



PROGRESS REPORT ON THE IMPLEMENTATION OF THE EU ACTION PLAN ON ENHANCING THE SECURITY OF EXPLOSIVES *(public version)*

1. BACKGROUND

1.1 Introduction

The present report provides an overview of the implementation of the EU Action Plan on Enhancing the Security of Explosives¹ by the Member States and EU bodies. It is based on responses to a questionnaire that was circulated to Member States by DG Home Affairs in June 2012 and the replies of 19 Member States that were received, and also includes input from the Commission services and Europol. The report outlines the EU regulatory framework in the area of the security of explosives, including explosives precursors and detection, and highlights the main achievements that have been accomplished in these fields in the EU since the approval of the Action Plan in 2008.

1.2 EU Action Plan on Enhancing the Security of Explosives

The Justice and Home Affairs Council adopted the EU Action Plan on Enhancing the Security of Explosives on 18 April 2008, resulting from a broad consultation process in the form of the Explosives Security Experts Task Force and its recommendations in its Final Report from 28 June 2007. The enhancement of the security of explosives has been identified as a priority issue for the European Commission in its efforts in the field of combating terrorism. The Action Plan contributes to the implementation of the EU Counter Terrorism Strategy (2005) and is in line with the Internal Security Strategy (2010).

The Action Plan contains 48 recommendations for action grouped into four broad categories: horizontal, prevention, detection and response measures. The actions are implemented through a joint effort of the European Commission, Member States, Europol, research institutions as well as private sector stakeholders. The EU explosives security policy aims at enhancing the security of explosives in the EU in a comprehensive manner so as to address a wide number of aspects linked to ensuring the security of explosives such as precursors, storage, transport, traceability, detection, research and inter-agency coordination.

1.3 Council Framework Decision on Combating Terrorism

Council Framework Decision on Combating Terrorism, adopted in 2002 and amended in 2008², contains a provision related to explosives, i.e. the criminalisation of providing instructions in the making or use of explosives, firearms or other weapons or noxious or hazardous substances for the purpose of terrorism, including over the Internet. In 2012 a

¹ Doc. 8109/08

² Council Framework Decision 2002/475/JHA and Council Framework Decision 2008/919/JHA

study was launched by Commission to assess the transposition and implementation of the Framework Decision by the Member States. The results will be available in 2013.

1.4 Legislation on explosives security in the area of internal market

In the area of internal market, the basic legal act on explosives - Council Directive 93/15 on the placing on the market and supervision of explosives for civil use - was adopted prior to the EU Action Plan on Enhancing the Security of Explosives. The Action Plan has, however, supported various implementing measures. The Council Directive is essentially a safety directive but it also contains security-related provisions such as:

- entities engaged in the manufacture, storage, use, transfer or trade in explosives must possess a license or authorisation,
- operators need to register all transfers of explosives and obtain prior approval from the relevant competent authorities,
- companies shall keep corresponding records of their transactions,
- Member States shall ascertain whether undertakings in the explosive sector process a system for keeping track of explosives so that those holding explosives can be identified at any time.

The implementing measures outlined below have been introduced to give effect to the aforementioned provisions:

- Commission Decision 2004/388 on intra-EU transfer of explosives for receiving authorisation from responsible national bodies for transfers of explosives within the EU. It has been amended through Commission Decision 2010/347 providing for the possibility of electronic approvals. The development of the Explosives Control and Protection System to Prevent and Fight against Terrorism (SCEPYLT) is a project intended to enable the use of electronic approvals.
- Commission Directive 2008/43/EC setting up a system for the identification and traceability of explosives for civil uses. Under this system, all explosives must be marked with a unique identification code, which will allow them to be traced from their production through the entire distribution chain until final use. The Directive was amended by Commission Directive 2012/4, which postpones the application of the labelling and marking obligations on manufacturers and importers until April 2013, and on others in the supply chain until 2015, as well as obligations on record keeping until April 2015.
- A recast of Council Directive 93/15 is part of a package of nine directives that has been proposed for alignment to the new legislative framework for the marketing of products. A specific chapter on security has been included in the revised Directive grouping together all the relevant provisions and setting out clearly the obligation for economic operators to be authorised or licensed. The adoption of the revised Directive is expected around the end of 2012.

