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From: Presidency  
To: Delegations

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Subject: Discussion paper on further enhancing the links between internal and external aspects of counter-terrorism: strengthening the synergies between TWP and COTER

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Following the meeting of TWP/COTER on October 15<sup>th</sup>, the Italian Presidency would like to present a revised paper on further enhancing the links between internal and external aspects of counter-terrorism and strengthening the synergies between TWP and COTER.

It is essential to stress again that this is not a new topic of focus. There is indeed already an important level of dialogue and cooperation between the two areas of work, exemplified by the 6-monthly joint meetings, and based on a clear theoretical foundation as emphasised in the background information below. From the positive comments and support shown by many delegations, as well as considering the evolution in the terrorist threat to the EU, it has been confirmed that it is an opportune time to put a renewed focus on this issue. The main goal is to fully harness, through a pragmatic approach, the opportunities that the synergy offers to benefit the activities of both TWP and COTER.

This revised draft takes into account comments made by delegations from the two working group meetings. While preserving a concise and action-oriented approach, this paper also aims to reflect the concrete proposals made by delegations and to increase the focus on the synergy through a ‘living document’ which could be considered by incoming Presidencies for further development. In this regard, the Italian Presidency would like to thank the incoming Latvian Presidency who has confirmed its full commitment to continue to focus on this area and to start to implement some of the concrete measures during its Presidency in the first half of 2015.

## BACKGROUND

The European Security Strategy 2003 highlighted that better co-ordination between EU External action and Home Affairs policies is crucial in the transnational fight against both terrorism and organised crime. Five years after the entry into force of the Lisbon Treaty, the importance of ensuring better coordination between internal and external action in order to address the security/migration challenge effectively is even more apparent.

The Treaty created the possibility for greater synergy of EU action on counter-terrorism, among others, and with this in mind, the Council adopted Conclusions<sup>1</sup> in June 2011 to promote the opportunity to bring together the aims and objectives of the internal and external aspects of counter-terrorism work. Following adoption of the Conclusions, a report was compiled detailing the successful progress that had been made in their implementation<sup>2</sup>.

The report included, among others:

- drafting comprehensive counter-terrorism/security strategies and action plans;
- enhancing aviation/cargo security;
- integrating counter-terrorism aspects (including travel, financing and radicalisation) into political and security dialogues with key third countries;
- developing a coordinated response to counter-radicalisation;
- addressing the issues of foreign terrorist travel and volunteering jihadists;
- advancing EU counter-terrorism priorities through the Global Counter Terrorism Forum (GCTF);
- considering internal and external priorities in the allocation of funding, including through the Instrument for Stability (IfS).

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<sup>1</sup> (11075/11)

<sup>2</sup> (13460/3/12)

This progress has been supported over the last few years by regular TWP/COTER meetings, providing an opportunity for dialogue and joint work on cross-cutting issues.

Alongside this, the Joint Communication ‘The EU’s comprehensive approach to external conflict and crisis’<sup>3</sup> highlighted the importance of strengthening the synergies between our internal and external approaches, including in the areas of security, development and migration, among others.

Moreover, in the Conclusions of the European Council of 26/27 June 2014<sup>4</sup>, it was highlighted among others, that *“the answer to many of the challenges in the area of freedom, security and justice lies in relations with third countries, which calls for improving the link between the EU’s internal and external policies. This has to be reflected in the cooperation between the EU’s institutions and bodies.”* This document further states that *“an effective EU counter terrorism policy is needed, whereby all relevant actors work closely together, integrating the internal and external aspects of the fight against terrorism. In this context, the European Council reaffirms the role of the EU Counter Terrorism Coordinator.”*

#### FURTHER ENHANCING THE LINKS

In line with the evolution of the threat to the EU from terrorism, our response has also changed. The last few years have seen a rise in the overlap between topics of debate in Justice and Home Affairs and Foreign Affairs, which has also been reflected in the activities of our respective working groups.

Threats arising from third countries and regions outside the EU are increasingly affecting our internal security and this has become more evident in the necessity for TWP to consider third country threats in their internal security response. Respectively, COTER work has increasingly encouraged third countries to adopt practices similar to the ones we use internally, in order to also reduce the threats to our interests coming from outside the EU.

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<sup>3</sup> (JOIN (2013) 30 final)

<sup>4</sup> (EUCO 79/14)

An increased need for closer cooperation on counter-terrorism was previously highlighted by the Extraordinary TWP/COTER meeting in July 2011, summoned within days of the terrorist attacks in Norway. Since then, the importance of a shared perspective in forming our response has continued to rise. There are many overlapping areas of focus which are likely to continue to develop in the future. Several examples can be identified both thematically (foreign fighters travelling from European countries to conflict areas, including Syria and Iraq, counter radicalisation and violent extremism, border security, financing of terrorism, among others) and geographically, in areas/countries closest to European borders, such as Western Balkans, Turkey, North Africa, whose instability or internal problems may directly affect the internal security of the EU.

