



**COUNCIL OF
THE EUROPEAN UNION**

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ENFOPOL 126
PESC 817
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TRANS 383**

"A" ITEM NOTE

from : Permanent Representatives Committee
to : Council

Subject : First annual Presidency report (2003) to the Council on the implementation of the joint Programme of the Council and the Commission, of 20 December 2002, to improve cooperation in the European Union for preventing and limiting the consequences of **chemical, biological, radiological or nuclear terrorist threats**

The Council will find, in the Annex the above Presidency report, which also includes contributions from the Commission Staff and the Council Secretariat.

Upon a suggestion by the Working Party on Civil Protection, the Permanent Representatives Committee agreed, at its meeting on 18 December 2003, to propose that the Council take note of this report under "A" items of its agenda.

First annual Presidency report (2003) to the Council on the implementation of the joint Programme of the Council and the Commission, of 20 December 2002, to improve cooperation in the European Union for preventing and limiting the consequences of chemical, biological, radiological or nuclear terrorist threats

A. Introduction

The Council and the Commission adopted, on 20 December 2002, the programme to improve cooperation in the European Union for preventing and limiting the consequences of chemical, biological, radiological or nuclear terrorist threats (CBRN-Programme) ¹. This programme came in the wake of the attacks of 11 September 2001 and was established under an instruction from the European Councils of 19 October 2001 in Gent and 13-14 December 2001 in Laeken. On that same 20 December 2002, the Presidency, acting in cooperation with the Commission Services, issued an inventory of the instruments relevant for that programme ².

Preventing and limiting the consequences of CBRN terrorist attacks remains a priority. As was stated by SG/HR Solana at the European Council of Thessaloniki in June 2003, *"the most frightening scenario is one in which terrorist groups acquire weapons of mass destruction. The more proliferation continues, the greater this risk will become. In this event, a small group would be able to inflict damage on a scale previously possible only for states and armies. In such cases, deterrence would fail. Advances in the biological sciences may increase the potency of biological weapons in the next years; attacks through chemical and radiological materials are also a serious possibility."*

¹ 14627/02.

² 15873/02.

In addition, the European citizens still feel threatened by terrorism: the EUROBAROMETER survey of October 2003, before the recent increase of terrorist attacks, shows that 55% of them consider the terrorism as a strong threat, and that in certain Member States the ratio raises at 76%.

B. Description of the 2002 CBRN-programme

The CBRN programme was adopted under the facilitation by the Civil Protection Working Party. Its overall aim is to increase the efficiency of the measures taken at national and EU level with regard to terrorist CBRN threats.

To meet this aim, the programme describes the need for :

- an optimal, coordinated and inter-disciplinary use of the EU instruments that will be reviewed in the framework of the programme with a view to identifying and eliminating gaps and inconsistencies between them,
- the improvement of the cooperation and the coordination between the Member States, the Council and the Commission,
- facilitating the provision of practical assistance to the Member States at their request, especially in situations where the disaster is on a scale beyond the capacity of individual Member States,
- creating new instruments if necessary.

The programme sets out seven strategic objectives that needed to be addressed in order to improve the protection of the population, the environment, the food chain and property against CBRN threats and attacks and describes where there is a need for further action. It is also stated that the programme *will regularly be reviewed i.a. on the basis of information transmitted by the Member States and that a brief status report on the progress of the programme will be presented to the Council once a year.*

C. Contents of this first annual report (2003)

This is the first of such reports. It contains :

- the present note, prepared by the Presidency;
- a report on the activities of the Council (Annex I);
- a report on the activities of the Commission (Annex II);
- a synthesis table (Annex III).

D. Overview of the achievements

The annexes show clearly how important the joint Council/Commission Programme is as a contribution to the protection of European citizens against the consequences of terrorist CBRN attacks. Significant progress has been made on each of the seven Strategic Objectives of the Programme, and this within a time-frame of only a few months. The main achievements for each of these objectives are summarised below.

Strategic Objective 1 on risk analysis and risk assessment

The competent Council bodies and other relevant entities have progressed on the assessment of terrorist threats, including CBRN threats. Exchange of information on terrorism-related incidents has continued and the lists of the most significant terrorists and terrorist organisations have been regularly updated. The analysis of the threat worldwide has been further improved: to day, threat assessments have been finalised for 9 Regions and 55 Countries. All these data are available at trusted contacts points in the Member States.

Strategic Objective 2 on reducing vulnerability and preventive measures

The Commission's report lists the initiatives undertaken to reduce the vulnerability of the population, the environment, the food chain and property. Particularly worth of mentioning is the work carried out in the field of human health, and in the sector of transport, where two major steps ahead have been made by issuing proposals for regulations on enhancing the safety of civil aviation, and maritime transport on which the Council reached a general approach. Concerning the Information to the public, a call for proposal has been issued within the framework of the Civil Protection Action Programme.

Strategic Objective 3 on detection of attacks and spreading of information

The Commission has developed several initiatives in this context, such as amendments to legislation on public health, clinical guidelines and a large amount of work on chemical threats. The three major Communication and Information Systems existing, namely *BICHAT* (health) and *ECURIE* (radiological) or under development, *CECIS* (civil protection), have been enhanced and their mutual co-ordination has been improved by the means of efficient procedures.

Strategic Objective 4 on mitigating the consequences of an attack

The progress achieved in the implementation of the Civil Protection Mechanism is an encouraging step in the field of consequences-mitigation. Military assets and capabilities have been identified that could help assist in the protection of populations against the effects of terrorist attacks, including CBRN. The cooperation between the Member States has been tested through CBRN-exercises and workshops at EU-level. It is noted that the Member States have invested considerable efforts in reviewing and/or completing national preparedness measures, in identifying weaknesses and needs for reinforcing structures and supplementary resources and in informing the public so that it can react appropriately in any situation. In the Health sector, information has been gathered on national stocks of vaccines and antibiotics and the feasibility of stockpiling medicines has been studied. National stockpiling has been preferred so far to common EU stockpiling.

Strategic Objective 5 on strengthening the scientific basis of the programme

The Commission has recently launched a call for proposals aimed at improving the efforts on Research related to CBRN, taking advantage of the Sixth Framework Programme. Moreover, it is working on a preparatory action entitled "Enhancement of the European industrial potential in the field of security research 2004-2006."

Strategic Objective 6 on international cooperation

The Health sector has been particularly active in international cooperation: the Global Health Security Action Initiative has been agreed by G7 and Mexico together with the Commission. The World Health Organisation is fully associated to the activities carried out in this context.

In the field of Radiological emergency preparedness, the Commission is co-operating with the relevant international organisations in the framework of the Inter-Agency Committee on Response to Nuclear Accidents.

In the field of Civil Protection, the Monitoring and Information Centre has a regular information exchange with, in particular, UN and NATO.

Strategic Objective 7 on coordination and implementation

The coordination ensured by the Commission and the Council, within their respective areas of competence, has been efficient. In this context, it should be noted that:

- the Commission has brought under one heading the relevant services and networks, through an inter-service group dealing with exchange and coordination in the area of CBRN terrorism;
- the Civil Protection Working Party of the Council has been given a general monitoring role on the activities carried out within the relevant Council Committees and Working Parties related to the protection of the European citizens against the consequences of CBRN Terrorist attacks or threats.

E. Conclusions

Over its first year of implementation, the Council and Commission Programme to improve cooperation in the European Union for preventing and limiting the consequences of chemical, biological, radiological or nuclear terrorist threats has attained its overall aim of contributing to a better protection of the European citizens. Fortunately, cases of CBRN-incidents within the territory of the Member States have been minor with no activation of Community instruments for mutual assistance.

Although the fulfilment of the recommendations of the programme has not always been the main general strive of Council bodies and Commission services, many achievements are reported in all Strategic Objectives of the programme. Some of them are particularly important and concern different sectors. The initiatives in the field of information to the public are of paramount relevance for the protection of the public and deserve to be further boosted.

This first annual report, with its attachments, provides a positive image of the work accomplished so far. However, it should be stressed that the measures and initiatives developed in this context by the EU, are mainly of a structural nature and aim at supporting the Member States' action. The operational capability for dealing with CBRN terrorist threats remains essentially dependent on the work on prevention and preparedness carried out at national level.

Some new initiatives should also be mentioned, in particular the database of military assets and capabilities relevant to the protection of civilian populations against the effects of terrorist attacks, including CBRN. These new assets, that will be available to the Civil Protection Mechanism, will contribute to an improved protection of people, environment and property against CBRN attacks.

