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NOTE

From: French delegation
To: Delegations
Subject: "Paris Declaration" of 29 August 2015

TRANSLATION PROVIDED BY THE FRENCH DELEGATION

Delegations will find attached the Declaration of the Ministers for the Interior and/or Justice and Ministers of Transport from BE, DE, FR, IT, LU, NL, ES, UK and CH, adopted on 29 August 2015 in Paris in the presence of Commissioners Avramopoulos and Bulc and the European Counter-terrorism Coordinator, Mr de Kerchove.

Invited by Ségolène Royal, the French Minister of the Environment, Sustainable Development and Energy, and Bernard Cazeneuve, the French Minister of the Interior, and Alain Vidalies, French State Secretary for Transport, Sea and Fishing, several ministers and senior officials convened in Paris on 29 August 2015: the ministers of Interior, Justice and ministers of Transport from Belgium, Jan Jambon and Jacqueline Galant, from Germany, Thomas de Maizière and Alexander Dobrindt, from Italy, Filippo Bubbico and Graziano Delrio, from Luxembourg (also present as Presidents-in-Office of Justice and Home Affairs and Transportation formations at the Council of the EU), Felix Braz and François Bausch, from the Netherlands, Ard van der Steur, from Spain, Jorge Fernandez Diaz and Ana Pastor, from the United Kingdom, Theresa May and Patrick McLoughlin, and representing the government of Switzerland, Nicoletta Della Valle, executive Director of the Federal Police Agency.

Together they adopted the following declaration, in the presence of: the European Commissioner for Migration, Home Affairs and Citizenship - Dimitris Avramopoulos, the European Commissioner for Transport - Violeta Bulc, and the European Counter-terrorism Coordinator, Gilles de Kerchove.

We are determined to continue our cooperation with all the parties concerned with security and transport in order to prevent, detect and fight better against the violent actions that radicalised individuals may want to commit. Today, we point out the need to enhance further operational cooperation between our different services, be they public or private, both at the national and European levels.

The principles of the Schengen area, in which some, but not all of us participate, were established to ensure both the right to the free movement of European citizens and a high level of security, particularly through the police and judicial cooperation instruments that have been set up within the EU. We are determined to make full use of these tools and to intensify data exchanges between our services, in particular by using the full capabilities of the Schengen Information System. In order to increase its effectiveness and to strengthen our ability to detect and prevent the movements of individuals representing a threat to our people, we must establish coordinated and simultaneous operations of control. Such operations will be carried out on targeted routes, and will be subject to change depending on the level of threat. Thereby we wish to pursue an integrated information led security approach on all types of transport routes (rail, air, waterways and roads).

1/ We firmly condemn the attempted terrorist act committed by an individual in the afternoon of August 21st, in the THALYS train which was transporting 554 passengers from Amsterdam to Paris. We offer our support and sympathy to the wounded, and all other passengers as well as their families.

We pay tribute to the valour of the people whose actions were absolutely decisive in preventing another tragedy, as well as the dedication to duty of the members of the security forces, emergency services and rail operator who were involved in the event.

We reiterate our steadfast commitment to human rights, tolerance, freedom, security everywhere and for all, and to the rule of law. These values are the foundations of our democracies; they bond the relationships between all Member States of the European Union. These universal values are the ones that the terrorist tried to destroy by attacking innocent passengers.

2/ We are confronted with a pervasive terrorist threat that tries to challenge our values. This leads us to assert anew our unwavering solidarity and our determination to fight collectively against all kinds of terrorism.

We thus underline the necessity for all parties involved in the security of goods, people and, transport, to dedicate themselves entirely to their work, and to cooperate closely with one another, at their own level. We commit ourselves to providing support at the national level for combined efforts between different players, be they public or private, in security, civil and military services. This will allow us to exploit in coordination all resources available and further raise public awareness about the terrorist threat. The French Vigipirate plan embodies this line of thought.

Today we call for an enhanced and more focused cooperation within and between the transport bodies and European networks that already exist (network of European Railway Police Forces, ATLAS network of special intervention forces, International Rail Transport Committee etc) so that their work can make a valuable contribution to the relevant working groups in the European Union.

At our behest, substantial efforts have already been made at the European level. Thus we are committed, alongside the European Commission, to strengthen the operational and judicial mechanisms that enable the identification and surveillance of individuals who cross or have crossed the external borders of the European Union, and who represent a threat to the security of our States and our fellow citizens. Keeping this aim in our minds, we will apply the Schengen Borders Code fully, particularly at our external borders. We will continue to apply intensive, systematic and coordinated checks on people enjoying freedom of movement with respect to the appropriate databases, on the basis of common risk indicators, while maintaining the free flows of border crossings, respecting human rights and meeting the requirements of security. We invite the Commission to examine, in accordance with the declaration of the European Council of 12 February 2015, a specific amendment to the Schengen Border Code where and only where necessary. Technical solutions must be sought to maintain the free flows of traffic at border crossing points. We also call on Member States to insert systematically in the SIS, under article 36.3, the name of any suspected jihadists.

