Resolution on the Council's decision of 27 December 2001 on measures to combat terrorism

2002/2508(RSP) - 07/02/2002 - Text adopted by Parliament, topical subjects

The European Parliament adopted the resolution on the Council's Decision of 27 December 2001 on measures to combat terrorism. The Parliament reminds the Council of the full support expressed by the Parliament in the fight against terrorism and of its demonstrated capacity to be fully involved in the legislative process aimed at strengthening the Union's ability to fight terrorism. However, it regrets that the measures adopted by the Council on 27 December 2001 by 'written procedure' constitute a legally complex construction, which appears designed circumvent the democratic scrutiny of the European Parliament. The resolution also notes that the Council accepted Parliament's proposal for a first-pillar legal basis for the Regulation, but regrets that the Council did not consult Parliament on the list of terrorist organisations and that no provision was made for consulting Parliament on further regular updating of the list, which risks perpetuating and aggravating the lack of democratic overight in this area. Further, it even deplores the choice of a legal basis which falls under the third pillar for the definition of the list of terrorist organisations, thereby excluding all consultation and effective scrutiny both by the national parliaments and by the European Parliament, and also evading the jurisdiction of the Court of Justice. Parliament regrets that this common position, which defines the list of European and non-European terrorists organisation can be updated at any moment by the Council without any consultation of Parliament. Parliament asks that the implementation of these four measures, in particular the common position on specific measures on combating terrorism, be subject to the interpretation of the definition provided for in the framework decision on the definition of terrorism as agreed by the Council on 6 December 2001, in particular with regard to the safeguards as described in the recitals and in the related Council statements. It requests the Council to confirm that at once the framework decision on terrorism enters into force and provides the framework for EU measures to combat terrorism, the 'interim' measures, which were adopted to implement the United Nations resolution, will as a consequence be revised or repealed. Lastly, the Parliament calls on the Council, despite the fact that the EU Treaty in its present form does not oblige it to consult Parliament before adopting common positions, to undertake to accept the European Parliament's participation, as the institution which represents all the citizens of the EU, agreeing such common position and any subsequent implementing measures, and, more generally, by using in future those legislative procedures which call for the involvement of Parliament in the process of adoption of third-pillar measures.