F. Recommendation

It is recommended that the Council take note of this first annual report on the implementation of the CBRN-programme.

REPORT ON THE ACTIVITIES OF THE COUNCIL IN 2003 ³

INTRODUCTION

1. The present report represents the contribution from the Council Secretariat to the first annual CBRN-report. The report specifies, for each of the strategic objectives of the Programme, the new initiatives and measures taken by the Council and those that are planned.
2. The implementation of the programme has given rise to a coordinated and inter-disciplinary use of existing instruments of the Member States, the Council (intelligence, police and justice structures) and the Commission (Civil Protection Mechanism, Health Security Programme, Research Programmes) as well as Europol. This programme was integrated into the general anti-terrorism programme of the EU and was mentioned in the anti-terrorism road-map (13909/1/02).

1. STRATEGIC OBJECTIVE 1: STRENGTHENING THE RISK ANALYSIS AND THE RISK ASSESSMENT OF THREATS OF CBRN-TERRORISM AND THEIR LINES OF PROPAGATION

1-1 Third pillar (JHA) activities

3. *The Terrorism Working Group (Third Pillar)*, which reports to the Article 36 Committee, continued dealing with a wide range of terrorism related issues, including also issues related to terrorists' use of chemical, biological, radiological and nuclear substances. It has, in particular, continued exchanging information on terrorism related incidents in the Member States. Apart from this, the system concerning rapid exchange of certain information on terrorist incidents within the European Union continued working satisfactorily. Regular threat assessment and situation reports have been drawn up.
4. On 6 November 2003, the Council started the operational project entitled "*multinational ad hoc teams for exchanging information on terrorism*".

³ In brackets: the numbers of relevant publicly available documents.

1-2 2nd pillar (CFSP) activities

5. There has been a continuing effort to expand the analysis of the threat worldwide. *The Committee on Terrorism (2nd pillar)(COTER)* has produced three new Regional Threat Assessments (Central and Latin America, South Asia and South East Asia). Fourteen new country threat assessments have also been finalised. The compilation now encompasses 9 regions and 55 countries such as Indonesia, Pakistan, and India. Progress has also been achieved in updating and reviewing the existing assessments. The updating process is ongoing.
6. Following discussions at the Council (General Affairs and External Relations) in October 2002, a group of Ministers' personal representatives was commissioned to submit an analysis of the phenomenon of extreme fundamentalism and terrorism. Between December 2002 and May 2003, *the Extreme Fundamentalism and Terrorism* group met four times (once in Copenhagen, twice in Brussels and once in Athens). The final report has been submitted and will be further discussed within the Council with a view to taking forward its recommendations.
7. The General Affairs and External Relations Council on 14 April 2003 instructed the Secretary General / High Representative, in association with the Commission, and the Political and Security Committee, to continue work on a global threat assessment on the proliferation of Weapons of Mass Destruction (WMD). Sitcen also prepared a threat assessment of the proliferation of weapons of Mass Destruction.

1-3 Cross-pillar activities

8. The EU is developing a more co-ordinated and cross-pillar approach to the fight against terrorism. The CFSP COTER Working Party and the JHA Working Party on Terrorism have produced a EU Compendium of Threat Assessments in the fight against terrorism. This common document presents the overall threat to the EU interests both internally and internationally. Proposals have been made during the CFSP/JHA joint meeting on terrorism to enhance the cross-pillar approach. (SN 200/03) It has been agreed that further versions of the compendium will focus on specific regions or themes. The second version of the compendium pays specific attention to terrorism from Northern Africa.

9. The Council has adopted in December 2001 a first list of the most significant terrorists and terrorist organisations ⁴ and has regularly updated that list. ⁵
10. Under the authority of the Secretary General/High Representative an assessment of the CBRN-terrorism threat has been prepared by the *Joint Situation Center of the Council (Sitcen)* ⁶ in accordance with the Seville Declaration. Sitcen is also updating, in connection with the Committee on Terrorism (2nd pillar) (COTER), a study on Al Quaida and the resulting consolidated document will aim at providing political guidance.

1-4 Europol/Cepol

11. A core activity for Europol is to provide the Member States with analytical services; consequently a great deal of operational resources have been devoted to this area, such as the establishment of a report on terrorist activities in the EU from October 2001 till October 2002. Due to several successful operational analyses, the demand of Member States exceeded the capacity to provide the requested services. As a result, careful prioritisation was undertaken in consultation with the Heads of Europol National Units (HENUs) to ensure that the correct resources could be allocated to the desired priority project. As regards CBRN, Europol is becoming part of the EU rapid alert system ("Bichet agreement") and is also becoming part of the interface between law enforcement and health sectors in the Member States.

1-5 Use of the assessments

12. The above data have been communicated to trusted contact points in the Member States, who used the above assessments in the different sectors, adjusted their overall protecting system under conditions of strict confidentiality, and encouraged sectors that are vulnerable to CBRN attacks to include in their risk assessments the relevant information they received from them, so as to monitor and protect vulnerable infrastructures or activities.
13. The assessments by COTER contain recommendations for an EU strategy towards the countries and regions in question as well as follow-up action. Efforts are being made to streamline and clarify these recommendations included in these reports. Methods of streamlining the recommendations will be agreed upon under the Italian Presidency.
14. A peer assessment of anti terrorist arrangements in Member States has started in 2003 at the Terrorism Working Party. The accession countries will be examined in the second half of 2004 and first half of 2005.

⁴ OJ L 344, 28.12.21001, p. 93.

⁵ The latest update is contained in OJ L 229, 13.9.2003, p. 22.

⁶ The Joint Situation Centre has been developed to enhance the capacity of the Council Secretariat to analyse and make use of intelligence material and other information made available by Member States and to increase the sharing of intelligence and other information.

2. STRATEGIC OBJECTIVE 2 : REDUCING THE VULNERABILITY OF THE POPULATION, THE ENVIRONMENT, THE FOOD CHAIN AND PROPERTY AGAINST CBRN-THREATS THROUGH PREVENTIVE MEASURES

2-1 Non-Proliferation and Disarmament

15. There is a strong conflict-prevention dimension in the ongoing work within the EU on Non-proliferation of Weapons of Mass Destruction. The European Council of Thessaloniki, of 19-20 June 2003, adopted a *Declaration on non-proliferation of weapons of mass destruction* that expressed concern about possible CBRN-terrorism and made commitments to elaborate before the end of 2003 a coherent strategy to address the threat of proliferation (200/03).
16. The Council (GAERC) adopted on 16-17 June 2003 :
- "*Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction*",
 - an "*Action Plan for the Implementation of the Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction*",
 - *Conclusions on proliferation of weapons of mass destruction*,
- and, on 9 December 2003,
- an *EU strategy against proliferation of weapons and mass destruction*.

These acts aim at preventing third countries and terrorists to acquire CBRN-materials and their means of delivery by seeking an effective multilateral response to this threat (including the multilateral non-proliferation treaties) and by making use of all available EU-instruments to prevent, deter, halt and if possible proliferation, including export control policies, non-proliferation clauses in agreements with third countries, and enhancing the security of proliferation-sensitive materials, equipment and expertise.

2-2 Human Health

17. Following a presentation by the Commission at the Health Council on 2-3 June 2003, the Council's Working Parties on Health and Civil Protection examined the *Commission communication on cooperation in the EU on preparedness and response to biological and chemical attacks (health security)*⁷ and encouraged that Institution to continue implementing the Health Security Programme as outlined in that communication. (9688/1/03)

⁷ 10327/03 COM (2003) 320 final – see Annex I, point 13.

2-3 Food Chain

18. The Council of 17 November 2003 had, pending the 1st reading of the EP, an orientation debate on *the proposal on official feed and food controls*, which aims at bringing together in a single Community framework all the food safety control rules currently applied, in particular by grouping together all the existing veterinary, animal feed and foodstuffs legislation, and whose Article 13 reinstates the requirement for contingency plans.

2-4 Environment

19. Council and EP adopted, on 12 December 2003, a *Directive amending Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances* (Seveso II). This Directive i.a. widens the scope of the existing monitoring and consequence management in undertakings handling dangerous substances and requests the Member States, when establishing external emergency plans, to facilitate civil protection interventions in major emergencies (3665/03).
20. The European Parliament and the Council adopted, on 15 July 2003, a *Regulation on transboundary movements of genetically modified organisms*. Under Article 14, Member States shall take appropriate measures to prevent unintentional transboundary movements of GMOs. As soon as they are aware of such a movement that is likely to have significant adverse effects, they must inform the public and the Commission and consult the affected or potentially affected States to enable them to determine appropriate responses (OJ L 287, 5.11.2003, p. 1).

