

## **COUNCIL RECOMMENDATION**

**of 28 November 2002**

### **on the development of terrorist profiles**

THE COUNCIL OF THE EUROPEAN UNION

Whereas

1. The conclusion of the Tampere European Council on 15 and 16 October 1999 address the establishment of an area of freedom, security and justice in the European Union.
2. Paragraph 2(2) of the conclusions of the European Council on 21 September 2001 states that improved co-operation and exchange of information between all intelligence services of the Union are required.
3. Paragraph 2(3) of those conclusions states that Member States must share all useful data regarding terrorism with Europol.
4. Paragraph 9 of the conclusions of the Justice, Home Affairs and Civil Protection Council on 20 September 2001 states how important it is for the quality of Europol's analyses that the police authorities and also the intelligence services of the Member States should quickly pass on any relevant information on terrorism, in accordance with the terms of the Europol Convention.
5. Paragraph 14 of those conclusions emphasises the important role of the security and intelligence services in the prevention of and fight against terrorism, and states that their intelligence is an invaluable asset for disclosing possible terrorist threats and the intention of terrorists and terrorist groups at an early stage.
6. Paragraph 25 and 26 of those conclusions recommend that Member States should exercise the utmost vigilance when issuing identity documents, residence permits and visas.
7. Terrorism is one of the greatest dangers to the European Union's open and democratic society. Combating terrorism is a high priority objective of the European Union, to be implemented through a co-ordinated multidisciplinary effort, which is compatible with respect for fundamental rights.
8. A central element of the enhanced struggle against terrorism is the intensification of co-operation between the authorities in the Member States responsible for combating terrorism and Europol.
9. Co-operation in the development of targeted terrorist profiles may be a valuable contribution to the operational effort to prevent and combat terrorism within the European Union

10. The collection of information of a non-personal nature from all the Member States for use in developing these profiles will increase the amount of information on which the profiles are based and therefore also the reliability and utility of the profiles based on that information.

RECOMMENDS that the Member States:

- note the contents of Annex A on best practice for drawing up terrorist profiles;
- exchange information of non-personal notice with one another and with Europol on the development and use of terrorist profiles;
- in co-operation with Europol, identify specific areas where the development of targeted terrorist profiles may assist the identification of terrorists;
- in accordance with the Europol Convention, pass on information to Europol which will develop the terrorist profiles and make them available to the relevant authorities in the Member States;
- in co-operation with Europol, ensure that the terrorist profiles are updated as often as necessary;
- in accordance with national law and relevant international instruments consider the possibility of involving third countries – which have a co-operation agreement with Europol – to the greatest possible extent in the development of terrorist profiles.
- duly take into account fundamental rights and freedoms.

## BEST PRACTICE

Developing terrorist profiles means putting together a set of physical, psychological or behavioural variables, which have been identified, as typical of persons involved in terrorist activities and which may have some predictive value in that respect.

### **Aim**

The aim of the initiative on the development of terrorist profiles or putting together common features of terrorists is to gather the Member States' knowledge on the development and use of profiles in the areas of terrorism (i.e. best practice), in an effective and structured way.

The intention is that this work should bear fruit in the development of specific terrorist profiles to benefit the fight against terrorism. Member States identify in co-operation with Europol, which targets (organisation/role) are to be profiled and Europol collects the data and develops the profiles. The profiles are subsequently adjusted in light of experiences with development and application of the profiles.

### **Background**

A questionnaire was circulated under Council auspices concerning Member States' work on profiles in the area of terrorism, for the use in defining best practice for terrorist profiles.

The answers showed that most but not all EU countries were working on profiles in the area of terrorism. The experiences of and comments made by Member States are described in brief below, and an attempt will be made to include these as far as possible in the future work on the development of terrorist profiles.

### **Developing terrorist profiles**

It should be stressed that the development and use of terrorist profiles is only one of many resources in the prevention of and fight against terrorism.

The complexity of the terrorism situation world-wide and the constant development of terrorist' aim and methods make it difficult to develop profiles.

Thus, it will not be possible to establish one single terrorist profile, as both terrorist organisations and the roles of the participant in the individual organisations are different.

It is also clear that terrorist organisations are constantly developing the operational methods.

It may therefore be necessary to develop the profiles in such a way that individual profiles cover a well-defined and specialised category of persons who fulfil a particular function within a closely defined area of terrorism.

It will also be necessary to update the profiles as often as necessary so that they always give a correct picture of the particular characteristics of the category of persons in question.

The following might be included as elements in developing terrorist profiles:

- nationality,
- travel document,
- method and means of travel,
- age,
- sex,
- physical distinguishing features (e.g. battle scars),
- education,
- choice of cover identity,
- use of techniques to prevent discovery or counter questioning,
- places of stay,
- methods of communication,
- place of birth
- psycho-sociological features,
- family situation,
- expertise in advanced technologies,
- skills at using non-conventional weapons (CBRN),
- attendance at training courses in paramilitary, flying and other specialist techniques.

These elements will have to be varied or adjusted according to the specific terrorist profile under development.

The use of particular means of escape or other behaviour after a terrorist act could also be the subject of profiling. This would of course be of more use for investigation than for prevention.

## **The use of terrorist profiles**

The primary area of use for terrorist profiles is the identification of terrorists before a terrorist act is carried out.

Terrorist profiles are used particularly in co-operation with the immigration authorities and police, with a view to preventing or discovering the presence of terrorists in the territory of Member States.

The profiles may also contribute to the identification of persons or environments, which are significant for the recruitment of new terrorists.

The profiles may also be used in assessing the level of threat in a closely defined area, and in developing methods of countering various sorts of terrorist risk.

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