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**NOTE**

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From: Presidency  
To: COREPER/Council

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Subject: Fight against terrorism: follow-up to the statement of 12 February by the Members of the European Council and to the Riga Joint Statement of 29 January by the Ministers of Justice and Home Affairs of the EU  
- Implementation of measures

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At their informal meeting on 12 February 2015, Members of the European Council underlined that the security of citizens is an immediate necessity and that existing tools must be better implemented and further developed, in particular to detect and disrupt terrorist-related travel, notably of foreign terrorist fighters.

The Council will continue to engage actively with the European Parliament in order to achieve decisive progress in the coming months on a strong and effective European Passengers Name Records Directive with solid data protection safeguards.

The Council will also pursue all other measures outlined in the statement of the members of European Council, in particular in the framework of the Standing Committee on Internal Security (COSI), but should act swiftly in areas where actions can be taken and significant results achieved in the coming months.

Four such areas have been identified by the Presidency in collaboration with the EU Counter-terrorism Coordinator and the Commission:

- making full use of the existing Schengen framework to reinforce and modernise external borders' control;
- addressing the issue of internet content promoting terrorism or extremism by enhancing internet referral capabilities;
- increasing cooperation and information exchange in the fight against illicit trafficking of firearms and addressing as a matter of priority the critical issues of decommissioning and de-activation of firearms;
- stepping up information sharing, including through Europol and Eurojust.

The Presidency would like to submit orientations for those areas of action, to be considered by Ministers on 12-13 March 2015. The Council (Justice and Home Affairs) will return to those issue in its next meeting, with a view to reporting to the European Council in June 2015.

### **I. Reinforced application of the Schengen Borders Code**

The Council and the Member States will implement fully the measures set out below on checks on travel documents and on persons enjoying the right of free movement under Union law, building on the work carried out by the Commission and the Member States.

1. Inserting information in the databases relevant to the fight against terrorism.

2. Systematic controls at the external borders of the validity of travel documents against the relevant databases, notably the documents section of the Schengen Information System (SIS) and Interpol's Stolen and Lost Travel Documents database (SLTD), based, where considered necessary, on a risk assessment.

Regarding airports and relevant land-borders in particular, Member States will ensure by 15 April 2015 that the systematic check of travel documents of all persons includes in all cases a consultation of the relevant databases, notably the documents' section of the SIS and of Interpol's SLTD databases.

Member States will have to report to the Commission on the implementation of those systematic document checks.

3. Member States will proceed without delay to systematic and coordinated checks at external borders on individuals enjoying the right of free movement under Union law against databases relevant to the fight against terrorism, based on their assessment of the threat. The Commission, in coordination with Member States, EEAS and relevant EU agencies, is facilitating the development of common risk indicators. On that basis, the Commission will issue operational guidelines, to be implemented in a coordinated manner with the support of Frontex before the end of May 2015.
4. Training by Member States to border guards and other competent authorities, which will be called upon to implement those reinforced checks.
5. The Commission is invited to formalise these measures by their introduction in the Schengen Handbook before end of May 2015.
6. Furthermore, the Commission would be invited:
  - to provide, in close cooperation with Frontex, Europol and eu-LISA, all the necessary assistance, including where appropriate financial support, to facilitate the implementation of those measures.

- to monitor closely the implementation of all those measures, including by making use of the Schengen evaluation mechanism as appropriate.

7. As stated by the members of the European Council on 12 February 2015, a targeted amendment to the Schengen Borders Code will also be considered where necessary to provide for permanent checks, based on a proposal by the Commission.

## **II. Enhancing internet referral capabilities**

The Internet is a major facilitator for radicalisation to terrorism. Addressing this matter poses a number of different challenges. The sheer volume of Internet content promoting terrorism and extremism requires pooling of resources and a close cooperation with the industry.

To achieve effective progress in the coming weeks and months, the Council agrees on the following outline for developing Internet referral capabilities.

1. Europol will develop the "Check the Web" project into an EU Internet Referral Unit (EU IRU). The tasks of this unit will comprise the following:
  - To coordinate and share the identification tasks (flagging) of terrorist and extremist online content with relevant partners,
  - To ensure that referrals can be done quickly, efficiently and effectively,
  - To support investigations of competent authorities, by providing strategic analysis and operational analysis,
  - To act as a European Centre of Excellence.

Europol is invited to further develop this outline and bring it to the attention of COSI, as appropriate.

2. Each Member State will ensure that it designates by end of May 2015 a national counterpart of this Unit: this can be the national cybercrime or Internet safety department, or a dedicated unit dealing with terrorist content on-line.
3. The Commission will ensure that the work of the *Forum with the Internet service providers community* contributes to the work of the Europol Internet Referral Unit.
4. The appropriate resources are made available at national level, for Europol and in other concerned institutions to make this unit operational by 1 July 2015.

### **III. Fight against illicit trafficking of firearms**

The fight against illicit trafficking of firearms is not new; a lot of work is on-going and is a matter of sustained and long-term commitment. It was identified in 2013 as a priority in the EU policy cycle against serious and organised crime but given the modus operandi of the perpetrators of the latest terrorist attacks, the fight should be stepped up.

To that end, the Commission is invited to propose ways on how to address the critical issues of decommissioning and de-activation of firearms, which will be considered by COSI as a matter of priority.

Taking into account the Commission's and Europol's contributions, COSI will also consider ways to enhance information exchange regarding firearms, as well as related activities in the firearms priority of the EU policy cycle and report back to the Council in June.

### **IV. Step up information sharing and operational cooperation**

A lot has been done in order to enhance information sharing and operational cooperation but additional efforts are required.

To that end, as mentioned above, Member States will proceed with inserting pertinent information in the databases relevant to the fight against terrorism and enhance use of those databases. COSI, in close cooperation with Europol and other relevant partners, will regularly monitor progress in this regard with a view to reporting to the Council in June 2015.

Europol and Eurojust are invited to submit proposals how existing platforms and services can be better used to share appropriate information, which will be considered by COSI as a matter of priority with a view to reporting to the Council in June.

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