

Remarks by Gijs deVries, EU Counter-Terrorism Coordinator,

at the OSCE Annual Security Review Conference

(Vienna, 23 June 2004)

It is a great pleasure to be with you today here in Vienna for the 2004 Annual Security Review Conference of the OSCE. I am delighted to speak, together with the Irish Presidency, for the enlarged European Union of 25 Member States on the issue of counter-terrorism.

Terrorism strikes at the values that people the world over have identified as central to a humane existence: freedom of movement, freedom of speech and freedom of religion. Terrorists target the very liberties that form the essence of a free society. That is why there can be no justification for terrorism and why terrorism has to be confronted in the name of freedom.

The OSCE of 55 nations is a solid partner of the European Union in the fight against terrorism. We continue to look forward to making the best use of our respective strengths and resources. And to combat the scourge of terrorism together.

This conference is timely and topical. It takes place just a few days after the 17-18 June European Council. Terrorism was very high on this European Council's agenda - and important decisions have been taken.

I aim to structure my remarks around two main themes. First, the state of play of our policies in the EU, with regard to preventing and combating terrorism. Second, some basic trends of our international cooperation and partnerships.

Allow me to start with a brief presentation of the development of our EU policies in the field of counter-terrorism.

The attacks of 9/11 constituted an assault on our values of freedom and democracy. The fight against terrorism has been a very high priority ever since. The EU response after 9/11 was swift. The European Council adopted in 2001 an Action Plan, which covered a wide range of policy measures.

These policy measures included, among others, the European Arrest Warrant; the joint investigation teams; the establishment of Eurojust; a counter-terrorism role for Europol; the introduction of legislation against money laundering and the financing of terrorism.

The main focus of the 2001 Action Plan was primarily inside the European Union. The external dimension was stressed more clearly in the first ever European Security Strategy, adopted in 2003. In this important conceptual document, proposed by SG/HR Javier Solana, it has been spelt out that terrorism 'poses a growing strategic threat to the whole of Europe'.

The Madrid bombings on 3/11 of this year gave an entirely new dimension to the threat. This brutal outrage on European soil became a strong catalyst for the introduction of a reinvigorated policy approach at the highest levels.

The EU Heads of State and Government made the decision that we needed to move beyond the measures taken after 9/11. The European Council on 25 March 2004 adopted an important Declaration on combating terrorism, with far-reaching implications for our policy-making on counter-terrorism.

There were several systemic challenges that needed to be addressed at the EU level. First, *coherence*. Our entire panoply of intelligence and security services, our police forces and our judicial authorities should be able to work together. Second, *implementation*: agreements reached in Brussels should be implemented in our Member States. Third, *intelligence*. Our capacity to analyse and share intelligence should be enhanced.

Counter-terrorism in the EU involves various structures and bodies, as well as the Member States. All this work, at different levels, needs to be planned, coordinated and monitored effectively. My own role as Counter-terrorism Coordinator was created to contribute to this end.

Ladies and Gentlemen,

As I have already mentioned, important decisions on counter-terrorism were taken by the European Council last week. The EU Heads of State and Government are determined to sustain the progress made in all areas of the highly complex and demanding task of counter-terrorism - and to move forward.

The European Council has identified a number of priority areas. Among them is action against terrorist financing. This is also a priority identified by the United Nations. The EU will also develop an overall strategy to enhance the protection of critical infrastructure. Existing cooperation on civil protection will be enhanced, reflecting the will of the Member States to act in solidarity in the case of a terrorist attack in the EU or an attack against EU citizens living abroad. Counter-terrorism will be fully integrated into the external relations policy of the European Union.

Furthermore, on the intelligence front, we have an important development. An intelligence capacity will be created to allow for a comprehensive analysis of the terrorist threat to the EU. It builds on the existing cooperation among the intelligence services of Member States within the Situation Centre in the Council Secretariat.

I would like to briefly refer to the threat posed by the proliferation of Weapons of Mass Destruction. The European Security Strategy states clearly that 'the most frightening scenario is one in which terrorist groups acquire weapons of mass

destruction. In this event, a small group would be able to inflict damage on a scale previously possible only for States and armies'.

The EU Strategy against the proliferation of WMD was adopted on 12 December 2003 by the European Council. It aims to create a more effective multilateralism, through the universalisation and strengthening of main treaties, agreements and verification arrangements; to reinforce EU cooperative threat reduction programmes; and to integrate WMD policies into the EU's wider political and economic relationships and programmes. There is ongoing, intensive work in this field.

Ladies and Gentlemen,

In all aspects of our counter-terrorism policies, working with others is an absolute necessity. We believe that no country can win this fight alone, and that international cooperation is key in the struggle against terrorism. Terrorism is a global challenge and we must develop a global response.

In just a few days from now the EU and the US will hold their next Summit meeting in Ireland. I am confident that the Summit will reinforce our transatlantic partnership in the fight against terrorism.

Ahead of this EU-US Summit, let me briefly refer to the existing EU-US relationship in the field of counter-terrorism. We are working closely together with the US and we are developing a whole network of specific agreements, with an important added value.

