

France, Germany, Belgium and Spain call for the creation of a European Judicial Counter-Terrorism Register

The Hague, 21 June 2018

On 20 and 21 June, the annual seminar on counter-terrorism, organised by Eurojust, took place. This year, Mr François Molins, District Chief Prosecutor of the Court of Paris, Mr Frédéric Van Leeuw, Federal Prosecutor of Belgium, and Ms Joëlle Milquet, Special Advisor to the President of the European Commission on the support to victims of terrorist attacks, participated in the discussions.

The conference focussed on two themes: the judicial response to persons returning to Europe from the combat zones in Iraq and Syria, and the support to victims of terrorist attacks.

A [joint declaration by the Ministers of Justice of France, Germany, Belgium and Spain](#) ([FR](#) | [DE](#) | [ES](#)) was distributed in the margins of the conference. It called for the reinforcement of the sharing of information with Eurojust on current investigations and convictions for terrorist offences.

Given the persistent terrorist threat that concerns the whole of the European territory, strong cooperation between judicial authorities within the European Union is actually indispensable. The Ministers call for the creation of a European Judicial Counter-Terrorism Register, that will make it possible to proactively establish possible links between cases and to identify coordination needs for the investigations. The legal basis for working together is already in place (Council Decision 2005/671/JHA), which should be systematically applied in all Member States.


✘ Mr François Molins said: *The quality of judicial cooperation in criminal matters is a big challenge. We cannot work in silos in our countries anymore. We need an overall approach. To strengthen and bolster judicial cooperation, we need to go through Eurojust, the only European agency able to do that. [...] Sharing information is also a major challenge in cooperation. Centralisation of information allows us to double-check it proactively and coordinate actions upstream. The more we share, the better we are able to intervene and distribute the workload between Member States in a smarter way.*

Intensive coordination of the investigations after the Paris terrorist attacks

✘ Between 2014 and 2017, there was a sixfold increase (from 14 to 87) in terrorist cases registered at Eurojust, including following the terrorist attacks on the Thalys train, Brussels, Nice, Berlin, Stockholm and Barcelona. Those cases are not only larger in number but also growingly complex and, in contrast to terrorism investigations before 2014, involve many different

States. For example, in the aftermath of the terrorist attacks in Paris and Saint-Denis on 13 November 2015, Eurojust opened a case that, in addition to France, involved another 14 Member States and the USA. Numerous coordination meetings have since been held in Austria, Paris and The Hague. The collaboration uncovered possible links between the investigations into the attacks in Paris and other terrorism cases. As a result, two suspects arrested in Austria and one detained in Germany were successfully surrendered to the French authorities (click on image to enlarge).


A solid response to returning foreign terrorist fighters

Since 2013, Eurojust supports prosecutors to build solid cases against foreign terrorist fighters (FTFs). During the two-day meeting, the discussions centred on the various challenges that prosecutors face in this regard, such as digital evidence, the use of the specific crime of participation in the activities of a terrorist group, the prosecution of non-combatant women, the judicial response to returning minors, and obtaining battlefield information in a way that makes it admissible as evidence in court. In most Member States, returning FTFs who are found guilty face imprisonment. 

Mr Frédéric Van Leeuw, Federal Prosecutor, Belgium, said: *The majority of the 2013 and 2014 returnees are young people. What position should we adopt, after they have gone a path not compatible with the values of our society, as they have collaborated actively with terrorist groups? [...] We have to respect the 1989 Children's Convention, and not separate children from their mothers. Eurojust can unite different authorities and find common procedures in accordance with the fundamental values of our societies.*

Giving priority to the rights of victims of terrorist attacks

Assistance and support to victims of terrorism are key elements of the European Union's counter-terrorism efforts. Eurojust has been assisting in a number of investigations into recent terrorist attacks in which support to victims was a major aspect of the international judicial cooperation efforts.

 Ms Joëlle Milquet, Special Advisor to the President of the European Commission on the support to victims of terrorist attacks, said: *We need an integrated approach at EU level and we have to set minimum standards, promote best practice, take pragmatic measures and adapt the existing directives. A common, precise definition of victims or of compensation to victims is required and one single focal point at national level. We can have a more structured coordination by involving other stakeholders, such as Eurojust and Europol.*

Background

Eurojust's mission is to unite the community of thousands of practitioners who, every day, everywhere in Europe, work hard to fight all forms of criminality, and combine their efforts to make Europe a more secure and just place. Just in the past year, 4 400 national prosecutors and senior law enforcement officials came from all Member States, from 30 different legal

systems, seeking solutions to very concrete problems, such as how to coordinate different prosecutions against the same terrorist suspects, to avoid gaps, overlapping or conflict of jurisdictions, or to create a joint investigation team.

Eurojust's meetings on counter-terrorism were launched in June 2001. Unlike coordination meetings organised in the framework of ongoing investigations supported by Eurojust, Eurojust's meetings on counter-terrorism bring together judicial and law enforcement authorities dealing with terrorism matters and concentrate on a particular terrorist phenomenon or a specific aspect of the criminal justice response to terrorism.

More information

Infographics on the coordination through Eurojust of counter terrorism cases:

Photos © Eurojust

Council authorises opening of negotiations with WTO members on Brexit-related adjustments

Press contacts

Ester Arauzo-Azofra

Press officer

+32 2 281 53 61

+32 473 63 07 23

Maria Tomasik

Press officer

+32 2 281 24 63

+32 470 88 23 83

In preparation for the UK's withdrawal from the EU, the Council today authorised the Commission to open formal negotiations within the World Trade Organisation (WTO) on how to divide up existing EU tariff rate quotas (TRQs) between the EU27 and the UK.

