



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels,  
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**AVIS DU COMITE DES EVALUATIONS D'IMPACT**

**Proposal for a**

**COUNCIL FRAMEWORK DECISION**

**amending Framework Decision 2002/475/JHA on combating terrorism**

[COM(2007) 650 final]  
[SEC(2007) 1424]  
[SEC(2007) 1425]



penalties and jurisdiction, terminology and scope of application (e.g. direct versus indirect propaganda) need to be further analysed. This analysis would then allow bringing out more clearly, in the impact analysis, the value added of proposed action such as co-financing to enhance capacity and expertise.

**(2) The value added of a new EU initiative vis-à-vis the Convention of Council of Europe needs to be better demonstrated.** The outlook (MS by MS) regarding ratification of the Convention needs to be added. The IA should explain whether slow ratification reflects underlying issues that might affect also the implementation of the new initiative. The impact of the new initiative on the EU position vis-à-vis third countries needs to be analysed.

**(3) The objectives of the proposal need to be clarified.** There appear to be two main objectives: enable easier tracking down of terrorists and limiting the terrorism propaganda. At least in a short term these might be conflicting (closing down websites versus monitoring them) and the IA report needs to clarify the relation between these objectives. The IA also has to clearly show to what extent (preferably in a quantified manner) the initiative contributes to achieving these twin objectives.

**(4) Additional elements need to be brought forward under the social impacts.** The IA report rightly analyses impact on fundamental rights, such as freedom of expression. This should be complemented by taking into account also increased protection of citizens and positive indirect impacts on other human rights and fundamental freedoms such as right to life, right to respect for physical and mental integrity, right to security, etc.

**(5) The reasoning for discarding Option 2 could be developed further as this seems to have been the option that would best deliver on the dissemination objective.** The IA report needs to expand discussion on (cost-) efficiency of this option, advantages and disadvantages of using currently available technologies (e.g. dynamic filtering or black list systems) and their potential future development. The IA report could also assess possibility of EU support for their development. Moreover, it should be clarified to which extent option 3 is intended as contributing to the effectiveness of option 2 and on that account would not be a stand-alone option.

#### **(D) Procedure and presentation**

It appears that all necessary procedural elements have been complied with.

## **2) IAB scrutiny process**

Reference number	2006/JLS/013 Strategic initiative
Author DG	DG JLS - JLS.D.1
External expertise used	No
Date of Board Meeting	18 July 2007
Date of adoption of Opinion	20 July 2007