On a wider scale, we confirm our determination to create without further delay an effective EU PNR framework in line with Council general approach and at the same time ensuring solid data protection safeguards. This would enable the swift detection of dangerous individuals that enter or pass through our countries. We are determined to work even more closely with the European Parliament to achieve this.

3/ Under the current threat of terrorism, which feeds on hatred and is constantly evolving, we are committed to enhance our cooperation to ensure the security of our fellow citizens so as to counter all attempts of violent extremism. Our action has to be national, bilateral and european. Actions must be taken to prevent the use of the internet that fosters hatred and violence, while safeguarding the right to free expression and respecting fundamental rights. The work initiated to create a dialogue on an operational level with the major Internet operators must swiftly result in commitments and tangible output. The partnership of the major Internet providers is essential to create the conditions of a swift reporting of material that aims to incite hatred and terror and the condition of its removing. The work in progress on the implementation of communication strategies to counter terrorist ideologies must be speeded up and we need to enhance our efforts to counter radicalization. The same applies to all actions in the European Union promoting tolerance, non-discrimination, fundamental freedoms and solidarity.

At both the Commission and the Luxembourg Presidency's initiative, we welcome the holding of a high-level ministerial Conference in Brussels on October 19th 2015, dedicated to « the criminal justice system's response to radicalization ».

Following the declarations of the European Council of 12 February 2015 and the JHA Council of 13 June 2015, it is urgent that the European Commission makes the proposals included to the European Agenda on Security to carry forward - within the scope of EU-competency on the matter - the existing legislation regarding firearms. This is expected no later than the beginning of 2016 in order to improve the sharing of information, to enhance traceability, to ensure that there are strong minimum standards for deactivation, and to combat trafficking through the Internet.

4/ In the field of rail transport, we have decided to strengthen existing measures and create new ones with the purpose of increasing security of passengers on international train services. This includes the following measures:

Passenger ID inspections will be reinforced, as well as visual inspection and luggage control, both in stations and onboard trains, where appropriate.

International trains that pass through several countries are already patrolled by mixed teams made up of law enforcement personnel from several countries. These patrols have proved their worth many times over. We have now decided to improve their effectiveness even further and deploy them more extensively. We will take all measures that facilitate and develop this kind of patrols.

We will work on evaluating the impact of an implementation of nominative tickets for long-range international trains.

To ensure optimum security for rail passenger transport, we call for assessing how to enable authorised rail police officers to consult the relevant databases during their patrols on trains.

Our goal is to have practical and high safety and security measures applied by the different stakeholders in Europe while granting at the same time an efficient transnational transport system. Cooperation between the European actors concerned must be enhanced for this purpose, in order to take into account the experience acquired. To this end, we request that a meeting be held of the sole existing European forum for dialogue that gathers the relevant public authorities responsible for rail transport and rail security (in particular the law enforcement authorities), and to associate rail transport operators.

We are determined to exploit as much as possible the complementarity between the various competent administrations involved in the security of transport, and particularly the Customs Services. Besides, the collaboration already developed within the Police and Customs Centres for Cooperation, real kingpins of the cross-border fight against criminality, will be strengthened.

We invite the European Commission to consider the options for greater practical cooperation amongst member states and the impact of a possible dedicated initiative addressing security in rail transport: this can be done with the support of LANDSEC.

We aim at building up on the work that has already been made for security in the field of aviation, looking for synergies with rail transport.

We call for using new technologies to reinforce security in rail transport, whilst reinforcing cybersecurity concerning railway infrastructures.

We are determined to implement all useful measures for the sharing of information on the various forms currently taken by the terrorist threat. Thus we reiterate our determination to make full use of the European judicial and law enforcement agencies (such as Europol, Eurojust and Frontex), in accordance with the declaration of the European Council on 12 February 2015. The effective use and, if necessary, further development of criminal records information system (ECRIS) should also be enhanced.

While recognising that national security is the sole responsibility of Member States, in the field of intelligence, we reaffirm our commitment to cooperating closely to meet, once again, the large spectrum of terrorism.

5/ Separate and apart from that concern is the need for a continuation of the close cooperation that we have established on the controls of the borders we share. We affirm once again our resolution to follow European law and our bilateral agreements in carrying out the removal and readmission of foreigners who represent a threat to public order and to our fellow citizens.

We stand by our firm resolution to make progress with these measures, so as to increase the level of security of transport users.