2-5 Atomic Questions

21. The Council adopted, on 22 December 2003, a *Directive on high activity sealed radioactive sources* which should significantly enhance the control and traceability of these sources, thereby reducing the risk of their harmful use. (10487/03)
22. The Council made good progress on technical aspects of the *Proposal for a Council Decision approving a Commission Regulation on the application of Euratom safeguards*, which should significantly improve the traceability of nuclear materials in the EU. That Directive i.a. provides for prompt notification to competent authorities in case of theft, loss or unauthorised use of such sources.

2-6 Transport

23. Regarding aviation security, the Council and EP adopted on 16 December 2002, a *Regulation establishing common rules in the field of aviation security*, which intend to safeguard civil aviation against acts of unlawful interference through the joint implementation of the airport and aircraft, baggage, cargo, mail and supply security standards of ECAC (OJ L 355, 30.12.2002, p. 1).

24. Regarding maritime security, Council reached general approaches, pending the 1st reading of EP :
- on 9 October 2003, on the *proposal for a Regulation on enhancing ship and port facility security* which aims at incorporating into Community legislation measures to suppress and prevent acts of terrorism against ships adopted last December by the International Maritime Organisation (IMO) (10277/03)
 - on 5 December 2003, on a *proposal for a Regulation amending Regulation (EC) No. 1406/2002 establishing a European Maritime Safety Agency* . The objective of this draft regulation is to provide the maritime safety agency with the legal competence and the appropriate means to assist the Member States and the Commission in the field of, i.a. in order to provide technical assistance to the Commission on ship security (15101/03)

3. STRATEGIC OBJECTIVE 3 : ENSURING A QUICK DETECTION AND IDENTIFICATION OF AN ACTUAL ATTACK AND DISSEMINATING APPROPRIATE INFORMATION TO THE PERSONS AND GROUPS CONCERNED (MONITORING, WARNING AND COMMUNICATIONS)

3-1 Health

25. The Council reached, on 1-2 December 2003, a general approach, pending the opinion of the European Parliament, on the *proposal for Regulation establishing a European Centre for Disease Prevention and Control*. The purpose of the Centre, which will be a Community Agency, will be to enhance the capacity of the European Community and the Member States to protect human health through prevention and control of human diseases, by identifying and assessing current and emerging threats to human health from communicable diseases. It will complement the Commission's Communicable Diseases Network, that was set up under Decision 2119/98/EC.

3-2 Telecommunications

26. In order to ensure that communication networks are sufficiently robust to withstand terrorist attacks on them, also in case of CBRN-attack, the Council :
- adopted, on 18 February 2003, a Resolution on a European approach towards a culture of network and information security (OJ C of 28.2.2003),
 - reached with Parliament, on 20 November 2003, an agreement in the first reading on the *Proposal for a Regulation establishing the European Network and Information Security Agency*, which is intended to assist the Commission and the Member States to address information network and information security problems. (14671/03),

- adopted with EP, on 17 November 2003 a *Decision on a multiannual programme (2003-2005) for the monitoring of the eEurope 2005 Action plan, dissemination of good practices and the improvement of network and information security (MODINIS)* (PE-CONS 3678/03).

4. STRATEGIC OBJECTIVE 4 : MITIGATING THE CONSEQUENCES OF AN ATTACK AND FACILITATING THE RETURN TO NORMAL CONDITIONS BY USING AND FURTHER DEVELOPING ALL INSTRUMENTS THAT MAY BE NEEDED FOR SUCH EFFICIENT CONSEQUENCE MANAGEMENT

4-1 Pharmaceuticals

27. The Council and the EP are in the final stages of negotiating an agreement on the review of Community legislation on pharmaceuticals, consisting of three legal texts. The adoption of these legal texts would put in place two provisions concerning measures on encountering bioterrorism. Firstly the European Medicines Agency would be entrusted with the task of compiling scientific information concerning pathogenic agents which might be used in biological warfare, including the existence of vaccines and other medicinal products available to prevent, or to treat, the effects of such agents (*Proposal for a Regulation on the authorisation and supervision of medicinal products for human and veterinarian use and establishing a European Medicines Agency, Article 57(1)(p), 10949/2/03*). Secondly, Member States will explicitly be authorised to allow, on a temporary basis, the distribution of unauthorised medicinal products in response to an attack involving the spread of pathogenic agents, toxins, chemical agents or nuclear radiation (*Proposal for a Directive amending Directive 2001/83/EC on the Community code relating to medicinal products for human use, Article 5, 10950/3/03*).

4-2 Civil Protection

28. The Council adopted, on 27 November 2003, *conclusions on strengthening Community cooperation in the field of civil protection assistance*⁸. Although these conclusions were established in view of the forest fires of 2003, their output could benefit to the anti-CBRN-preparedness of civil protection on the EU as a whole : The conclusions welcome the efforts by the Commission to implement the tasks of the Community Civil Protection Mechanism, to improve the capabilities of the Monitoring and Information Centre in facing emergencies of an exceptional magnitude, to examine its capabilities for dealing with natural and technological disasters. They also invite the Commission to present a common approach to the prevention of risks.

⁸ 15473/03 PROCIV159 FORETS 55.

4-3 Military Support

29. Following the European Council request contained in the declaration of Seville of 21/22 June 2002 on the contribution of CFSP, including ESDP, in the fight against terrorism,⁹ the issue of how military assets and capabilities could be used to assist in protecting civilian populations against the consequences of a terrorist attack, including chemical, biological, radiological and nuclear (CBRN) has been discussed in Union's institutions.

In this context, a database of military assets and capabilities relevant to the protection of civilian populations against the effects of terrorist attacks, including CBRN, has been established with the EUMS.

On 8 December 2003, the Council adopted conclusions¹⁰ stating that the content of the military database will be made available to the existing Community Civil Protection Mechanism, in accordance with modalities, procedures and criteria to be defined in close coordination with the Commission and the Council Secretariat including the EU Military Staff.

Work will be undertaken to consider interoperability issues between the civilian and military assets in civil protection operations. For that purpose, the use of planning scenarios and lessons identified from real incidents, will be a starting point for further considerations. This would also ensure a better understanding of the military capabilities potentially available.

5. STRATEGIC OBJECTIVE 5 : STRENGTHENING THE SCIENTIFIC BASIS OF THE PROGRAMME THROUGH RESEARCH AND DEVELOPMENT ACTIVITIES AIMED AT COUNTERING THE EFFECTS OF CBRN-TERRORISM

30. The Council adopted, on 22 December 2003, *a resolution on strengthening Community cooperation in the field of civil protection research*, in particular by stepping up civil protection participation in existing and future Community research programmes on reducing natural or man-made accidents and risks and by fostering links between researchers and all those involved in civil protection (14782/03).

⁹ SN 200/1/02 REV 1.

¹⁰ 15564/03 PROCIV 162 CIVCOM 197 PESC 756 COSDP 725.

6. STRATEGIC OBJECTIVE 6 : COOPERATING WITH THIRD COUNTRIES AND INTERNATIONAL ORGANISATIONS (INTERNATIONAL COOPERATION)

6-1 NATO

31. The EU and NATO continue to share information at all levels on activities in the field of the fight against-terrorism. On the issue of civil protection against CBRN terrorist attacks, both organisations have additionally increased transparency through the exchange of inventories listing their respective activities and capabilities for protection of civilian populations against CBRN terrorist attacks.

6-2 Russia

32. As noted by the 12th EU-Russia summit held in Rome on 6 November 2003, cooperation will continue to combat terrorism in all its forms and to prevent the proliferation of weapons of mass-destruction. Contacts are also undertaken to explore possible cooperation in the field of civil protection and long-haul air transport for crisis management. (13990/03)
33. On 8 December 2003, the Council adopted a *Decision implementing Joint Action 2003/472/CFSP with a view to contributing to the European Union Cooperation Programme for Non-proliferation and Disarmament in the Russian Federation*. This Decision aims at making a financial contribution of 5.550.000 € to the programme of ex-Weapons Plutonium Disposition in Russia and to the provision of equipment required to ensure the operation of the chemical weapons destruction facility in Kambarka, Republic of Udmurtia (OJ L 326, 13.12.2003, p. 49).