The EU and US concluded agreements on Extradition and Mutual Legal Assistance last year. Once they enter into force, requests will be handled much faster. European and US Agencies will be in direct contact. Extradition will be possible for many more offences. US authorities will have access to bank accounts throughout the European Union, and vice versa, for the investigation of serious crimes.

I have urged the EU Member States who have not yet ratified these agreements and have not introduced any implementing national measures to conclude the necessary bilateral arrangements with the US quickly, so that the agreements can enter into force.

Europol has concluded two agreements with the US over the last two years. They will allow for the sharing of intelligence and personal data.

The Container Security Initiative agreement was signed between the European Community and the US on 22 April 2004. This is an extension of the existing Customs Cooperation Agreement with the USA. It creates a framework for cooperation between the customs authorities for checks on containers imported into, transshipped through, or transiting the EU and the US.

The EU/US PNR (Passport Name Records) Agreement will permit the processing and transfer of PNR data by Air Carriers to the US Department of Homeland Security.

We have now a new forum for dialogue with the US, the Policy Dialogue on Border and Transport Security. This is a very positive development, since we can discuss important issues with our US partners, at a very early stage of the policy development cycle. This forum can become some kind of an 'early warning' mechanism, and add predictability to the launch of new initiatives.

We have many other important partnerships in the counter-terrorism area. For example, the EU has been engaged in a regular dialogue with Russia on terrorism.

The fight against terrorism is one of the main areas included in the new EU-Russian effort to form the so-called four spaces for enhanced future cooperation. The implementation of the Europol-Russia agreement, as well as the joint Action Plan on Organised Crime will also play an important role in this field.

Solidarity and international cooperation are integral to combating terrorism and to addressing its root causes. This is why we want to ensure that counter-terrorism is a key element in political dialogue with third countries, with particular emphasis on ratification and implementation of international Conventions, preventing the financing of terrorism, addressing factors which contribute to terrorism, as well as non-proliferation and arms control.

Ladies and Gentlemen,

Let me now refer to the cooperation between the EU and the OSCE. In terms of structure and purpose, we are different, but we share common principles and values. Our cooperation should be based on our will to work together, taking account of our comparative advantages.

The OSCE has a very positive track record in counter-terrorism. This includes good progress on a whole array of issues, such as border security, travel security, MANPADS (Man-Portable Air Defence Systems), as well as the rule of law and good governance.

In the EU, we are working on a set of measures to secure our external borders. These include border controls, biometrics, information sharing on lost and stolen passports, and use of passenger data.

We are setting up a European Agency for the management of operational co-operation at the external borders of the Member States of the European Union. This Agency will assist national border guards by providing common training and risk analysis, and help on procurement of equipment and research matters. The Agency will also cooperate with international organisations and foreign countries on matters relating to its tasks.

One of our most important common endeavours is to make travel safer. We want to improve the security of documents by integrating biometric identifiers. By the end of this year, the EU intends to adopt rules to introduce biometric data into EU visas and residence permits issued to foreigners and into our own passports in a harmonised, coherent and interoperable way.

We are working closely with Interpol to keep track of lost and stolen passports. Work is carried forward at the EU on the transfer by EU Member States to Interpol of data about stolen, lost and misappropriated passports, either issued or blank, in order to make worldwide sharing with the Interpol community possible.

At the moment, about 8.5 million data are contained in our Schengen Information System (SIS), which should be made available according to conditions to be established with Interpol. This will signify a major contribution to stepping up security at international airports.

We all agree that the advance scrutiny of air passengers is a key element in border security. The EU has adopted common rules on an advanced passenger information system (APIS), requiring airlines to provide border authorities with passenger data prior to the arrival of aircraft. These shared objectives require constant exchanges of information and effective shared risk analysis. We are preparing legislation for the use of passenger data for internal security purposes, creating an obligation for air carriers to transmit these data to law enforcement authorities.

We share the view that special security measures have to be taken when a flight is under terrorist threat. It goes without saying that special measures of this kind should be targeted to address specific risks and should always be taken with the agreement of all parties concerned - not unilaterally. At the EU level, the Commission intends to bring forward guidelines on the issue of sky marshals. It is also actively supporting the work being done by ICAO on this matter. However, as far as the protection of aircraft is concerned, we need more preventive action. For this reason, we all should be pushing for the highest levels of airport security that will prevent illegal objects from being placed on board aircraft.

On this wide range of measures and initiatives in the fields of border and transport security, we call on our international partners to join our endeavours. We look forward to exchanging ideas with the Member States of the OSCE.

At the EU, we are further developing our counter-terrorism assistance strategies. We are defining ways to develop programmes that will help enhance the capacity of countries to meet their obligations under UNSCR 1373. This is an area where synergies between the EU and the OSCE could be explored. In particular, international cooperation is required to promote good governance and the rule of law. There can be no trade-off between counter-terrorism and respect for human rights; indeed, it is the view of the European Union that each is a precondition for the other.

Ladies and Gentlemen,

The fight against terrorism is for the long haul. We are in this together. We must join our forces and foster our international partnership.

I hope that this Second Annual Security Review Conference will produce result-oriented approaches in the fight against terrorism. Thank you.