1.5 Legal acts on explosives security in the area of aviation

Explosives security is also regulated through EU legislation in the field of air transport, mainly related to the detection of explosives. The main legislative act in the area of aviation is Regulation (EC) No 300/2008, which is supplemented by more than 15 different implementing regulations and decisions that establish explosive detection criteria in the different areas. These detection criteria apply to the field of passenger

screening, including cabin and hold baggage, detection in the field of staff and vehicle screening and cargo, airport and inflight supplies, as well as equipment detection standards, and include minimum detection amounts established in the confidential Commission Decision.

2. STATE-OF-PLAY OF THE IMPLEMENTATION OF THE ACTION PLAN

The following outlines the key achievements in implementing the EU Action Plan on Enhancing the Security of Explosives by the Member States and EU bodies.

2.1 Horizontal measures

2.1.1 Information exchange and information systems

Since 2008, several tools and databases for exchanging information concerning explosives among experts have been set up, namely the EU Bomb Data System (EBDS), the Early Warning System (EWS) and the Explosives Control and Protection System to Prevent and Fight against Terrorism (SCEPYLT). An assessment is ongoing about another information system, the EU Database on Explosives (EDEX) aiming to host technical data on commercial explosives.

EBDS

Most notable progress has been made with EBDS which is currently accessible by 25 Member States as well as Norway (which was granted access to the system after the July 2011 attacks in Oslo) and Europol though with a varied level of activity and contributions. The system is aimed at information and intelligence exchange about technical data concerning explosives and CBRN materials as well as incidents, trends and devices. Commission has allocated funding to the amount of EUR 500 000 to develop and launch the system. Since its launch in 2010, Europol has been managing and funding the information system. Several EU MS competent authorities have received training on the handling of the system, provided by Europol.

EWS

EWS has been ready for use by Member States since 2010 and is aimed at exchanging information on immediate cross-border threats related to the theft, loss or misuse of explosives, firearms and CBRN materials. The project is coordinated by Spanish authorities. The Commission has allocated funding to the amount of EUR 1 252 338 to develop and launch the system. One Member State and Europol are currently connected to it. Member States are using alternative means to exchange information on these subjects, such as the SIENA network operated by Europol, bilateral contacts and other international channels.

SCEPYLT

SCEPYLT is aimed at facilitating approvals to transfer explosives across borders within the EU through electronically issuing transfer permits, and is based on Commission Decision 2010/347. The project is coordinated by Spanish authorities and has 12 participating Member States. The information system is currently used by three Member States, namely Belgium, the Netherlands and Germany. Some other Member States are ready to start to use the system in the near future. It is hoped that, as the number of users

grows, other Member States will be encouraged to join the system. Commission has so far allocated funding to the amount of EUR 2 012 252 to develop and run the system.

EDEX

EDEX aims at collecting and providing a centralised access point to technical data about commercial explosives available on the EU market (leaving out military explosives and pyrotechnics at the start). Before making a decision about the development of the database, the Commission will in the beginning of 2013 launch a feasibility study to assess the added value for such a database to the explosives and forensic expert community as well as possible associated risks. The study will also analyse where the database should be hosted.

2.1.2 Research

As regards developing research in the area of explosives, several Member States are carrying out national or international research programmes looking into the security of explosives, explosives precursors and improvised explosive devices (IED). Some Member States cooperate with the industry and the academia in developing detection technology and the promotion of innovative solutions.

Member States' work in this field aims to assess and develop detection equipment for specific operational purposes (e.g. portable and miniaturised detection systems for explosives and precursors, trace-detection equipment, infrared laser induced detection technology, equipment to enhance biological sensors through explosives sniffer dogs, and devices to perform detection from long distance), develop forensic analysis of an explosion or an unexploded IED, build digital operational tools for investigation, etc. Research has shown that combining several independent and sensitive measuring principles can improve the reliability of detection.