After Brexit, the EU will continue to apply its scheduled commitments for goods, but its existing quantitative commitments, in particular the TRQs for agricultural, fish and industrial products, will require adjustments to take into account the fact that the EU's WTO schedule will no longer be applicable to the UK.

In October 2017, the EU and the UK informed WTO members in a joint letter of their approach for apportioning the existing EU tariff quotas and began informal talks with partners. The proposed approach would provide for an apportionment based on an objective methodology reflecting existing levels of market access and trade flows under each TRQ.

Negotiations with WTO members

In line with the provisions for modifying concessions of the General Agreement on Tariffs and Trade 1994 (GATT 1994), the EU needs to conduct negotiations on the apportionment of the TRQs with relevant WTO members.

In addition, the UK needs to launch the procedures in the WTO for setting out its own schedule of concessions and commitments before the date on which it ceases to be an EU member state.

These negotiations need to be conducted within a tight timeframe. It is foreseen that the UK will cease to be an EU member state from 30 March 2019, although the withdrawal agreement currently being negotiated is expected to provide for transitional arrangements. These arrangements would provide for international agreements to which the EU is party, such as the GATT 1994, to apply to the UK until 31 December 2020.

EU internal process

In order to take account of a situation where agreements with relevant WTO Members have not been concluded in time, the Commission has also proposed a legislative act which would allow the EU to proceed unilaterally with the apportionment of the TRQs and to amend the relevant EU provisions accordingly. This legislative proposal will follow the ordinary legislative procedure.

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[Maritime security: EU revises its action plan](#)

Press contacts

[Virginie Battu](#)

Press officer

+32 2 281 53 16

+32 470 18 24 05

90% of the EU's external trade and 40% of its internal trade is transported by sea. **Safe and secure seas and oceans are of fundamental importance** for free trade, the EU economy and living standards.

The Council today adopted conclusions on the revision of the **EU maritime security strategy** (EUMSS) action plan.

With this action plan, the EU reaffirms its role as a global maritime security provider. It promotes international cooperation, maritime multilateralism and the rule of law at sea, in line with the strategic priorities identified in the EU Global Strategy.

*High Representative for Foreign Affairs and Security Policy
Federica Mogherini*

The EU has interests but also responsibilities in global maritime security. This is why **the EU actively contributes to safe and secure seas and oceans in different parts of the world**, using several of the EU's existing instruments such as the Instrument for Peace and Stability and the European Development Fund, as well as EU policies, such as the Common Security and Defence Policy.

The EU's maritime security strategy action plan was first adopted on 16 December 2014 to help safeguard the interests of the EU and protect its member states and citizens. It addresses **global maritime risks and threats**, including cross-border and organized crime, threats to freedom of navigation, threats to biodiversity, illegal, unreported and unregulated fishing or environmental degradation due to illegal or accidental discharge.

The revision adopted today allows for a more focused reporting process to enhance awareness and better follow-up to the strategy. The action plan brings together both internal and external aspects of the Union's maritime security. The actions foreseen in the plan also contribute to the implementation of the EU Global Strategy, the renewed EU internal security strategy 2015-2020, the Council conclusions on global maritime security, and the joint communication on international ocean governance.

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[Encouraging participation: Council ready to launch talks on a revised European Citizens' Initiative](#)

Press contacts

Liis Jaansalu

Press officer

+32 (0)2 281 38 71

+32 (0)470 89 08 50

European citizens' initiative: Shape the EU the way you want!

The Council is ready to launch talks with the Parliament to make the European Citizens' Initiative more user-friendly and increase its impact.

On 26 June 2018, the Council agreed its position on a proposal for a new regulation which includes a number of changes which will improve the Initiative and encourage participation.

The Council's position will serve as a mandate for the Austrian presidency to enter negotiations with the European Parliament, once the Parliament has agreed its negotiating stance.

Citizens must be able to make their voice heard and draw the attention of EU decision-makers to matters close to their heart. The European Citizens' Initiative offers everyone the opportunity to make a difference. Member states are determined to ensure that this important tool is both simple to use and effective.

Ekaterina Zaharieva, deputy prime minister for judicial reform and minister for foreign affairs of Bulgaria

In its negotiating mandate, the Council backs most of the suggestions put forward by the Commission. This includes proposals concerning:

- enhanced information and assistance to the organisers, including the creation of contact points in Member States and an online collaborative platform
- the possibility of partial registration of initiatives
- translation of all initiatives into all EU languages
- enabling organisers to choose the start date of the 12-month collection period
- providing a free online service for the collection of signatures, with the possibility of uploading signatures collected on paper, as well as using e-ID for support
- allowing EU citizens to support an initiative regardless of their country of residence
- extending the examination phase and providing for a more inclusive public hearing for successful initiatives

On the minimum age for supporting a European Citizens' Initiative, the Council prefers to keep the current system whereby initiatives can be signed by EU citizens whose age entitles them to vote in elections to the European Parliament.

Given that a common system for the collection of signatures will be made available, free of charge, the Council also proposes to discontinue the use of individual collection systems. This would simplify the procedure for both organisers and national authorities.

Next steps

The European Parliament is due to vote on its negotiating mandate in its plenary in July. Negotiations between the Council and the Parliament are expected to start after the summer break.

Background

Under the EU treaties, the European Commission has the sole right of legislative initiative, with exceptions in only a few areas.

The European Citizens' Initiative is an instrument of participatory democracy which enables one million EU citizens from at least one quarter of the member states to invite the Commission to propose a legal act in areas where it has the power to do so. EU citizens have this right alongside the Council and the European Parliament, which may also request the Commission to submit proposals on matters on which they consider that a Union act is required.

In the event of a successful European Citizens' Initiative, the Commission is required to provide its answer in a communication setting out its legal and political conclusions on the initiative, the action it intends to take, if any, and its reasons for taking or not taking that action.

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