6-3 World Health Organisation

34. The WHO will organise, in spring 2004, negotiations for a *revision of the International Health Regulations*, who contain, in their current form a mechanism for sharing epidemiological information on the transboundary spread of infectious diseases. The revision of those rules should ensure maximum security against the international spread of diseases with a minimum interference on world trade and travel. The Council authorised the Commission, on 1-2 December 2003, to participate in the negotiations on behalf of the Community (15443/03).
35. The Agreement of 29 January 2003 between Euratom and non-Member States of the EU provides for the participation of the accession and candidate countries and Switzerland in the Community arrangements for the early exchange of information in the event of radiological emergency (ECURIE) (OJ C 102, 29.4.2003, p. 2)

7. ENSURING AN EFFICIENT OVERALL USE AND COORDINATION OF THE INSTRUMENTS USED IN IMPLEMENTING THIS PROGRAMME (COORDINATION AND IMPLEMENTATION)

36. Regarding coordination within the Council, the Civil Protection Working Party has as a matter of routine gathered information on CBRN-related activities within that Institution. The Council Secretariat's task force on terrorism held meetings every five months in the average. The Working Party Chairman and Secretariat members specifically concerned with CBRN consult each other regularly on such matters.
37. Regarding the links between Council and Commission, steady information and consultation takes place between national delegations and the Commission representatives within the Civil Protection Working Party.

COMMISSION STAFF WORKING PAPER
of 21 November 2003
ANNUAL REPORT ON THE IMPLEMENTATION OF THE COUNCIL AND
COMMISSION PROGRAMME OF 20 DECEMBER 2002 TO IMPROVE COOPERATION
IN THE EUROPEAN UNION FOR PREVENTING AND LIMITING THE
CONSEQUENCES OF CHEMICAL, BIOLOGICAL, RADIOLOGICAL OR NUCLEAR
TERRORIST THREATS
(15372/03)

INTRODUCTION

1. The terrorist attacks in the US on 11 September 2001 and a spate of terrorist incidents since, including the anthrax attacks in the US, the ricin incident in London the Adams site alerts in Belgium and mass events attacks such as the theatre show in Moscow in October 2002, showed that terrorism, including chemical, biological, radiological and nuclear (CBRN) terrorism, has become a major threat to international peace and security. The fight against terrorism requires a comprehensive approach comprising political, economic, diplomatic, military and legal means and should also include the preparation for as well as the prevention and limitation of the consequences of an attack.
2. At the Gent European Council of 19 October 2001, following the threats of the use of biological and chemical means in terrorist operations, the Heads of States and Governments asked the Council and the Commission " *to prepare a programme to improve cooperation between the Member States on the evaluation of risks, alerts and intervention, the storage of such means, and in the field of research*". ¹¹
3. The Laeken European Council on 13 and 14 December 2001 invited "the Council and the Commission to move swiftly towards finalising the programme to improve cooperation between Member States with regard to threats of the use of biological and chemical means" ¹². The Council agreed, on 13 June 2002, to broaden the scope of the programme so as to cover nuclear and radiological terrorism as well ¹³. The Seville European Council of 21 and 22 June 2002 reiterated its determination to combat terrorism ¹⁴.

¹¹ SN 4296/2/01 REV 2, p. 4, No 5.

¹² SN 300/1/01, p. 5.

¹³ 9593/02 + COR 1.

¹⁴ SN 200/1/02.

4. In response to the requests by the Heads of States and Governments, the Commission adopted two communications. A first communication was issued on 28 November 2001 : "*Civil protection: state of preventive alert against possible emergencies*"¹⁵. In particular, the Commission undertook to intensify its activities in current actions and programmes and to work closely with the national authorities and the industry to consolidate measures already taken.
5. The Commission adopted on 11 June 2002, as a follow-up to its earlier commitment, a second Communication: "*Civil protection - Progress made in implementing the (i.e. the Commission's) programme for preparedness for possible emergencies*"¹⁶. This second Communication summed up the main progress made, in particular in developing and implementing interfaces between the civil protection Mechanism¹⁷, the network for epidemiological surveillance and control of communicable diseases¹⁸, and activities in key complementary sectors such as research and the pharmaceutical field.
6. Following the request made in Laeken by the Heads of States and Governments, *the programme to improve co-operation in the European Union for preventing and limiting the consequences of chemical, biological, radiological or nuclear terrorist threats* (CBRN programme) was adopted by the Commission on 21 November 2002 and by the Council on 20 December 2002¹⁹. This programme set out the strategic objectives that need to be addressed in order to improve the protection of the population, the environment, the food chain and property against CBRN threats and attacks and describes where there is a need for further action. On 20 December 2002, the Presidency, acting in cooperation with the Commission Services, issued an inventory of the instruments relevant for the programme²⁰.
7. Paragraph 44 of the programme stipulates that "the programme will be regularly reviewed i.a. on the basis of information transmitted by the Member States and a brief status report on the progress of the programme will be presented to the Council once a year".

¹⁵ 14948/01 COM (2001) 707 final

¹⁶ 10082/02 COM (2002) 302 final

¹⁷ Council Decision 2001/792/EC, Euratom of 23 October 2001 establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions, OJ L 297, 15.11.2001, p. 7.

¹⁸ European Parliament and Council Decision 2119/98/EC of 24 September 1998 setting up a network for the epidemiological surveillance and control of communicable diseases in the Community, OJ L 268, 3.10.1998, p. 1.

¹⁹ 14627/02

²⁰ 15873/02

8. The present report represents the contribution from the services of the Commission to the first annual report. The report specifies, for each of the strategic objectives of the Programme, the new initiatives and measures taken by the Commission and those that are planned.

1-STRATEGIC OBJECTIVE 1: STRENGTHENING THE RISK ANALYSIS AND THE RISK ASSESSMENT OF THREATS OF CBRN-TERRORISM AND THEIR LINES OF PROPAGATION

Within the Commission, sectors that are vulnerable to CBRN attacks have been encouraged to include, in their risk analyses, any relevant information that they may receive on the basis of the assessment of terrorist threats in the EU.

In this context, in the sector of transport and energy, the Commission has initiated a multimodal and multisectoral reflection at the beginning of 2003. The Commission is working on risk assessment, the enactment and enforcement of a European legislation designed to reinforce security, security scenarios and preparedness for emergency response.

Within the framework of the *Civil Protection Action Programme*, the call for proposal 2003-2004 identifies a major project on the comparison of risk assessment and/or risk management methodologies in the sector of NBC threats. The project should establish an inventory of existing methodologies, elaborate best practise, draft common recommendations to be addressed to the Member States, and take into account scientific knowledge.

2-STRATEGIC OBJECTIVE 2: REDUCING THE VULNERABILITY OF THE POPULATION, THE ENVIRONMENT, THE FOOD CHAIN AND PROPERTY AGAINST CBRN-THREATS THROUGH PREVENTIVE MEASURES

2-1 implementation of preventive measures

The Commission, while respecting the necessary confidentiality requirements, has continued to develop cross-border and cross-sectoral experience-sharing in all relevant sectors.

2-1-1 Human Health

A Communication (10327/03 - COM(2003) 320 final) on progress with the implementation of the health security programme was published on 2 June 2003. The programme aims to ensure an EU-wide capability for the timely detection and identification of biological and chemical agents in laboratories, the rapid and reliable determination and diagnosis of relevant human disease cases, the availability of medicines, the co-ordination of emergency plans and the drafting and dissemination of rules and guidance on facing-up to attacks from the health point of view. The Communication reflects the progress made in carrying out the 25 actions which form the health security programme and describes the outlook for continuation of action at Community level in this field. Health security is a major component in the Commission's "stability and security" objective for 2003 and 2004.

2-1-2 Food chain

According to the Communication on health security, there is a sufficiently well developed body of rules for alerts and contingency plans of action, both in health and economic terms, to face up to an epidemic of criminal origin in the food chain. The various means that have been established in order to guarantee safety throughout the whole food chain have functioned well in general, and the ability to respond to crises has been tested in numerous occasions.

The aspect of the fight against bioterrorism that needs developing in the future is the organisation of upstream information, investigation and information-gathering within the territory of the Community and third countries as well as an improved cooperation between authorities and those working in the food chain. Emphasis should also be given to cooperation between the food sector and other sectors of the society. In particular, the role of education in guaranteeing safety throughout the food chain must be underlined.

