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NOTE

From: Presidency/Counter-Terrorism Coordinator
To: Council

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Subject: Fight against terrorism: implementation of short-term actions

The EU Counter-Terrorism Coordinator (CTC) informed the Standing Committee on operational cooperation on Internal Security (COSI), at its meeting on 21 September 2015, about the state of play regarding the implementation of the statement of the Members of the European Council of 12 February 2015. The CTC's report, a revised version of which is submitted to the Council, mentioned that progress had been made in various fields of action and listed a number of recommendations for actions on which further progress and political steer was necessary. The COSI Support Group further discussed these recommendations at its meeting on 28 September 2015.

Based on the outcome of the discussions in the COSI Support Group and the written comments received from Member States, the Presidency and the EU Counter-Terrorism Coordinator suggest the following **five priorities for action to make progress until the December Council**. For each of these actions the Justice and Home Affairs Council at its meeting in December 2015 should discuss the progress made and provide further guidance.

1. **Operationalisation of the common risk indicators**

Important work remains to be done regarding the coordinated implementation of the common risk indicators and their operationalisation at border crossing points.

Frontex, in close cooperation with Europol and the relevant Member States' authorities, is invited to present to COSI possible options on the operationalisation of the common risk indicators in due time so as to allow the JHA Council at its December meeting to assess this.

2. **Reinforcing border checks by better using SIS II and SLTD**

In order to strengthen border checks it is crucial that Member States use the SIS II as well as the INTERPOL Stolen and Lost Travel Documents (SLTD) database to a maximum extent, both by feeding those databases and by consulting them in a more systematic way.

The Commission, in close cooperation with the EU Counter-Terrorism Coordinator, is asked to prepare a report to the December Council on all aspects of the use of SIS II for terrorism/foreign terrorist fighters as well as the state of play on electronic connection of Member States' border guards to INTERPOL databases. This report should provide the Council with an adequate overview of statistical data regarding the feeding and consultation of those databases by the Member States based on figures to be provided by eu-LISA and by the Member States.

3. Information exchange

From a qualitative and quantitative perspective, contributions to Europol's Focal Point Travellers still do not reflect the extent of the foreign fighters threat. More than half of all contributions originate from five MS and one associated third country. Europol will establish the European Counter-Terrorism Centre (ECTC) by January 1, 2016 to strengthen counter-terrorism capabilities and provide a suitable information sharing environment.

Member States are encouraged to increase contributions to Focal Point Travellers to the maximum possible extent. Europol is asked to report to COSI in November and at the December Council about progress related to information exchange, in particular Focal Point Travellers.

Europol is invited to report to COSI in November and the Council in December about the establishment of the European Counter Terrorism Centre (ECTC).

4. Prevention of radicalization on the internet

The EU Internet Referral Unit at Europol (EU IRU) needs support to progress towards an initial operational capability by January 2016. The EU IRU has no certainty of the budget for the upcoming year. A sufficient number of experts is needed and referrals by Member States need to be increased. Moreover, the Syria Strategic Advisory Team (SSCAT) project has been very successful so far, but the project would end in mid-2016.

The Council considers it necessary and important to consolidate and strengthen the IRU within Europol. Member States are invited to increase contributions for referrals to the EU IRU and to second experts to the EU IRU. The Commission is invited to provide the EU IRU with appropriate resources as soon as possible and to inform COSI thereof in November.

The Commission is invited to continue funding the SSCAT beyond mid-2016, to expand the project and to inform COSI thereof in November.

5. Internal/external link

HRVP Mogherini presented priorities for implementation of the Conclusions of the Foreign Affairs Council of 9 February 2015. The Riga Statement of Justice and Home Affairs Ministers of 29 January 2015 and the Conclusions of the Foreign Affairs Council of 9 February 2015 require stepping up the use of justice and home affairs (JHA) tools in the EU's counter-terrorism cooperation with the Middle East and North Africa (MENA) region, in particular to develop frameworks for information exchange and ways for the EU agencies to engage more strategically with the countries in the region to strengthen law enforcement and judicial cooperation.

The EEAS and the Commission, in cooperation with the EU Counter-Terrorism Coordinator, are invited to retain focus and momentum and provide as soon as possible ambitious counter-terrorism assistance to states in the MENA region, such as Tunisia, as well as the Western Balkan region and Turkey, in accordance with the Conclusions of the Foreign Affairs Council of 9 February 2015. In view of making progress by the December Council, COSI is invited to discuss, at its meeting in November, the use of JHA tools and agencies in the MENA region, based on a paper by the EU Counter-Terrorism Coordinator, the Commission and the EEAS .

In addition to these short - term actions, the Presidency underlines the need to continue a proactive engagement with the European Parliament on the EU Passenger Name Record system (PNR).

The EU Counter-Terrorism Coordinator is invited to present, in close consultation with the Commission and the EEAS, a report to the December Council on implementation of the measures of the 12 February 2015 HoSG statement, including on the progress made on the above-mentioned priorities. COSI is invited to contribute actively to implementation of the above-mentioned priorities in view of preparing meaningful results for the December Council. In addition, the Presidency will ensure that the relevant Working Parties will be involved.

The Council is invited to discuss the priorities set out above and endorse the way forward presented by the Presidency and the EU CTC.