Several Member States also participate in EU research projects, co-funded from the 7th Framework Programme. This programme has supported explosives related research projects for up to EUR 38 million between 2007 and 2011 (estimated up to EUR 50 million in total for the period of 2007-2013). 12 main projects have been co-financed so far, i.e. *Prevent workstream*: Prevail; *Detect workstream*: Optix, Commonsense, Saliant, Uncoss, Lotus, Emphasis, Bonas; *React workstream*: Hyperion, Forlab, Avert, and *Mitigation workstream*: Encounter. Projects co-funded by the 7th Framework Programme contribute to the objective to further develop research into explosives outlined in the Action Plan on Enhancing the Security of Explosives.

With regard to future perspectives, several Member States have indicated the need for more research into the detection of explosives, explosives precursors and IED, and for EU funding for such research. The specific areas that have been mentioned are further development of different types of detection technology, enhanced testing and verification of detection equipment by the EU, standardisation of performance requirements and indicators as well as of relevant administrative procedures, study of the identification and inhibition of home-made explosives and precursors, development of chemical marking systems (in particular, with reference to explosives for civil use), enhancement of forensics, et al.

The need to fill in the gaps in detection technology and methodology identified through studies of the detection of explosives and precursors has also been emphasised by Member States. Additionally, the early involvement of the end-users of detection technology has been highlighted. The need for inter-sectoral cooperation and enhanced information exchange at national and EU level in order to avoid duplication as well as the need to further develop EU-level research programmes have also been pinpointed.

2.1.3 Public-private partnership

Several activities falling under the category of public-private partnerships pertaining to the combat of the threat from explosives are carried out in EU Member States (even though they are not regulated to a high degree in most cases). Work is ongoing for example in the areas of exchanging information and setting up prevention and response measures (action plans, emergency plans, et al), sharing threat assessments as well as conducting consultations on the storage, transport, handling and sales of explosives, explosives precursors and other hazardous materials.

In the above-mentioned fields, law enforcement authorities collaborate with the industry, the academia, health sector and first responders (including non-state actors) about strategies to combat the threat from explosives, precursors, other hazardous substances and IED. Cooperation takes various forms, e.g. publishing and distributing awareness-raising materials, carrying out trainings and information sessions, holding regular or ad hoc meetings and consultations, and issuing, drafting and reviewing action plans and roadmaps.

2.2 Prevention measures

2.2.1 Regulation on the use and marketing of explosives precursors

The establishment of the Regulation on the Use and Marketing of Explosives Precursors follows directly from the Action Plan on Enhancing the Security of Explosives. A proposal for a regulation was submitted by the Commission in September 2010. The negotiations in the form of a trilogue lasted until 25 June 2012 when a compromise text was agreed on by the representatives of the Council and the Parliament. The Council gave its political agreement to the text through the approval by COREPER on 11 July 2012. The proposal was thereafter approved by the Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament on 3 September 2012 and adopted by the plenary meeting of the European Parliament on 20 November 2012. The text is scheduled to be adopted by the Council on 11 December 2012 and published in the Official Journal in the beginning of 2013. The date of application of the regulation is 18 months after its publication and it will need to be implemented fully by 36 months after the publication (transition period).

The Regulation establishes a ban to introduce, make available, possess and use seven chemical substances above certain concentration limits (listed in Annex I of the regulation) by private individuals. As these substances also have a legitimate use, the regulation allows to establish the following exemptions to the ban, if deemed appropriate by Member States:

- a system of licensing allowing the introduction, making available, possession and use of the seven substances by private individuals beyond the set concentration limits,
- a system of registration of transactions concerning three of the seven substances but only within certain lower concentration limits.

Furthermore, the Member States that have already set up a system of registration of transactions involving these substances would be allowed to maintain their system.

The regulation also establishes an obligatory system of reporting suspicious transactions, which will be applicable to 15 chemicals (listed in Annex I and II of the regulation).

Prior to the date of application, the Commission will issue guidelines on the implementation of the Regulation.

