based criminal justice responses to terrorism. work has begun on developing a more strategic approach to EU CT engagement in Nigeria that may culminate in an EU-Nigeria CT Political Dialogue and subsequent Action Plan. The impact of Boko Haram on the surrounding G5 **Sahel** countries in the region continues to be of concern, and any action identified will take into account these regional aspects.

The fight against terrorism in the **Sahel** is a key issue for the EU. Stable countries in the region will contribute substantially to European security and limit risks of uncontrolled migration flows. This requires a continued and reinforced commitment and engagement, in close partnership between the five Sahel countries, including the G5 Sahel and the EU with Member States, and in coordination with regional organisations and processes, such as the African Union, ECOWAS, the Nouakchott Process and other international partners. The three CSDP missions deployed in the region contribute, directly or indirectly, to the fight against terrorism: EUCAP Sahel Niger mandate focus to the mobilisation against terrorism and related trafficking. The two others in Mali (EUTM and EUCAP) support national capacity building and the development of an effective regional cooperation between G5 Sahel countries. Different options of pursuing this regional approach will be further developed on the basis of the consultations with Member States and the countries in the region.

4. Multilateral activity and thematic external engagement

– Anti-ISIL coalition

The Foreign Affairs Council endorsed conclusions in May which committed the EU to strengthening its contribution to the anti-ISIL Coalition on a number of fronts, including through intensified effort to counter DAESH's narrative. The EU has since provided background information on its contribution to alleviating humanitarian suffering in Iraq and Syria, and to stabilising those areas liberated from DAESH. The EU Counter-Terrorism Coordinator led a delegation to London in June 2016 to discuss how the EU might contribute to the work of the anti-ISIL Coalition's Communications Cell. On behalf of the Cell, in October 2016 the United Kingdom requested EU financial support in a number of areas.

The EU continues to promote its objectives and priorities in other multilateral fora such as the UN, the GCTF, G7 Roma/Lyon Group, and the FATF. The current focus is on increased information exchange, the need to address the expected exodus of Foreign Terrorist Fighters from Iraq and Syria and related needs regarding prosecution and rehabilitation/reintegration, as well as counter-radicalisation in line with the recently adopted UNSG Action Plan on PVE. This will require substantive capacity building support to third countries. The EU co-chaired the GCTF Horn of Africa Working Group meeting in Djibouti in June 2016 that helped reinvigorate local buy-in and regional coordination on CVE in the Horn of Africa. In September 2016, HRVP Mogherini attended the GCTF Ministerial. The EU Counter-Terrorism Coordinator will attend the next meeting of the Interpol General Assembly in November.

– Prevent

In line with the Council Conclusions of 12 February 2015, the Commission maintains its support for the GCTF-inspired initiatives, namely the Hedayah Centre of Excellence on Countering Violent Extremism as well as Global Community Engagement and Resilience Centre (GCERF), focusing on strengthening resilience against violent extremism at the local community level.

Hedayah was launched in May 2015 as an international hub for the sharing of knowledge and best practice for countering terrorism and works with local partners to design, implement and develop approaches that have a demonstrable impact on the threat posed by radicalisation and recruitment to terrorism. The main focus for the first year of the implementation of the EU financed programme has been to identify geographic priorities and engage with public authorities, CVE experts and practitioners as well as to assess the viability of potential third parties. Geographic priorities for the current phase of the programme - defined in close consultations with the EU - are: Central Asia, Middle East (Jordan), South Caucasus (Georgia) and Turkey.

Global Community Engagement and Resilience Fund (GCERF) is a public-private partnership dedicated to preventing and countering violent extremism. Its aim is to support community-level and targeted initiatives that strengthen resilience against violent extremism. GCERF with the support of the EU has recently presented an initiative to strengthen the involvement of and better attract the private sector through the support and development of public-private partnerships designed to invest in community resilience against violent extremist agendas. A contract to increase the EU's existing contribution (EUR 2 million) by EUR 1 million is under preparation (IcSP-long term).