Due to the efforts of the Council Secretariat, EEAS, EU CTC, Commission and IntCen as well as work of previous Presidencies, there is already a successful level of joint work between TWP and COTER. By further enhancing this cooperation we can continue to ensure consistency and coherence across our policy response.

### PROPOSED APPROACH

The following actions have emerged for consideration from the initial paper of the Presidency and the comments received from delegations. Actions categorised as ‘Practical Aspects’ are intended to facilitate greater coordination of work while ‘Strategic level’ actions are proposed with the intention of reaching greater strategic coherence in our respective activities.

### PRACTICAL ASPECTS

#### 1. Sharing documents

While fully respecting security classifications, sharing of documents is one of the key actions that will result in closer links between the activities of the groups. In the medium term, the possibility could be explored of reaching an agreed general guideline on which documents can be shared and how. In particular, consideration could be given to more systematically sharing the following documents:

- a) agendas of each monthly meeting;
- b) meeting reports of each monthly meeting;
- c) meeting documents and discussion papers;
- d) documents related to political dialogues and third country initiatives/visits;

- e) sharing draft agendas in advance of joint meetings in order to give both groups the opportunity to make suggestions, for example on themes or pressing issues which can be discussed together, ensuring that concrete dialogue and interaction occur, making the best value of the time when the two groups are together.

## 2. Semester work programmes

Increase coordination in the preparation of semester work programmes for TWP and COTER during each Presidency and Trio, primarily by highlighting areas of joint focus.

## 3. Timetable of the meetings

Many delegations agree with the principle that it is important to provide the opportunity for delegates to attend parts/relevant sections of both meetings or for other ad-hoc meetings to be held in the margins. To aid in the facilitation of this, respective meetings could therefore be organised on the same and/or consecutive days.

## 4. Space/Rooms for joint meetings

On the occasion of joint meetings and common presentations large enough rooms with adequate space should be sought for all delegates.

## 5. Joint presentations

Wherever possible and appropriate, provide the opportunity for presentations to be delivered to the two groups together, as an alternative to separate presentations at each individual working group.

## STRATEGIC LEVEL

### 1. National coordination

- a) Collaboration between internal and foreign policy officials at national level is of course essential to achieve effective cooperation between TWP and COTER. This could include sharing relevant documents to provide opportunities for wider consultation.
- b) Member States could also consider building working relationships with their counterparts in working groups of wider relevance including in the fields of geographic focus, security, development, policing, criminal justice, financing etc. to assist in enhancing a comprehensive approach to counter-terrorism.

## 2. Role of Council Secretariat, EEAS, EU CTC, CION and IntCen

- a) The EU CTC has a key role in linking the internal and external aspects, ensuring that encouragement is given to continually strengthen the synergy.
- b) The Council Secretariat, EEAS, EU CTC, CION and IntCen should continue to highlight the relevance of specific cross-cutting topics to groups, ensuring that coordination is enhanced and duplication avoided where possible. This will also further encourage a comprehensive approach to CT in the EU, ensuring that links are made between relevant working groups, documents shared and consultation given where relevant.

## 3. Focusing on cross-cutting areas

- a) In the medium-term a discussion could be held on how TWP and COTER can closer coordinate to approach cross-cutting areas together. This could include countering the financing of terrorism, foreign fighters, countering violent extremism etc.
- b) Where appropriate, joint initiatives/projects could be considered between the two groups, particularly where externally led counter-terrorism political dialogues and visits provide the opportunity for lobbying in areas essential to internal counter-terrorism objectives.
- c) Consideration could also be given to inviting presenters from third countries/International organisations to attend the joint meeting to address issues relevant to both internal and external counter-terrorism.

## 4. Comprehensive approach

- a) In the medium-term, consider which discussion papers could be shared for consultation in/with other relevant working groups, including in the areas of geographic focus, security, development, policing, criminal justice and financing etc.
- b) Invite members of other working groups to give feedback on CT initiatives and programmes that are being carried out in third countries such as capacity building, IcSP, implementation by the police and prosecution, as well as an evaluation of how they are contributing to/having an effect on development, humanitarian and migration programming etc., to gain further insight and understanding.
- c) When implementing joint action in the field of counter-terrorism, all relevant actors should be closely coordinated and working together, including in Member States and all EU Institutions and bodies.

- d) With the expertise of the EEAS, EU CTC and Commission, review which internal counter-terrorism policies and projects would be suitable for exchange with third countries, to ensure that internal security is systematically addressed as part of the EU external relations policies, to encourage and support third countries in their efforts to counter terrorism.
  - e) COTER and TWP to coordinate as far as possible their input and response to other relevant committees and preparatory bodies within the Council, such as PSC and COSI.
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