European Union's internal security strategy

2010/2308(INI) - 22/05/2012 - Text adopted by Parliament, single reading

The European Parliament adopted by 503 votes to 55, with 56 abstentions, a resolution on the European Union’s Internal Security Strategy.

Parliament recalls that the Treaty of Lisbon has strongly anchored EU security policy to a specific EU rule of law, laying the foundations for the development of a security agenda closely shared by the EU and the Member States and subject to democratic oversight at European and national level. It reaffirms that the Commission’s communication on the Internal Security Strategy (ISS) for the period 2010-2014 has identified five priority areas in which the EU can provide added value, namely (i) fighting and preventing serious and organised crime, (ii) terrorism, iii) cybercrime, (iv) strengthening the management of the external borders, and (v) building resilience to natural and man-made disasters.

While welcoming the results achieved to date, Parliament calls for further security measures in compliance with Union‘s fundamental rights obligations.

Respect for fundamental rights and subsidiarity: Parliament emphasises that freedom, security and justice are objectives that must be pursued in parallel, and believes that the implementation of the EU Charter must be the core of any fully-fledged ISS. It recalls that, in order to achieve freedom and justice, **security must always be pursued in accordance with the principles of the Treaties**, the rule of law and Union‘s fundamental rights obligations. Members underline the importance of coherence and synergies between the internal and external aspects of security, and underscore the importance of ensuring that measures and actions implementing the ISS are in compliance with Union‘s fundamental rights obligations, in particular Articles 2, 6 and 7 TEU, and its external policy objectives as laid down in Article 21 TEU, as well as with international human rights and humanitarian law. Noting that policies in the area of security are a shared competence between the Union and the Member States, Members recall that this is an area in which subsidiarity needs to be respected in the context of a comprehensive and coherent approach.

“EU operational cycle”: Parliament notes the progress made by the Member States and the Commission in the context of the EU policy cycle on organised and serious international crime. However, it considers that a clear division of tasks between EU and national levels is necessary. Parliament needs to be part of the process as regards policy guidance, implementation and evaluation of results, and Members call for an in-depth assessment of the European policy cycle to be undertaken in 2013. In their view, moreover, the cycle should be renamed the “**EU operational cycle**”. In particular, they call on the Member States to regularly assess the complementarity of national plans for countering organised crime with plans which are to be developed at European level. It is essential to provide appropriate financial resources in the 2014-2020 multiannual framework for the implementation of such a strategy.

Involvement of Parliament in determining the ISS: considering that the European Parliament is now a fully-fledged institutional actor in the field of security policies, Parliament considers that it has the right to participate actively in determining the features and priorities of the ISS and of the EU Security Model and in evaluating those instruments. In this connection and on the basis of the existing cooperation between the European Parliament and national parliaments, Members endorse the idea of a ‘parliamentary policy cycle’ which would conclude with an annual parliamentary report on the current state of play as regards the ISS.

Complementarity between the AFSJ and external policy: Parliament notes that the Common Security and Defence Policy (CSDP) and the Area of Freedom, Security and Justice (AFSJ) have complementary

points and highlights the importance of the appropriate exchange of information, consultation and cooperation with all relevant actors, as also of solutions aimed at anticipating rather than reacting to events. It also stresses that the entire ISS should in the long term concentrate on the clear link between **external threats**.

Key areas of the ISS: Parliament considers that the ISS's objectives are not exhaustive and that the order of priorities could have been better structured. It underlines, in particular, that the fight against terrorism and organised crime is and must remain a key priority within the ISS. It calls on the Commission and the Council to prioritise the fight against corruption.

Members take the view that:

- the issue of resilience to man-made and natural disasters, including failures of critical infrastructure, must also be addressed;
- it does not appear fully justified or appropriate to take action in the field of the enforcement of intellectual property rights within the framework of the ISS;
- organised crime, in all its forms including mafias, constitutes a growing threat to freedom, security and justice for EU citizens and that fighting it must remain a priority, as do money laundering and white-collar crime.

