

## **Council Framework Decision of 13 June 2002 on combating terrorism**

### **Objective:**

- Harmonising the definition of terrorist offences in all Member States and ensuring that they establish penalties and sanctions for natural and legal persons having committed or being liable for such offences which reflect the seriousness of such offences.
- Setting out jurisdictional rules to ensure that the terrorist offence may be effectively prosecuted.
- Adopting specific measures with regard to victims of terrorist offences because of their vulnerability.

### **Content:**

- It harmonises the definition of terrorist offences (Article 1), offences relating to a terrorist group (Article 2) and offences linked to terrorist activities (Article 3).
- It ensures that offences referred to in Articles 1, 2 and 3 are punishable in all Member States by effective, proportionate and dissuasive criminal penalties (Article 5) as well as the incitement, aid, abet or attempt to commit such offences (Article 4+Article 5).
- It ensures that legal persons can be held liable for the offences referred to in Articles 1 to 4 (Article 7) and that, once they are held liable, they are punishable by effective, proportionate and dissuasive penalties (Article 8).
- It harmonises the jurisdictional rules with regard to offences referred to in Articles 1 to 4 by setting out the cases where the offence shall necessarily fall within the jurisdiction a Member State –Article 9(1)(3) and (4)- and establishes the rules to solve those cases where an offence falls within the jurisdiction of more than one Member State –Article 9(2).
- It ensures the adoption of measures for the protection and assistance of victims of terrorism by Member States (Article 10).
- It sets out a deadline for the implementation of the Member States –Article 11(1)-. It establishes a system to assess the level of implementation of each of the Member States –Article 11(2)-.

### **Interesting to know:**

- This Framework Decision constitutes the basis of the EU counter-terrorism policy and therefore represents a central piece of the legal instruments in the field of fight against terrorism.
- Considering this importance plus the sensitiveness of the counter-terrorism policy, the implementation of the Framework Decision is very carefully examined and Member States failing to implement some of its provision will be exposed to criticism.