2.2.2 Sharing of information on precursors to explosives

Certain steps have been taken by Member States with regard to the provision of security information to the explosives precursors supply chain and the distribution of awareness raising materials among relevant staff. Further efforts are, nevertheless, needed in this area.

Member States that have successfully been working toward the delivery of security information and staff awareness have used methods such as a database of substances and components used for making explosives, voluntary systems for reporting suspicious purchases of explosives precursors, booklets and brochures on explosives and precursors, posters and flyers containing criteria for suspicion and recommendations for action, aide-memoire cards specifying priority lists of precursors for home-made explosives, etc. In some cases, security information has been provided to first responders only, the police in particular, and has not been systematically organised.

Member States have pointed out that EU assistance could be used in areas like the exchange of best practices with other Member States, possibly through a system of reporting suspicious transactions of precursors and explosives or the circulation of regular newsletters and bulletins, extension of security measures concerning precursors to business-to-business transactions, promotion of public-private partnerships, holding awareness-raising campaigns at EU level including organisation of seminars and "train the trainer" sessions for relevant staff and competent authorities, exchange of information on national approaches, replacement of national procedures with an EU procedure, development of restrictions on sales of chemicals over the Internet, as well as allocation of EU resources.

Most Member States that replied to the questionnaire underlined the importance of information exchange between the Member States on decisions to refuse or revoke licenses to buy explosives precursors beyond the envisaged concentration limits and on suspicious transactions with explosives precursors. Only a limited number of Member States were explicit about the inappropriateness of such measures.

The majority of Member States which rated the exchange of information necessary pointed to its usefulness with regard to the exchange of experience, harmonisation of the grounds on which licenses are refused or revoked, further harmonisation of legislation on precursor availability, application of a better preventive strategy, and prevention of individuals / companies from taking advantage of the common market.

EU actions that have been considered by Member States to be relevant for the facilitation of information exchange on explosives precursors are e.g.:

- creation of a working group to foster better coordination and approximation of procedures at EU level,
- appointment of offices in the EU (single points of contact) for the exchange of information through secure connections,
- the promotion of product identification training programmes for customs officials to support a better preventive strategy,
- establishment of an EU information system to help track the movements of explosives precursors and prevent terrorist attacks,
- possibility of using the already existing systems such as EWS and SCEPYLT, conducting information exchange through Europol using EEODN, or establishing a separate unit on the basis of EBDS,
- adopting the model used by the Council Working Group on Conventional Arms Exports (COARM), the "COARM Denials Database" used for defense related product control, and
- creating an EU network for information exchange similar to the one of the European Chemicals Agency (ECHA) used in case of the Regulation concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH).

2.2.3 Security of pyrotechnic materials

Directive 2007/23 on placing pyrotechnic articles on the market is essentially a safety directive although some elements may have a positive impact on ensuring also the security of pyrotechnic materials. Furthermore, the Commission is exploring possible voluntary measures concerning a uniform "passport" for users of pyrotechnics aimed for professional use.

The Commission had a study carried out in 2011-2012 on reducing security risks of pyrotechnic articles in the EU, focusing on the handling of large amounts of pyrotechnic articles and ways to mitigate these risks. The study indicated that if common and currently used materials for manufacturing IED become less readily accessible, terrorists or other people with malicious intentions may start looking for other hazardous materials that are easier to access, pyrotechnic articles being an alternative.

The study suggested that the coordination and exchange of information between authorities as well as cross-border cooperation could be further improved. It noted the need to examine the feasibility of combatting the problem of illegal supply of pyrotechnic articles through the internet as pyrotechnic articles can be ordered online and transported by normal mail and are often packed as different harmless products which could result in pyrotechnic articles intended for persons with specialist knowledge being sold to persons without this knowledge or to criminals. The study also recommended, inter alia, the introduction of a "passport" for persons with specialist knowledge having the right to use pyrotechnics aimed for professional purposes.