Other areas are mentioned such as: (i) the funding of terrorism, (ii) freezing the funds of persons suspected of terrorism, (iii) help to victims of terrorism (Members call on the Commission and the Member States to consider adopting specific legislation in this regard), (iv) the combat of **environmental, economic and corporate crime**, the impact of which is particularly detrimental to the living conditions of EU citizens, (v) the fight against cybercrime (Members, once again, urge the Member States to ratify the Council of Europe Convention on Cybercrime).

Strengthening of cooperation: in Members' view, enhancing EU police and judicial cooperation, including through Europol and Eurojust as well as through appropriate training, is critical to a proper ISS. This cooperation must involve the competent authorities in the Member States as well as EU institutions and agencies. Parliament believes that, as regards the links between internal and external security, EU cooperation with other international institutions such as NATO and the OSCE should be further promoted. It calls on the Commission and the Member States to make this a priority for the ISS.

Justice dimension of the ISS: Parliament regrets the fact that the ISS still lacks a proper "justice dimension". Mutual trust must be strengthened by progressively developing a European judicial culture based on the diversity of legal systems and on unity through European law. The judicial systems of the Member States should be able to work together coherently and effectively, in accordance with their national legal traditions: believes that the establishment of a set of priorities in the field of judicial cooperation must be seen in the context of the close link between all the dimensions of the Area enshrined in Title V TFEU, namely the Area of Freedom, Security and Justice.

Intelligence and enforcement: Parliament stresses the fight against terrorism is a priority for the ISS, whose objectives and tools must be properly evaluated, as expressed in Parliament's resolution on 'the EU Counter-Terrorism Policy. It takes the view that better focusing is needed on targeted **law enforcement and on intelligence-driven activities** that have proven capacity to prevent terrorist attacks and are carried out in accordance with the principles of necessity, proportionality and respect for fundamental rights.

Prevention: the resolution states that all security policy must include a prevention component, which is particularly essential in a period in which economic and social inequalities are growing and thus jeopardise the effectiveness of fundamental rights.

Parliament considers it crucial to:

- develop prevention mechanisms, in particular so as to permit the **early detection of signs of violent radicalisation or threats**, including threats from violent or militant extremism. It recalls the importance of actions directed at countering violent radicalisation in vulnerable populations and look forward to innovative solutions in this field ;
- **define a wider political strategy that involves the security dimension** as well as immigration, asylum and development policies at EU level and policies supporting economic, social and democratic development and promoting human rights in third countries. Cooperation with countries sharing borders with the EU would also be necessary.

Review of the ISS: Parliament considers it expedient to undertake a mid-term parliamentary review of the Stockholm Programme **before the end of 2013**, in order to assess its strategic, legislative and financial priorities. It also believes that a complementary assessment is needed with regard to the relevant European agencies currently being 'Lisbonised' (Europol, Eurojust and the European Judicial Network), along with other agencies and bodies.

Personal data protection: Members recall that the processing and collection of personal data in the framework of the ISS must in all circumstances comply with the EU's data protection principles, especially those of necessity, proportionality and legality. Although they welcome the data protection proposals put forward by the Commission on 25 January 2012, they are of the opinion that the proposal for a directive in the field of judicial cooperation in criminal matters and law enforcement must be more ambitious and must provide for stronger safeguards, especially in its provisions on profiling and automated processing. Members reaffirm the need for proper **democratic oversight and evaluation of the work of AFSJ agencies,** in order to avoid the risk of blurring the divide 'between policy advice and actual policy-making' in relation to those agencies.

Solidarity clause: lastly, Parliament urges the Vice-President/High Representative and the Commission to present their proposal – planned for 2011 – on the implementation of the solidarity clause, which should not duplicate existing initiatives, but, rather, define the framework for the use and coordination of available EU and national instruments, including the CSDP. It believes that only with the full spectrum of possibilities opened up by the implementation of the solidarity clause among all Member States will the EU be ready to prevent – and react to, in a safe and coordinated manner – any given threat targeting the security of one or more Member States.