2-1-3 Animal Health

Numerous regulatory measures have been adopted at European Union level to keep animal diseases at bay and to combat outbreaks, including Community notification system and vaccine bank. Furthermore, Member States contingency plans approved at Community level ensure a fast and harmonised response to the most serious epidemics. All measures to combat diseases are taken and coordinated at Community level following comitology procedure. These measures apply whether the origin of an epidemic is accidental or the result of terrorist action. As is the case for food safety, there is no need to establish new systems, but rather to adjust the current mechanisms taking into account the threat of bioterrorism.

2-1-4 Environment

Council Directive 96/82/EC on the control of major accident hazards involving dangerous substances ("Seveso II Directive") requires operators of establishments that have dangerous substances present above certain thresholds to take all measures to prevent major accidents and to limit their consequences for man and the environment. There is a general agreement that the requirements of this Directive, such as risk analysis and external emergency planning are also appropriate should a Seveso site become a target for a terrorist attack. An amendment of the Directive following major accidents in Baia Mare, Enschede and Toulouse will be adopted shortly by the European Parliament and the Council. It will fully utilise the expertise and tools developed by the Major Accident Hazards Bureau (MAHB) at the Joint Research Centre.

The envisaged initiative on an *Infrastructure for Spatial Information in Europe* (Inspire) currently under preparation by the Commission, covers spatial data required in support of the prevention, response and recovery of CBRN threats.

2-1-5 Vulnerable industries

In 2003, the Commission has taken several new initiatives and measures to reduce the vulnerability of nuclear industries to terrorist attacks and ensure a greater security in the use of nuclear materials and radioactive sources.

A proposal for a Council Directive on the control of high activity sealed radioactive sources (COM/2003/0018 final) was adopted by the Commission on 24 January 2003. This proposal is meant to contribute to a higher security for European citizens against the risks associated with the handling and storage of highly radioactive sources and to help prevent illicit trafficking of radioactive sources. The Directive was referenced in the conclusions of the G8 summit in Evian in June 2003. Enhanced traceability of sources will reduce the risk of radioactive sources being misused, e.g. for criminal purposes and will prevent sources from becoming lost from regulatory control.

On 30 January 2003, the Commission adopted a proposal for a Council Directive setting out basic obligations and general principles on the safety of nuclear installations and a proposal for a Council Directive on the management of spent nuclear fuel and radioactive waste (COM/2003/32 final). These two proposals aim at ensuring a high level of nuclear safety in the enlarged Union.

Other measures and initiatives are ongoing. The adoption of a proposal for a Commission Regulation on the application of Euratom Safeguards is expected by the end of 2003. The entry into force of additional protocols to the existing Safeguards Agreements with the IAEA is also expected by the end of 2003.

The Commission is giving consideration to extending or adapting the stringent measures or contingency plans for safety and environmental purposes set up under *Directive 96/92/EC on common rules for the internal market in electricity* and *Directive 98/30/EC on common rules for the internal market in gas* to also cover the threat of terrorist attacks including CBRN attacks.

2-1-6 Transports

The terrorist attacks on 11 September 2003 have demonstrated how transport is vulnerable to terrorism. The adoption of Regulation (EC) No 2320/2002 of 16 December 2002 establishing common rules in the field of civil aviation security contributes to guarantee the provision of enhanced security level in civil aviation. Some complementary legislation has been adopted in 2003, especially Commission Regulations (EC) No 622/2003, 1217/2003 and 1486/2003 laying down measures for the implementation of common basic standards on aviation security, specifications for national quality control programmes as well as procedures for Commission inspections.

Furthermore, the Commission has adopted on 2 May 2003 a Communication on enhancing maritime transport security and a proposal for a regulation on enhancing ship and port facility security (COM/2003/229 final). The Council adopted a general approach on October, 9th 2003. The European Parliament is expected to vote in first reading by November, 18th.

In addition, the Council and the European Parliament are currently examining:

- a proposal for a Directive on the approximation of the laws of the Member States with regard to the transport of dangerous goods by vessels on inland waterways;
- a proposal for a Regulation amending Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation, which concerns the procedures to be followed in case of attacks on the transport of dangerous goods by air;
- a proposal for a Directive on minimum safety requirements for tunnels in the transeuropean road network (10903/03) (2002/0309).

The Commission services are elaborating new proposals for Directives on port security and intermodal security. The first one could be brought to the Council and the European Parliament by the end of 2003, while the second could be issued early 2004.

2-2 Public information

The Commission recommends guidelines and techniques for public information which pay special attention to CBRN threats.

Within the framework of the *Civil Protection Action Programme*, the call for proposal 2003-2004 identifies a major project on self-protection, in the section "information to the public". The project should focus on accident prevention and preparedness, including CBRN risks, in private households. The project should establish best practices for the appropriate behaviour in the case of an accident and major emergency. Moreover, the project should give recommendations for a basic life support kit for the European citizen at home. The support kit should encompass the necessary physical first-aid equipment for daily risks, disasters and CBRN threats.

Furthermore, a Communication, which address the question of natural and technological hazards, is in preparation. It presents in particular the arguments in favour of improving information provided to populations likely to be affected by the consequences of a disaster.

3- STRATEGIC OBJECTIVE 3: ENSURING A QUICK DETECTION AND IDENTIFICATION OF AN ACTUAL ATTACK AND SPREADING OF INFORMATION (MONITORING, WARNING AND COMMUNICATIONS)

3-1 Detection and identification of a biological and chemical attack

The detection of deliberate releases of biological agents relies first and foremost on Member States' surveillance systems for monitoring the occurrence of infectious diseases. Co-ordination of these surveillance systems at EU level, especially for notification and exchange of information on outbreaks, is conducted under the framework of Decision 2119/98/EC of 24 September 1998 on the surveillance and control of communicable diseases. The Commission has adopted a decision on 17 July 2003 amending Commission Decision 2000/96/EC and Commission Decision 2002/253 so as to place under specific surveillance in the EU with appropriate case definitions certain pathogens that might be used in bioterrorist attacks.

In the context of the implementation of the health security programme in collaboration with the Health Security Committee, the Commission set up working groups on clinical diagnosis guidelines, laboratory issues such as networking and assistance, ring testing and quality assurance, the development of medicines, public health preparedness, response planning, incident investigation and sampling. A matrix model has been developed and used on a restricted basis for prioritising bioterror agents and actions on bioterrorism. Moreover, clinical guidelines have been adopted on 48 bioterror agents and will be published in a peer-review scientific journal.

More specifically, it is crucial to enhance safety and confidence in the early detection of infective agents and toxicants in water. Multi-barrier systems, the use of appropriate markers at key points and the introduction of an adherence to the HACCP (Hazard Analysis Critical Control Point) system by water suppliers are being promoted in the context of the programme on health security. Moreover, during the first civil protection forum organised by the European Commission in November 2002, a restricted workshop for the intelligence community has been organised on the "safety of critical installations". Representatives from water suppliers and waste water services discussed key issues concerning the safety of water supply.

3-2 Cooperation between the different existing monitoring systems

The Commission has considered further the development of the cooperation between the different existing monitoring systems in the CBRN area. The Commission has therefore established efficient procedures for the exchange of information through existing operational procedures in case of a CBRN threat or attack.

a) coordination between networks

The Commission's Civil Protection Monitoring and Information Centre serves as an interface with other Community networks likely to be involved in dealing with an emergency. Measures are underway to continue to guarantee optimum co-ordination between the civil protection network and other networks such as :

– the Rapid Alert System BICHAT of the Health Sector

The *Rapid Alert System for biological and chemical attacks and threats* (RAS-BICHAT) was set up to allow prompt transmission of alerts and exchange of information between the Member States and the Commission. It has been used on six occasions and tested six times and is being developed and adjusted in the light of experience and the lessons learnt so far. Effective links have been established with the other health protection-related EU rapid alert systems. The system is also linked to existing Commission systems that scan information made available through news agencies, other news media and specialised sources onto the World Wide Web. This capability is being extended to involve other sources of information, the objective being to arrive at an interconnected information system to detect rapidly, track and assess threats so that advance warning could be provided before official confirmation or news break out.

A tool to evaluate and classify the severity of an incident has been developed and is included in the RAS BICHAT system.

- ECURIE (European Community Urgent Radiological Information Exchange)

Work is being done to further enhance the technical capability of the ECURIE radiological early notification system and to include the EU Accession States and Candidate Countries in the system.

The radiological data exchange system EURDEP (European Union Radiological Data Exchange Platform) is being included in the emergency arrangements in order to make radiological measurement data automatically available in case of a radiological accident.

