

Terrorism: exchange of information on terrorist offences while respecting the Charter of Fundamental Rights

2004/0069(CNS) - 29/03/2004 - Legislative proposal

PURPOSE : to improve the exchange of information between national authorities relating to terrorist offences. **PROPOSED ACT** : Council Decision. **CONTENT** : since September 2001 European Union Heads of State have recognised that in order to act efficiently against terrorism they need to act in unity. The recent Madrid bombings have reinforced the message and reminded Member States that fighting terrorism is a priority objective of the European Union. One of the most effective ways in which to try and prevent future terrorist acts is to ensure that national security services are kept abreast of known information relating to terrorists. The Member States' specialised intelligence services, the judicial authorities as well as Europol and Eurojust need to be briefed on terrorist information if they are to act efficiently at preventing future attacks. The purpose of this Decision is to extend the scope of information exchanged. In order to achieve this objective the Decision proposes that each Member State designate a specialised service within its police services with responsibility for collecting, and having access to, all relevant information relating to criminal investigations and terrorist offences. Each Member State passes relevant information relating to criminal investigations, prosecutions and convictions for terrorist offences to Europol and Eurojust. The information transmitted should include: data relating to the identity of a person, group or entity; acts under investigation and their specific circumstances; the offence concerned; links with other relevant causes of terrorist offences; requests for judicial assistance, including letters rogatory, addressed to or by another Member State and the response; terrorist offences of which the person has already been convicted and the specific circumstances surrounding them; penalties imposed and information regarding their enforcement; disqualifications ordered by reason of the conviction; prior criminal record; information of on the use of communication technologies; information on the threat posed by the possession of weapons of mass destruction. Member States must make sure that all information connected to terrorist information is passed on to other interested Member States. Lastly, where appropriate, Member States may set up joint investigation teams to conduct criminal investigations into terrorist offences.