Fight against terrorism: implementation of national legal provisions. Initiative Spain

2002/0809(CNS) - 11/06/2002 - Legislative proposal

This document presents the new version of the draft decision establishing a mechanism for evaluating the legal systems and their implementation at national level in the fight against terrorism. This text is destined for the delegations who will find annexed a new text proposed by the Presidency following the meeting of the Article 36 Committee in 7 June 2002. It should be noted that this is the text used in the Council Conclusions of 20 September 2001. This new text incorporates some editorial and legalistic changes which concern the following issues: - a mechanism for peer evaluation of the national arrangements in the fight against terrorism, on the basis of a legislative nature (Sweden entered a reservation to the effect that the terrorism evaluation mechanism should be restricted to the fulfilment of international commitments); - the fact that the fist evaluation exercise should finish no later than the end of 2002 (some of the delegations said that it was impossible to meet this deadline. However, the mandate from the JHA Council of 20.09.2001 states that the first evaluation should be carried out by this deadline); - the fact that the Commission should assist the evaluation team in all its tasks; - the possibility for certain Working Groups to be able to participate in the drawing up of the questionnaire; - no later than one month after receiving the reply to the questionnaire, where it is considered appropriate, the evaluation team shall travel to that Member State with a view to clarifying the replies to the questionnaire. The Council wishes the report to be drawn up within the frameowrk of this Decision to be a restricted document. However, the Member States evaluated may publish the report on its own responsibility. It must obtain the Council's consent if it wishes to publish only parts of it. The Netherlands, Irish and United Kingdom entered parliamentary scrutiny reservations.