Regular exercises in the field of radiological emergency preparedness will be carried out within the countries participating to the ECURIE system and in co-operation with other relevant international organisations (IAEA, WHO, WMO, NATO, OECD).

b) establishment of a common emergency communication system (CECIS)

The Commission and the Member States are establishing a *common emergency communication and information system (CECIS)* within the framework of the Mechanism. The CECIS is an essential element of the Mechanism because it should guarantee the authenticity, integrity and confidentiality of information exchanged among the states participating in the mechanism under routine conditions as well as in emergencies.

The Commission has worked on the functionalities of the system, which will consist of a central database accessible through a common web browser. The system will ensure communication and information functions. Additional services will be included: decision support systems, GIS based risk-maps, models for forecasting the development of emergencies.

The Commission is evaluating the possibility of enhancing the end-to-end security features of the system, in view of ensuring the management of classified information.

The Commission has made provision for inter-linking this communication system with other Commission networks, in particular for radiological (ECURIE) and health emergencies (BICHAT).

The Commission will test and validate the CECIS interconnections through exercises, from alert detection to intervention team mobilisation.

c) improvement of the alert communication systems

The planning and implementation of the response to a CBRN threat or attack requires modern and state-of-the art communications and information systems and procedures that are adapted to these new challenges. Effective communication and information systems can assist with the early detection of an event, the rapid analysis, and the alert of the population. They are therefore key instruments for preventing and mitigating the consequences of any threat or attack.

Three main areas of communications can be distinguished:

- from the public to the authorities and emergency services;
- from the authorities to the public;
- between authorities and emergency services.

A Recommendation on the processing of caller location information in electronic communication networks for the purpose of location-enhanced emergency call services has been adopted by the Commission on 25 July 2003. This initiative may lead to a major overhaul of information and communications systems of emergency services.

In order to improve the communication to the public in case of a major disaster, the Commission is trying to identify what technical systems could be used to warn the population. Several Member States have recognised the high mobile phone penetration and the granularity of the network as strengths to rapidly disseminate messages concentrated at some areas.

In order to facilitate the modernisation of emergency services, the Commission plans to set up a user group made up of officials in the field of public safety and emergency communications services. This group will bring various users together to discuss ongoing developments, specifying their needs and exchanging experiences about implementation practices. It will allow for a more permanent dialogue between emergency service operators and authorities and represent a response to the enormous challenges ahead to ensure effective and interoperable systems for emergency handling and crisis management. Although initially, the implementation of location enhanced single emergency number 112 will have priority, other issues such as new concepts for advanced radio communications systems and public warning systems and procedures will be part of the work.

The Commission is engaging itself in a broader dialogue with private network operators, in order to forge common goals relating to the protection of Europe's critical telecommunications infrastructures. Furthermore, given the global nature of telecommunications networks and in particular the Internet, the Commission is working closely with the G8 which recently established principles for Critical Information Infrastructure Protection. The Commission has proposed the establishment of the European Network and Information Security Agency (ENISA) to build out an early warning and information-sharing network to cope with attacks or disruption of information infrastructures.

In the sector of Justice and Home Affairs, the Commission is developing close contacts with Europol in order to support the creation of an EU rapid alert system on CBRN terrorist attacks. It will be based on the communication systems amongst the EU law enforcement services and Europol. The proposal is at a very early stage but it might become a very useful communication net to support the other ones already developed in other sectors. It might be integrated in the future to the CECIS.

With the advent of GALILEO, the European satellite navigation system, the European Union contributes to improve Search and Rescue (SAR) operations dramatically, while maintaining compatibility with existing emergency transmitters onboard ships and aircraft. The distress signals must be detected under severe conditions from anywhere on Earth. GALILEO will significantly improve the system by detecting distress beacons in real time and locating them with an accuracy of a few meters. Adding a return link-from the SAR operators to the beacons will further help the rescue operations. Furthermore, GALILEO will provide a robust and access-controlled service for governmental applications. The Public-Regulated Service (PRS) will be used by groups such as police, fire, ambulance, military and customs. PRS is required to be operational at all times and in all circumstances, notably during periods of crisis, when other services may be jammed.

4- STRATEGIC OBJECTIVE 4: MITIGATING THE CONSEQUENCES OF AN ATTACK AND FACILITATING THE RETURN TO NORMAL CONDITIONS AND USING AND FURTHER DEVELOPING ALL INSTRUMENTS THAT MAY BE NEEDED FOR SUCH EFFICIENT CONSEQUENCE MANAGEMENT

The Commission has continued to give priority to implementing and maximising available Community instruments.

4-1 civil protection

a) inventory of means and resources available for interventions

Common rules for the Community mechanism will be adopted. A procedure for the provision of up to date information on the resources available in the States participating in the mechanism for different types of intervention, including the response to CBRN risks, should be established, in order to facilitate, in the event of an emergency, the mobilisation of intervention teams, experts, and other resources and to ensure a better use of those resources.

Within the framework of the Mechanism, Civil Protection databases for teams and experts have been set up according to discussions with representatives from the Member States. They are updated through the Civil Protection Point of contacts. The Commission and the Member States have now available under the Mechanism a list of national contact points for networks of CBRN experts in the Member States, in EEA and candidate countries with the necessary qualifications in the CBRN field. These experts can be consulted or sent at the request of the Member States concerned to the scene where necessary.

b) organisation of workshops

A special workshop and a full-scale exercise has been organised end 2002 to take stock of the action undertaken, the level of preparedness and response of the services concerned, the CBRN network in the Member States and the Civil Protection Monitoring and Information Centre. The final report of the workshop is identifying recommendations within the CBRN area on how to strengthen the EU's civil protection preparedness against CBRN terrorist threats. A table-top exercise "EU Response 2003" and a workshop "Florival 2-One year after" have been organised in 2003 in order to enable Member States to exchange lessons learned and experience for improving preparedness, response and incident management. The coordination of the Community networks likely to be involved in dealing with an emergency has been tested during the workshops.

4-2 health

The *programme of cooperation on preparedness and response to biological and chemical agent attacks (health security)* agreed on 17 December 2001 by the Health Security Committee has defined actions relevant to the mitigation of the consequences of an attack.

a) creation of a database of relevant health specialists

General information is to be collected on medical resources for disaster medicine purposes, also pursuant to the health-related provisions of the Community Civil Protection Mechanism.

b) inventory of available medicines relative to the fight against bioterrorism

Information has been obtained and shared, on a restricted basis, on stocks of bioagent vaccines and antibiotics in Member States. Guidance documents have been issued by the European Medicine Evaluation Agency (EMEA) on:

- the use of medicinal products against biological agents;
- the use of medicinal products against chemical threats;
- the development of vaccinia virus-based vaccines against smallpox.

c) stockpiling of medicines

Concerning the availability and stockpiling of medicines, the option of the establishment of a Community-level stockpile of authorised or to be authorised second generation smallpox vaccines, manufactured according to current quality standards, has been studied. The views of the Member States on this possibility were sought in several consultations, starting with an exchange of views between Ministers at the Health Council on 23 June 2002 and continuing with the representatives of Ministers in the Health Security Committee and in technical ad hoc groups. The option of an EU stockpile was not supported and, instead, Member States continued to build their own national stockpiles.

d) studies on dilution for smallpox vaccines

A study has been undertaken on the dilution of existing smallpox vaccines in Europe on a restricted basis and results have been made available to the members of the Health Security Committee. A project is to be launched on Vaccinia immuno-globulin development and production, a key biological substance for smallpox immunisation, necessary for mass vaccination plans.

e) consideration of possible amendments to the pharmaceutical legislation

An amendment to the pharmaceutical legislation on liability for non-authorised products for bioterror-related purposes is currently being discussed at the European Parliament and the Council.

f) coordination and evaluation of emergency plans

An exchange of information on Member States' public health emergency plans against smallpox has been completed. The Commission Task Force on Health Security has developed a table for comparison of corresponding measures and alert levels. Tests of communication channels and evaluation of existing emergency plans have been run in the form of an exercise for smallpox in the context of the Global Health Security Initiative, agreed between the G7 group of countries, Mexico, and the Commission. An EU-level exercise on biological and chemical release events will be conducted in 2004.

g) modelling of outbreaks and data for simulation

Member States' experts and experts from the Commission Task Force on Health Security are working together to develop a generic model, which can be subsequently adapted to specific conditions in each of the Member States. They are also working on a database of models and appropriate assumptions on the basis of which models can be appropriately designed, as well as on data from which models can draw.