In response to the questionnaire, most Member States gave affirmative responses regarding the existence of systems for defining the professional users of pyrotechnic articles of categories 4, T2 and P2 as well as verifying their identity and level of training before allowing them to acquire such products. In the majority of these cases, the function of the systems in place has been guaranteed by adequate legislation and authority supervision. Only few respondents have admitted to partial progress and acknowledged the need for improving their current systems.

The Member States that have systems in place for defining persons with specialist knowledge of pyrotechnic articles have referred to having regulated the area through national laws or regulations, government decisions, (ministerial) orders or other acts. Member States have also elaborated on the supervision of the systems conducted by relevant authorities. Among the governing mechanisms that have been mentioned, examples include strict requirements for the following: possession of proper professional qualifications, supervision of private organisations certified to carry out pyrotechnic trainings, evaluation of training and experience to handle pyrotechnic products safely conducted by a qualification committee, acquirement of a permission by the Ministry of the Interior or the municipality, supervision by at least one Certificate of Competency holder, in which case the certificate is issued by the Inspector of Explosives after an examination of one's criminal record, knowledge about the safety and security of explosives, good health, registration of the purchaser's personal details and valid authorisation in an ad hoc record by the seller of pyrotechnic articles, maintenance of a database of authorised people and the duration of their licenses, etc.

The Member States that are working toward the development or improvement of a system for defining professional users of pyrotechnic articles have made progress in initiating relevant discussions among competent authorities, working with businesses and other key stakeholders, specifying qualification requirements as well as defining further details by virtue of legislative measures. Member States have admitted that sustained efforts are required for the finalisation of their systems.

2.2.4 Security plans, security management systems and information exchange

Measures to ensure that effective security plans and security management systems are available at all facilities dealing with explosives have been largely established and implemented by Member States. Member States have ensured the implementation of security plans or security management systems through a number of legislative requirements, which provide for greater safety at facilities in the explosives sector.

Member States have emphasised the need for effective communication of threats conducted by the authorities and delivered to concerned entities, operators, other Member States as well as EU bodies, especially in a time of frequent threat-related activities and, more importantly, the terrorists' increased sophistication in the concealment of improvised explosive devices.

2.2.5 Security of Mobile Explosive Manufacturing Units

Two-thirds of the Member States that responded to the questionnaire indicated that they have established measures to improve the security of Mobile Explosive Manufacturing Units (MEMU). They referred to The European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) as a cornerstone whose provisions

concerning MEMU they have complied with and adopted into national legislation. Other requirements that have been implemented by certain Member States for the purpose of improving the security of MEMU include license acquirement, control of raw materials and the explosives manufactured with these materials, regulation of the manufacture of ammonium nitrate - fuel oil (ANFO), slurries or emulsions in mobile units which are to be found inside mining and quarry places, usage of components only from certified explosives manufacturers and of MEMU in the place of an explosive site, additional precautions for vehicles such as introduction of satellite tracking or approved routes.

A couple of EU actions have been proposed by Member States as an added value to the improvement of the security of MEMU, namely the formation of a group of ADR and security experts to re-examine the exemptions from security requirements for small loads as well as work to meet the aim of directing the carriage of explosives toward carriage of raw materials for explosives which are not in themselves explosives.

2.2.6 Security of vehicles carrying explosives

Member States have made significant progress in establishing measures to ensure the security of vehicles that carry explosives. The sector is highly regulated in all EU countries and is subject to compliance checks.

The provisions set out in ADR have been implemented and observed by respondents as a way toward ensuring the security of vehicles transporting explosives; the provisions of Regulations concerning the International Carriage of Dangerous Goods by Rail (RID) and the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) have been mentioned in this regard as well. Member States have also promoted vehicle security enhancement solutions through the implementation of relevant directives issued by the European Commission, Parliament and Council as well as of the International Convention for the Safety of Life at Sea (SOLAS) Convention Chapter XI-1 and the related International Ship and Port Facility Security (ISPS) code.