More broadly, the EEAS Communications Team continues to lead efforts to develop a coordinated approach to **communications with the Muslim** world. The "**Task Force South**" is scaling up its efforts, boosting EU Delegations' expertise and capacity to engage more strategically, and in Arabic, across the Middle East. EU Delegations have been asked to build on existing and successful communications activities by developing specific Task Force Communications Strategies. Delegations are also encouraged to take a holistic approach, including activities under the full range of financing instruments. Delegations are increasingly pooling project visibility funds to increase the available budget for larger thematic/sectoral campaigns. Fostering engagement with young people through dialogue and debate on complex and potentially divisive issues is a key priority. Delegations are encouraged to develop initiatives that increase fora for youth advocacy and debate, as well provide young people with skills and opportunities which can help build stronger common ground and cultivate mutual trust and respect.

Delegations are also focusing on strengthening their social media presence in the region to target young people, including groups vulnerable to radicalisation; creating translation hubs in the delegations; polling of young people to establish their concerns and hear from them which narratives would work best in each country; and establishing a number of pilot outreach projects.

The Commission will also support **prison de-radicalisation** efforts in the MENA region and South East Asia with a EUR 4 million project (IcSP-long term) which is under preparation. Activities are expected to start in 2017. The overall objective of this project is to support the management of violent extremist prisoners and the prevention of radicalisation to violence in prisons in line with international standards and norms, including setting up rehabilitation programmes in selected countries.

Furthermore, the project **Counter Terrorism Associated Prosecution Reform Initiative** (CAPRI; EUR 1.8 million, IcSP-long term) seeks to strengthen the forensic capabilities in Pakistan. The overall objective of this action is to improve the ability of Pakistani agencies to successfully investigate, prosecute, convict and detain terrorists. A second phase of the project is due to start in 2017 with a budget of EUR 2.5 million (IcSP-long term).

The **Radicalisation Awareness Network Centre of Excellence** has stepped up its support to priority third countries in line with the 9 February 2015 Council conclusions, with a focus on the Middle East and North Africa, the Western Balkans and Turkey. The RAN organised visits to Turkey and Jordan by local youth workers and academics to establish a list of concrete actions that will be implemented with local communities. Deployments are currently foreseen in Tunisia, Lebanon and the Western Balkans.

– **Aviation Security**

On 1 November 2015, the four-year project on **Civil Aviation Security in Africa and the Arabian Peninsula (CASE) started**. This capacity building project is funded by the Commission (EUR 7 million, IcSP long term) and implemented by the European Civil Aviation Conference (ECAC) supplemented by expertise from the Member States (short term experts). Special priority is given to engagement with countries and regions that are most vulnerable to attacks, including the MENA region. In line with the provisions set out in UN Security Council Resolution 2309 (passed unanimously in September 2016) the EU should consider the scope for urgent support to those airports in the MENA region and beyond which are used most heavily by European citizens, in the context of the CASE project and possibly with additional assistance measures.

– **Anti-money laundering and countering the financing of terrorism (AML/CFT)**

A new EUR 16 million AML/CFT project (IcSP-long term) was approved by Commission Decision on 27 July 2016. The geographical scope includes some of the identified high risk third countries with strategic deficiencies in their anti-money laundering/countering terrorism financing according to the Financial Action Task Force (FATF). The programme is expected to enhance the capabilities of relevant stakeholders such as Financial Intelligence Units (FIUs) and forge public-private partnerships in the area of CFT-AML. It also includes among others capacity building on how protect cultural heritage and increase international police cooperation against trafficking of cultural goods. Additionally, a EUR 6 million AML/CFT project in the Horn of Africa region (IcSP-long term) is being implemented. The project focuses on building the capacity of the financial sector to meet international standards on AML and CFT and is now undergoing a mid-term evaluation.