4-3 Transport

The Commission is working on the coordination of security policies and legislation. Therefore, a maritime security coordination group has been established in the Commission since January 2002, gathering staff from the following sectors : Taxation and Customs Union, External Relations, Trade, Justice and Home Affairs, and Energy and Transport.

The Commission is studying emergency response in the sector of energy and transport level and is preparing training on scenarios.

5-STRATEGIC OBJECTIVE 5: STRENGTHENING THE SCIENTIFIC BASIS OF THE PROGRAMME

a) cooperation between the Commission and the Member States

Research provides the appropriate scientific basis in order to address the objectives 1-4 of the programme.

The Commission and the Member States have considered further how to improve the cooperation between their research activities on key issues such as surveillance, prevention, protection and treatment, using in particular the opportunities offered by the Sixth Framework Programme (2002-2006).

The 6th Research and Development Framework Programme provides studies_opportunities for research on issues related to civil protection, crisis management, life sciences, radiation emergency management, genomics and biotechnology for health, food quality and safety, biosecurity and protection against risks arising from terrorist attacks.

In the context of "Scientific Support for Policies", four co-ordination activities, in the following areas have been identified :

- Development and commercial production of standardised assays for detection of haemorrhagic fever viruses and variola virus and their implementation in the diagnostic service of EU P4 laboratories;
- European research networking activities to develop safe products and policies to protect the citizens from the threat of anthrax attacks and other agents of bioterrorism;
- Assessment of the vulnerabilities of modern societies to terrorist acts employing radiological, biochemical or chemical agents with the view to assist in developing preventive and suppressive crisis management strategies;
- European approach to nuclear and radiological emergency management and rehabilitation strategies, to provide better coherence and transparency in decision making processes on local, national and border crossing interventions.

Under "Support for Policies", a second call for research proposals has been launched. It will cover the following areas:

- enhancement of surveillance capacity in place and development of more efficient surveillance models and early warning surveillance systems,
- improvement of infectious disease modelling tools and risk assessment models.

Moreover, the Research activities running under the sixth Research and Development Framework Programme priorities "Space and transport" and "Sustainable Surface Transport" are also relevant for the objective 2 of the CBRN Programme.

In the GMES (Global Monitoring for Environment and Security) part of the Work Programme, a proposal for a Network of Excellence in Security (Global Information Network for Security) has been retained (Global Monitoring for Security and Stability, GMOSS). The objective of this initiative is to work towards an enhanced European capability in monitoring for civil applications: humanitarian aid, reconstruction, verification of non-proliferation threats, police operations including vulnerability assessment and developing stability beyond EU's borders.

In addition to INSPIRE, a specific support action has been introduced in the Work Programme of Space on data harmonisation in order to increase the level of interoperability among geospatial information systems. The development of common standards and specifications for data documentation, collection, and exchange is central to the successful technical implementation of INSPIRE.

Furthermore, under the objective "Improving aircraft safety and security", a proposal for an Integrated Project has been retained (Security of Aircraft in the Future European Environment, SAFEE). The overall vision for SAFEE is the construction of an advanced aircraft security system designed to operate during on-board terrorist threat scenarios.

The work programme covers also maritime navigation and information services, including security in maritime operations.

b) coordination activities

The Commission has established a Research & Development Expert Group on Countering the Effects of Biological and Chemical Terrorism, as a follow-up to the Gent European Council of 19 October 2001. The Group has met five times around the following key-areas:

- inventory of the research activities in Member States and at EU level available for countering the effects of biological and chemical terrorism;
- examination of how these existing research initiatives and expertise could be better co-ordinated and mobilised;
- identification of the existing research gaps and of the future short and long term needs of research in the field, taking due account of the opportunities offered by the 6th Framework Programme for RTD, the activities and programmes of the Joint Research Centre, and the relevant initiatives in the Member States.

The Joint Research Centre has continued its research into diagnostics, nuclear forensics and risk communication in collaboration with international partners such as IAEA and Europol.

It will engage in research on biological countermeasures coordinating a bioresponse working group of Member State experts, on new products and processes for civil protection operations. It will continue its analysis of vulnerabilities posed by advances in science and technology.

In this context, prospective studies have been carried out on :

- scientific aspects of biological and chemical terrorism;
- social, economic and psychological vulnerabilities of modern society to terrorism;
- possible scenarios involving the introduction of deliberately transformed organisms for terrorist purposes.

The Joint Research Centre is also updating its on-line database relevant to biological and chemical terrorism. This database is made available to all authorised competent services of the Commission and Member States. Finally, it has established an internal co-ordination mechanism for crisis response with specific provisions for the case of chemical, biological, radiological or nuclear emergency.

c) Contribution from the Information Society Technologies (IST) work programme

The CBRN attack prevention and management requires also the full interoperability of the Information management systems across the public and private bodies concerned. These information management systems, due to the nature of these terrorist acts, are often required to be ad hoc by nature.

The current IST work programme 2002-2004 partly address the need for a common platform for emergency application. Further activities such as collaborative work environment, secure alert and emergency communication services and small signal detection should be included in the work programme 2004-2006.

d) Preparatory Action on security related research

Following the different requests from the Parliament and the Council and as mentioned in the Communication (COM(2003)113) of March 2003, the Commission is preparing a Preparatory Action entitled "Enhancement of the European industrial potential in the field of Security research 2004-2006", with a view to contributing to the improvement of European citizens' security, to reinforce European technological and industrial potential in this area and to develop advanced technological tools in support of policy makers. This Preparatory Action will span from 2004 to 2006 and will prepare the basis to establish an European Security Research Programme starting in 2007, identifying the optimal EU added value and the priorities to be addressed in such a programme.

Under this Preparatory Action (PA) a series of precursory activities that are complementary to those undertaken in regional, national and inter-governmental contexts will be implemented. The PA will contribute to both Strategic Objectives 5 and 7 of the CBRN Programme. A topic on protection against bio-terrorism and other incidents with bio-chemical and other substances will be considered.

6-STRATEGIC OBJECTIVE 6: COOPERATING WITH THIRD COUNTRIES AND INTERNATIONAL ORGANISATIONS (INTERNATIONAL COOPERATION)

The Commission has continued as appropriate examining liaison, exchange of information and cooperation with third countries and relevant international organisations, with the aim of promoting synergies and avoiding unnecessary duplications

6-1 Health Security

The Global Health Security Initiative (GHSI) was launched by the Health Ministers of the G7 group of countries together with the Health Minister of Mexico and the EU-Commissioner for Health and Consumer Protection, in the wake of the bioterrorist attacks in the USA in the autumn of 2001. WHO participates as scientific consultant organisation. To carry forward the initiative, a steering Global Health Security Action Group (GHSAG) was set up. It has in turn created several technical working groups and a laboratory network, which are addressing individual issues in their areas of expertise with an emphasis on promoting international collaboration and improving the response of the health sector to acts of biological and chemical terrorism. Various activities have taken place under this initiative, including: a smallpox train-the-trainers seminar, conferences on isolation techniques and risk communication and a large-scale tabletop exercise on smallpox ("Global Mercury" 9-10 September 2003). An incident scale for risk communication has been developed together with guidance for its application in various threat circumstances.

The Commission is also cooperating with the World Health Organisation in the context of the Ottawa initiative and of on-going initiatives by the WHO to improve the operation of its Global Outbreak Alert and Response Network and its Integrated Approach for the strengthening of Epidemiology and Laboratory capacity. In addition, the International Program on Chemical Safety (IPCS) is also collaborating with the Commission on issues concerning chemical terrorism.

6-2 Radiological and nuclear emergency preparedness

The Commission is co-operating with other international organisations in the field of radiological emergency preparedness in the framework of the IACRNA (Inter-Agency Committee on Response to Nuclear Accidents) in order to co-ordinate international response to radiological accidents and to organise joint exercises.

The Commission will participate in the planning and execution of the next joint international nuclear emergency preparedness exercise (*CONVEX 2005*) planned for 2005.

The Commission has also initiated a process of creating strong support links between the Commission and selected national radiological emergency preparedness organisations in order to strengthen the Commission response in the event of a radiological emergency. The support would include for instance accident technical evaluation, assessment of different countermeasures options and atmospheric dispersion modelling.

Besides, the Commission is preparing the future accession of Euratom to the Convention on early notification of a nuclear accident and to the Convention on assistance in the case of a nuclear accident or radiological emergency. The adoption of proposals for Council Decisions is foreseen for the end of 2003.

6-3 Civil Protection

The Civil Protection Monitoring and Information Centre has established regular information exchanges with the most relevant international organisations, mainly UN and NATO.

