

PARLIAMENT OF ROMANIA

CHAMBER OF DEPUTIES

DECISION

approving the Opinion on the Proposal for a Directive of the European Parliament and of the Council on combating terrorism and replacing Council Framework Decision 2002/475/JHA on combating terrorism (COM(2015) 625)

Pursuant to Articles 67 and 148 of the Romanian Constitution, republished, Law No 373/2013 on cooperation between Parliament and the Government in the area of European affairs, and Articles 160 to 185 of the Rules of Procedure of the Chamber of Deputies, republished,

the Chamber of Deputies hereby adopts this Decision.

Sole Article - Having regard to Opinion No 4 c-19/399, adopted by the Committee for European Affairs at its meeting of 12 April 2016, the Chamber of Deputies:

1. calls on the Commission to take a firmer stand in order to provide a more appropriate response to terrorism in the EU, whose continuity, stated objectives and scale are apt to place it within the definition of asymmetric warfare;
2. agrees that more coherent, comprehensive and harmonised national criminal-law provisions are necessary across the EU to be able to effectively prevent and prosecute crime related to foreign terrorist fighters, but points out that individuals engaged in terrorism do not belong only to third countries;
3. is in favour of adjusting legislation accordingly, and underlines that also provocation must be addressed most carefully so as to reflect the real dimension of the social danger that it poses;
4. supports Resolution 2178(2014) of the Security Council, which is referred to in the proposal and which reaffirms the obligation of all States to comply with international human rights law when fighting terrorism and notes that failure to comply with human rights and other international obligations contributes to increased radicalisation and fosters a sense of impunity; calls on the Commission to act in that spirit, also by supporting Member States in this area;
5. calls for a strong stance to be taken on ensuring compliance with the principle of proportionality in terms of the legitimate aims pursued and the need for them in a democratic society, and stresses that the fresh upsurge in xenophobia and racism must be combated actively and tenaciously to ensure that it does not translate into an abiding side effect of terrorism;
6. recommends that crimes relating to receiving training for terrorism-related purposes should be defined carefully and that the sufficiency of 'purpose' in that definition should be considered rigorously, so as to prevent confusion and errors; takes the view that the concept of receiving training for terrorism should not be limited to training provided by another person, but should include research and self-training;
7. points out that terrorist financing may be linked to other recent types of crime, such as

ransomware and similar cyber-attacks, and believes that these should be combated as a constituent of terrorism in a decisive manner and as a matter of priority;

8. stresses that the use of space technologies, satellite products, drones and similar technologies in the preparation or execution of acts of terrorism might raise extra-territoriality concerns and calls for a preventative analysis of such uses;

9. takes the view that training, including self-training, for terrorism should be criminalised irrespective of how it is provided;

10. takes the view that the term 'travelling abroad for the purpose of terrorism' should be kept, as it covers intra-EU travel; notes the compromise reached at Council level to decriminalise intra-EU travel for terrorist purposes and expresses the hope that law enforcement authorities in the Member States will be able to take other appropriate measures for any problems that might arise;

11. notes and supports the need to identify the best ways to counteract evasive tactics that consist in breaking the journey up by transiting countries other than one's country of residence or domicile, and to make it easier to ascertain the final destination and the real purpose of travel, which is to take part in preparations or combat with jihadist groups;

12. notes that the problem of 'foreign fighters' who are in fact home-grown terrorists returning from the Daesh/ISIS battlefield, is still not being dealt with in a harmonised manner in the Member States from which they originate; believes that the European Union could suggest a recommended best practice guide that should strike a balance between citizens' protection and social reintegration; believes that social reintegration of home-grown terrorists should include a screening/data collection stage regarding their role, activity and profile within the terrorist organisation to which they belonged; takes the view that such checks should be conducted with the suspect in custody or under surveillance;

13. points out that terrorist groups have shown that they have advanced capabilities and are able to use the internet and new technologies to disseminate their propaganda and attract new followers, and that social media have made recruitment and/or self-radicalisation easier;

14. welcomes the fact that, at EU level, particular importance is attached to reducing the use of the internet for terrorism to prevent the internet from becoming a weapon of terrorist groups, and notes in this context that the possibilities afforded by the internet and social media in that respect require further consistent measures in order to prevent and combat the use of the internet for terrorist purposes; to that end, calls for the introduction of new legislation against terrorist crimes committed via the internet, including explicit incrimination of terrorist acts carried out via the internet;

15. takes the view that criminal acts of terrorism perpetrated, for instance, by civil servants or candidates in electoral campaigns (also as accomplices or instigators) or involving children should be regarded as aggravating circumstances at EU level;

16. shares fully the Commission's view that acts of terrorism are one of the most serious violations of the universal values of human dignity, liberty, equality and solidarity, of human rights and of fundamental freedoms; supports and recommends creating appropriate tools that enable all authorities responsible for preventing and fighting against terrorism to protect citizens and defend European values; calls for such tools to be adapted to the constantly

diversifying and specialising methods and techniques used by terrorists and to the nature of the problem and its development;

17. reiterates Romania's firm position that terrorism should be combated as a common, genuine and serious threat.

This Decision was adopted by the Chamber of Deputies at its sitting of 10 May 2016, in compliance with Article 76(2) of the Romanian Constitution, republished.

for the President of the Chamber of Deputies,
Florin Iordache

Bucharest, 10 May 2016
No 47.