The fight against terrorism and transnational crime

Combating terrorism

The crime of terrorism is one of the most serious common challenges facing the international community today. It constitutes an acute threat to internal and external security, to peaceful relations between States and to the development and functioning of democratic institutions and principles. The EU categorically condemns all acts of terrorism as criminal and unjustifiable, irrespective of their motivation, forms and manifestation. It firmly believes that those who perpetrate, organise and sponsor terrorist acts must be brought to justice and duly punished.

The horrific terrorist attacks of 11 September 2001 made it clear that terrorism is a global challenge, and that the fight against it requires concerted global action. This fight has been and continues to be a top priority for the EU and its Member States. The Union believes, however, that the battle against this scourge must be carried out in accordance with international law, including human rights conventions and, in case of an armed conflict, established humanitarian precepts.

The EU recognises the central role of the United Nations in this respect and remains committed to support the UN in its endeavours in this field. Universal implementation of Resolution 1373 (2001) and other Security Council resolutions on counter-terrorism is a matter of continuing priority and urgency to the Union and to its Member States. In implementation of this resolution, the EU applies autonomous economic and financial sanctions to persons, groups and entities providing, directly or indirectly, funds likely to support terrorist acts.

Furthermore, the EU attaches great importance to international and regional cooperation in the fight against terrorism. Anti-terrorism clauses are being included in many EU agreements with third countries. And the EU actively supports and participates in the counter-terrorism activities carried out in the Council of Europe, the OSCE, and in various UN bodies, including the UN Office on Drugs and Crime. In addition, the EU provides technical assistance to third countries that lack the resources to implement fully the UNSC resolutions concerning terrorism, notably UNSC Resolution 1373. Building capacity within the police and judiciary, border security and countering terrorist financing and money laundering are examples of areas where the EU has been able to assist other countries through specific programmes. Counter-terrorism requirements are also being taken into account in the development of longer-term assistance programmes and new projects designed to meet specific short-term needs, like training and assistance with drafting legislation.

Moreover, the EU has adopted measures internally in the field of police and judicial cooperation to combat terrorism. The framework decision on combating terrorism provides Member States with a common definition of terrorist acts and terrorist groups. Likewise, the European arrest warrant provides for simplified surrender procedures between judicial authorities of Member States, based upon the principle of mutual recognition of judicial decisions.

The EU believes there are close links between terrorism and organised crime, and drug trafficking, and it is addressing these connections, placing specific emphasis on simultaneous investigation. A joint European Commission–Council civil protection mechanism has been established, aimed at protection of populations from chemical, biological, radiological or nuclear terror threats.

To reduce the risk posed by certain terrorist groups gaining access to weapons of mass destruction,
The Union strongly believes that the 12 UN conventions and protocols on terrorism — and their implementation — play a pivotal role in the fight against terrorism. Its Member States are committed to the ratification and rapid implementation of all these conventions.

The EU also supports the early conclusion of the negotiations on the draft Comprehensive Convention on Terrorism, and the adoption of the draft International Convention for the Suppression of Acts of Nuclear Terrorism. The risk posed by certain terrorist groups gaining access to weapons of mass destruction is clear.

For more on EU actions to combat terrorism after 11 September, please visit: http://europa-eu-un.org/article.asp?id=1587.

**The fight against transnational crime**

The EU and the UN share common goals in the fight against transnational organised crime. Dismantling frontiers between the EU Member States is bringing many benefits, but it is also making it easier for criminal organisations to be active across Europe. Simultaneously, criminals have been taking advantage of fast-moving technological advances, such as the Internet. Governments acting individually cannot adequately address these newly emerging problems.

The Treaty on European Union established an institutional framework to fight against organised crime. It provides for the development of common actions in the field of police and judicial cooperation in criminal matters, including approximation of rules on criminal matters in certain circumstances, while preserving Member States’ responsibility for maintaining law and order and safeguarding internal security.

A strategy for combating organised crime has been defined at EU level in several instruments, namely: the 1997 and 1998 action plans to combat organised crime; the conclusions of the special European Council held in Tampere on 15 and 16 October 1999, concerning the creation of an area of freedom, security, and justice in the EU; and the EU strategy of 27 March 2000 for the beginning of the new millennium on the prevention and control of organised crime.

As a result, many concrete steps have already been taken by the EU Council to fight against transnational organised crime.

In addition, the EU cooperates with the Centre on Crime Prevention and participates actively in the Committee on Crime Prevention and Criminal Justice. In this context, the EU supports conventions concluded by the UN to combat organised crime. The European Community has signed the UN Convention against Transnational Organised Crime (UNTOC) and its protocols on smuggling of migrants, trafficking in human beings, and trafficking in firearms. It favours ratification of these instruments and their swift entry into force, and uses them as guidance for action within the EU and for European Community cooperation with third countries. On 19 July 2002, the EU Council adopted a framework decision on trafficking in human beings to complement the UN protocol on that subject.

Similarly, the EU and the UN are both active in combating corruption. The European Community is involved in the ongoing negotiations for a UN Convention against Corruption, and the European Commission attends meetings of the UN inter-agency coordination group on corruption.

**Countering the world drug problem**

In June 1998, the 20th Special Session of the UN General Assembly devoted itself to countering the world drug problem (UNGASS). The political declaration adopted at this Special Session enshrined the commitment of the international community to address all aspects of the drug problem in a balanced and integrated manner. The EU is fully committed to the implementation of this political declaration and to the implementation of the action plans and other measures adopted at UNGASS. In this respect, the EU Member States continue to implement the EU action plan on drugs 2000–04 in cooperation with the European Commission, the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and Europol.

A ministerial-level segment of the UN Commission on Narcotic Drugs held on 16 and 17 April 2003 assessed both the progress achieved and the difficulties encountered to meet the goals and targets set out in the political declaration adopted at UNGASS. The EU played an active role during this event. Furthermore, it participates actively in the Commission on Narcotic Drugs and in the United Nations Office on Drugs and Crime (UNODC) major donor group.