7-STRATEGIC OBJECTIVE 7: ENSURING AN EFFICIENT OVERALL USE AND COORDINATION OF THE INSTRUMENTS USED IN IMPLEMENTING THIS PROGRAMME (COORDINATION AND IMPLEMENTATION)

The Commission and the Council have each within their respective areas of competence, ensured the efficient coordination of the relevant instruments and initiatives within the sectors relating to prevention and limiting the consequences of CBRN terrorism.

The Commission had already brought the various services and networks responsible for civil protection, health protection and research expertise under one heading. Since 2002, an inter service group on civil protection has been established in order to facilitate exchange and coordination in the area of CBRN terrorism.

In this context, the Commission has organised workshops and exercises in cooperation with the Community networks likely to be involved in dealing with an emergency.

CONCLUSION

In 2003, the Commission has confirmed that it is committed and ready to take all measures within its competence with a view to preparing for, preventing and limiting the consequences chemical, biological, radiological and nuclear (CBRN) terrorism may have, primarily for the population, but also for the environment, for the food chain and for property.

In this context, in 2004, the Commission will continue to review regularly the programme and to give priority to the implementation of all Community instruments that contribute to preventing and limiting the consequences of CBRN terrorist threats.

SYNTHESIS TABLE²¹

STRATEGIC OBJECTIVE	ALREADY EXISTING (see inventory in 15873/03)	COMMISSION ACTIVITY 2003	COUNCIL ACTIVITY 2003
1. Risk analysis and assessment	- Council bodies exchange information on <u>terrorist</u> incidents, threats, activities and preventive measures.		- Exchange of info continues. - List of terrorists and terrorist organisations
	- Council bodies make threat assessments.	- Start of project to compare risk assessment and management methodologies in NBC.	Assessment of : - CBRN-threats - proliferation of WMD - regions - extreme fundamentalism
	- Risk assessments by Seveso undertakings.		
		- Vulnerable sectors were encouraged to include in their risk analyses, any relevant information that they may receive on the basis of the assessment of terrorist threats in the EU	
2. Reducing vulnerability and preventive measures			Strategy on the non-proliferation of weapons of mass destruction
	- Health security programme	- Communication on progress in implementing <u>Health Security Programme</u>	Commission was encouraged to continue implementing HSC.
	- Legislation on <u>food</u> safety.	- implementing rules	- Examination official food and feed controls
	- Legislation on control of <u>animal</u> health. - Legislation on control of animal trade.	- implementing rules	
	- Legislation on controls on <u>plant</u> health. - Legislation on pesticides and GMOs in <u>plants</u> .	- implementing rules	
	- Risk management in <u>dangerous enterprises</u> under the Seveso directive.		- Amendment Seveso Directive

²¹ By the Council Secretariat.

STRATEGIC OBJECTIVE	ALREADY EXISTING (see inventory in 15873/03)	COMMISSION ACTIVITY 2003	COUNCIL ACTIVITY 2003
2. Reducing vulnerability and preventive measures (continued)	- Legislation on controls on <u>GMOs</u> .		- Regulation on transboundary movements of GMOs.
	- Legislation on <u>radioactive</u> contamination of food, public and workers and shipments.	- Proposal safety nuclear installations - Proposal management spent nuclear fuel and radioactive waste - Proposal on Euratom safeguards	- Directive on high activity sealed radioactive sources
	- <u>Emergency oil</u> stocks.		
	- Directives on <u>transport</u> of dangerous goods.	- Implementation Dir. 2320/2002 on civil aviation security - Proposal amending Reg. 3922/91 on technical requirements in civil aviation. - Proposal on ship and port security - Proposal tunnel safety	- Regulation on aviation and airport security
		- Civil protection action on self-protection in households	
	- Europol study on security measures against terrorism taken by the Member States.		
3. Detection of attacks and spreading of information	- <u>CBRN-attack</u> -surveillance networks in MS.	- Interface between MIC, BICHAT, ECURIE, other health related alert systems and information scans - further work on CECIS	
	- Community network for surveillance of communicable <u>human</u> diseases. - BICHAT rapid alert system for human health.	- extension human diseases network to bioterror pathogens - Working Group on diagnosis and laboratory issues. - clinical guidelines for 48 bioterror agents.	- General approach on a proposal on a European Centre for Disease Prevention and Control.
	- Rapid alert system for contamination of <u>food and feed</u> .		
	- Mutual notification of outbreak of <u>animal</u> diseases.		
	- Mutual warning of presence of harmful organisms in <u>crops</u> .		

STRATEGIC OBJECTIVE	ALREADY EXISTING (see inventory in 15873/03)	COMMISSION ACTIVITY 2003	COUNCIL ACTIVITY 2003
3. Detection of attacks and spreading of information (continued)	- MS must permanently monitor quality of <u>drinking water</u> .	- HACCP system for detecting agents in water. - Forum on safety of water installations.	
	- ECURIE exchange or <u>radiological emergencies</u> - Directive 89/618 on informing the public in case of radiological emergency.	- ECURIE linked to EURDEP.	- Directive on high activity sealed radioactive sources.
	- Directives on security of publicly available <u>public communications</u> . - Directive on availability of <u>public emergency phones</u> . - European emergency phone number 112.	- setting up of group of users handling emergency communications - Proposal for European Network and Information Security Agency.	- Network and Information Security Resolution, Agency and Programme (MODINIS)
4. Mitigating the consequences of an attack	- Mutual <u>civil protection</u> assistance through the MIC. - Network of CBRN-experts. - Predetermined assessment/coordination teams. - Predetermined CBRN-intervention teams.	- Common rules for the Mechanism - Database for CBRN-teams and experts - Full-scale CBRN-exercise, workshops table-top exercise	- Conclusions on civil protection assistance. - Database of military support to civil protection.
	- Europol study on reaction to anthrax dissemination.		
	- <u>Health Security Committee</u> coordinates MS preparedness and response to CBRN-attacks.	- exchange of info on smallpox emergency plans.	
	- EMEA inventory of <u>medicines</u> .	- Collection of information on medical resources; inventory of available medicines; study on dilution of smallpox vaccines.	- Draft Regulation on authorisation and supervision of medicinal products, requests EMEA to collect info on CBRN-medicines
	- Crisis management plans and emergency measures in case of contamination of <u>food and feed</u> .		

STRATEGIC OBJECTIVE	ALREADY EXISTING (see inventory in 15873/03)	COMMISSION ACTIVITY 2003	COUNCIL ACTIVITY 2003
	- Crisis management plans and emergency measures in case of contamination of <u>animals</u> .		
	- Vaccine banks for animals.		
	- Crisis management plans and emergency measures in case of contamination of <u>plants</u> .		
	- Operators of <u>dangerous industries</u> and authorities must establish emergency plans under the Seveso Directive.		
		- maritime security coordination group	
5. Strengthening the scientific basis of the programme	Risk assessment		
	Biological hazards		
	food-borne pathogens		
	Vaccines		
	control infectious diseases	Infectious diseases modelling	
	fighting crime		
	scientific aspects BC terrorism		
	vulnerability modern society		
	introduction GMOs		
	civil protection		Resolution on civil protection research
	crisis management		
	biosecurity		
		detection haemorrhagic fever and variola viruses	
		Radio-Nuclear emergency management	
	Surveillance and early warning		
	GMES INSPIRE SAFEE		

STRATEGIC OBJECTIVE	ALREADY EXISTING (see inventory in 15873/03)	COMMISSION ACTIVITY 2003	COUNCIL ACTIVITY 2003
6. International cooperation	- WHO health contacts network, Global Outbreak Alert Response Network, Integrated Approach on Epidemiology and Laboratory Capacity.		Mandate for the negotiation of the revision of the International Health Regulations
	- International Epizootic Office		
	- Chemical Weapons Convention - Biological Weapons Convention - Convention on Protection of nuclear material		- Decision on assistance to CBRN-destruction facilities in Russia.
	- ECMT- ICAO- IMO- ECE security standards for transport		
		- G7 Global Health Security Network	
		- International Programme on chemical safety	
		- Inter-Agency Committee on Response to Nuclear Accidents	- Agreement on ECURIE with third countries
		- Exchanges of information between MIC and UN and NATO	- Exchanges of information between 2nd pillar and NATO.
7. Coordination and implementation	Coreper coordinates CBRN-programme with anti-terrorism programme	- Commission ProCiv, SAN and RECH services and networks are under one heading. - Interservice group on civil protection	- Civil Protection Working Party has general monitoring role.

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