Specific Programme ‘Prevention, Preparedness and Consequence Management of Terrorism and other Security related risks': repeal

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PURPOSE: to repeal, from 1 January 2014, Council Decision 2007/124/EC, Euratom establishing for the period 2007 to 2013 the Specific Programme ‘Prevention, Preparedness and Consequence Management of Terrorism and other Security-related risks’.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: under the multiannual framework 2007-13, the General Programme on Security and Safeguarding Liberties was established with its main objective being to ensure effective operational cooperation in the fight against terrorism, including its consequences, organised crime and general crime, to support the provision of intelligence on a European scale and to strengthen the prevention of crime and terrorism, in order to promote secure societies based on the rule of law.

Given that these objectives had **different legal bases in the Treaties** and fundamentally different legal regimes, the General Programme was composed of two different legal instruments.

1. Council Decision 2007/125/JHA established the Specific Programme ‘Prevention of and Fight against Crime’ (‘ISEC specific programme’). The specific programme focused on four thematic areas: crime prevention and criminology, law enforcement, protection and support to witnesses, and protection of victims.
2. Council Decision 2007/124/EC, Euratom established the Specific Programme ‘Prevention, Preparedness and Consequence Management of Terrorism and other Security related risks’ (‘CIPS specific programme’). Its general objective was to support Member States’ efforts to prevent, prepare for, and protect people and critical infrastructure against terrorist attacks and other security-related incidents.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Article 352 of the Treaty on the Functioning of the European Union (TFEU) and Article 203 of the Treaty establishing the European Atomic Energy Community.

CONTENT: within the comprehensive framework of the **Internal Security Fund**, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (‘the ISF-Police’) will provide financial support for police cooperation, exchange of and access to information, crime prevention and the fight against cross-border and serious and organised crime, including terrorism, the protection of people and critical infrastructure against security-related incidents and the effective management of security-related risks and crises.

Consequently, the ISEC and CIPS specific programmes providing financial support for this policy area under the multiannual framework 2007-13 have to be repealed with effect from 1 January 2014, subject to transitional rules.

As far as the ISEC specific programme is concerned, it is repealed by the Regulation establishing the ISF-Police.

As for the **CIPS specific programme**, it was not possible to do the same because its repeal requires a **separate legal act**, due to the different voting rules under its double legal base (EC/Euratom). However, the final provision concerning the entry into force of this Decision is drafted in such a way that the repeal of the CIPS specific programme will coincide with the entry into force of the Regulation establishing the ISF-Police. Therefore, the repeal of the CIPS and ISEC specific programmes will be dealt with in exactly the same way.

The Commission proposes that the Decision establishing the CIPS specific programme be repealed with effect from 1 January 2014.

BUDGETARY IMPLICATION: this proposal does not have any direct implication for the EU budget.