2.2.7 Vetting of personnel

The Commission has launched a study on current practices in the security vetting of personnel involved in the whole supply chain of explosives and CBRN materials. The study started in September 2012 and will be finalised by spring 2013. It aims to study current practices in the security vetting of personnel involved in the supply chain of explosives and CBRN materials and provide common criteria for background checks and vetting requirements in relation to personnel having access to or handling explosives and high-risk CBRN materials.

2.3 Detection measures

Equally to the EU Action Plan on enhancing the security of explosives, the Report on strengthening air cargo security and the action plan attached to the report³, endorsed by

³ 16271/1/10 REV 1

the Council following the Yemen cargo bomb plot in 2010, call for the development of more innovative detection technologies and the establishment of EU aviation security risk assessments. Detection performance is an area, which is in need of key focus and attention in the future at Member State and EU level. Enhanced capabilities in the detection of explosives and explosives precursors help to ensure better protection of citizens, both as regards prevention of and response to criminal incidents.

2.3.1 Activities coordinated by the Commission

The Commission is working towards enhancing the capacity of Member States and EU institutions to use and develop detection equipment and methodology, both for explosives and CBRN materials. DG Home Affairs and DG Joint Research Centre (JRC) are coordinating such development and work closely together with national authorities. Work is taken forward through fora such as the European Reference Network for Critical Infrastructure Protection (ERNICIP) and the Network of Detection Experts (NDE), and is focused on identifying practical solutions to improve detection capabilities.

In 2011 the Commission launched a programme of practical detection trials, including detection limitations of CBRN materials and explosives, in different areas of public security, including land transport and public mass events. These detection trials aim to provide and measure the practical use and effectiveness of equipment and associated processes placing a particular focus on the deployment methodology, environmental and human factor and their impact on the overall level of detection. In addition to technology based trials, in order to further enhance detection practices and processes, based on the lessons of standard setting for explosive detection dogs in the field of aviation, the Commission is establishing a dog detection technical working group with Member States experts to look how development in this field can be further enhanced.

In 2012 NDE, consisting of experts from national research institutes and laboratories, finalised an analysis on the request of the Commission on gaps in the detection of various dangerous substances on the basis of a list of scenarios.

In the field of aviation, the European Civil Aviation Conference (ECAC) has supported the Member States and the Commission with the development of technology standards used in the EU aviation security regulatory framework. The Commission will continue the close cooperation with ECAC on various technology matters also in the future (e.g. security scanner, liquids).

In the framework of the DG Home Affairs' ERNICIP programme, JRC is working closely with ECAC on a technical level to develop EU certification and approval procedures needed to support the EU standardisation regulation on airport detection equipment being developed by DG Enterprise.

The Commission is also actively engaged in dialogue with other international organisations and actors in order to ensure that the development of technologies is taking stock of existing and emerging threats and to avoid duplication where appropriate. The initiative to set up a network of CBRN Centres of Excellence will make available for the countries of various regions a coherent expertise, including best practices, scientific and technical support for safety and security measures as well as practical training on security risks in the area of CBRN. Reinforcing safety and security, improving export control mechanisms and detection systems as well as preventing illicit

trafficking require development of institutional capacity, which is weak in fragile or conflict-affected settings and thus increases the risk of proliferation of CBRN materials. The CBRN Centres of Excellence initiative is implemented by the Commission and the European External Action Service in cooperation with the United Nations Interregional Crime and Justice Research Institute (UNICRI).

2.3.2 Activities of the Member States

Several Member States run programmes for the development of detection technology and methodology. Detection measures are employed in various sectors of transport, critical infrastructure and other fields. The best regulated sector is aviation, however, explosives detection measures are applied and compliance to standards is verified also with regard to soft targets such as railway stations and other transport hubs, stadiums where mass sports events take place, ministries, courts, prisons, nuclear power plants, ports as well as in the area of VIP protection.

2.3.3 Activities coordinated by the European Defence Agency

Work to improve the national authorities' capacity to combat the threat from explosives and IED as well as to enhance Member States' detection capabilities is undertaken also through the European Defence Agency (EDA). EDA's Project Team for Countering IED has been set up to develop national capabilities in countering IED and improve interoperability in this field, and its Expert Group on Detection aims to enhance national capacities in the detection of explosives.

