Fight against terrorism: specific restrictive measures directed against certain persons and entities associated with Osama bin Laden, the Al-Qaida network and the Taliban

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The Council has presented an amended version of the draft Council Regulation amending Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban

The main amendments concern the following issues:

- **widen the definition of "terrorist group"** as it is defined in Article 2(1) of Council Framework Decision 2002/475/JHA on combating terrorism. To this effect, Annex I of the proposal shall consist of natural and legal persons, entities, bodies and groups designated by the UN Security Council or by the Sanctions Committee as being associated with Usama bin Laden, the Al-Qaida network and the Taliban;
- **better information**: the Commission should be able to take a decision before informing the person, entity, body or group concerned of the reasons for listing. The reasons for listing should, however, be notified to that person, entity, body or group without delay, after that decision has been published, to give the person, entity, body or group concerned an opportunity to make effectively his, her or its point of view known. While the Commission should endeavour to notify the reasons for listing directly to the person, entity, body or group concerned, such notification may not be possible in some cases due to incomplete contact details or the complete absence thereof. In such cases, a notice should be published in the Official Journal to inform those concerned of the applicable procedures;
- **prohibition of all kinds of assistance to military activities**: a new article stipulates that it shall be prohibited to provide, directly or indirectly, technical advice, assistance or training related to military activities, including in particular training and assistance related to the manufacture, maintenance and use of arms and related materiel of all types, to any natural or legal person, entity, body or group listed in Annex I;
- **amendment to the UN's Security Council list**: where the United Nations decide to de-list a natural or legal person, entity, body or group, or to amend the identifying data of a listed person, entity, body or group, the Commission shall amend Annex I accordingly;
- **treatment of classified information**: if the United Nations or a State submits classified information, the Commission shall treat such information in accordance with Decision 2001/844 /EC, ECSC, Euratom of 29 November 2001 and, where applicable, the agreement on the security of classified information concluded between the European Union and the submitting State. Documents classified at a level corresponding to 'EU Top Secret', 'EU Secret' or 'EU Confidential' shall not be released without the consent of the originator;
- **processing data relating to criminal offences**: the Commission may process relevant data relating to criminal offences committed by listed natural persons, and to criminal convictions or security measures concerning such persons, only to the extent that such processing is necessary for the preparation of a statement of reasons and review of the views on it expressed by the natural person concerned, subject to appropriate specific safeguards. Such data shall not be made public or exchanged.