2.4 Preparedness and response measures

2.4.1 EEODN and training

Training targeted at explosives experts (e.g. bomb disposal, canine detection, forensic experts) in the EU Member States has developed significantly since 2008. The main platform through which training has been provided is the European Explosives Ordnance Disposal Network (EEODN), which was set up in 2008. EEODN has been increasingly used for expert training, both in the areas of explosives and CBRN security. Europol provides for the secretariat of EEODN.

The first official training sessions started to take place in this framework in 2010 on the initiative of Europol. In 2012 CBRN experts joined EEODN. As from 2013, in addition to Europol, the EEODN conferences and trainings will be supported both financially and administratively by CEPOL. Presently Europol and CEPOL are developing the concepts on how to cooperate regarding the coordination of training for explosives and CBRN experts.

Regarding training on detection, the Commission has held training courses for aviation security inspectors from Member States and the Commission on i.a. explosives detection and the performance of detection equipment. In 2011 and 2012, the Commission experts provided detection based training in several Member States to law enforcement personnel and other competent authorities. This training included both detection equipment as well as processes to verify its compliance. Also in non-aviation areas the Commission has sponsored training activities on explosive detection, e.g. in the area of public security, in particular the Euro football championships in 2012 in

Poland and Ukraine (the Commission participated in Warsaw in terms of making available detection technology of CBRN substances and explosives).

2.4.2 Protection of soft targets

Member States have introduced various measures in the protection of soft targets, such as rail links, bridges and other infrastructure, in order to detect possible attacks using explosives. It has been stated that an important factor in the introduction of measures for the protection of soft targets is the regular assessment of risks and threats.

3. CONCLUSIONS

3.1. Summary of the progress in the implementation of the Action Plan

Member States and EU institutions have made significant progress in developing explosives security in the EU since 2008. EU has one of the most advanced legal systems for regulating the security of explosives in the world. The Action Plan on Enhancing the Security of Explosives has contributed to the advancement of regulation in this field.

In addition to advanced legislation, the EU has many non-legislative measures in place to develop the security of explosives. Since 2008 significant progress has been made in enhancing information exchange and relevant information systems, such as EBDS and SCEPYLT, which are used for communication among Member States as well as between EU bodies and Member States.

Since 2008 also training and awareness raising activities on explosives security at EU level have increased considerably, in particular through EEODN, with a major contribution by Europol. Good progress has also been made in developing detection technology and methodology as well as in research on the security of explosives and explosives precursors.

Further work is required in the abovementioned areas and additionally in other fields such as enhancing transport and supply chain security, developing risk and threat assessments, protecting soft targets as well as and stepping up public-private partnership to develop the security of explosives, explosives precursors and IED. Stronger efforts are also needed in the EU to ensure detection capabilities, including finding practical solutions in support of national authorities in enhancing the respective skills and competences.

3.2. Member States' suggestions for priority fields and actions at EU level

With regard to further enhancement of the security of explosives in the EU, several Member States have recommended actions to be taken at EU level. These include activities such as:

- enhancing the use EEODN, EBDS, EWS and SCEPYLT as tools for assisting information sharing,
- introducing minimum security guidance and standards for the storage and transport of explosives,
- improving the cooperation between military and police forces,
- working on identifying alternative materials to explosives precursors,

- considering the use of microtaggants in explosives,
- further developing and implementing the security aspects of the industry's "Responsible Care" programme (the chemical industry's global initiative aiming to improve the environmental, health, safety and security knowledge and performance of technologies, processes and products),
- resuming work on a voluntary agreement for the security of the nitrogenous fertiliser supply chain,
- encouraging the understanding and reporting of suspicious activities and transactions on Internet sites,
- improving practical contacts between civil servants, officers and staff of services responsible for detection and information exchange,
- continuing to organise working groups, conferences, common seminars and joint exercises for exchanging best practices and experience between experts, and
- exchanging experience and ideas also in smaller discussion fora rather than those comprised of all Member States.