






**European Digital Rights (EDRi) comments to  
DRAFT COMPROMISE AMENDMENTS TO**

**Rachida Dati's draft report on prevention of radicalisation and recruitment of  
European citizens by terrorist organisations**

In view of the draft compromise amendments (CAMs), EDRi recommends to:

-  **SUPPORT** CAM D - 2nd part, CAMs on Title III, para. 8 - part 2, para. 12, para. 25, recital D, recital H.
  
-  **RECONSIDER** CAM A, D- first part, CAMs on para. 8 - part 1, para.9, para. 10, para 11, para. 13, Title V, para. 20, para. 21, para. 22, para. 23, para. 26, para. 28, para. 29, para. 35.

A short justification is given for each case. Additionally, we provide suggestions to improve CAMs, when relevant.

-  **COMPROMISE A on Paragraph 1 RECONSIDER**  
Amendment 117 (Sylvie Guillaume), Amendment 118 (Monika Hohlmeier, Rachida Dati), Amendment 119 (Gérard Deprez, Louis Michel, Petr Ježek), Amendment 120 (Barbara Spinelli, Kostas Chrysogonos), Amendment 121 (Christine Revault D'Allonnes Bonnefoy), Amendment 122 (Jean Lambert), Amendment 124 (Maite Pagazaurtundúa Ruiz, Petr Ježek), Amendment 125 (Goffredo Maria Bettini, Caterina Chinnici), Amendment 127 (Kashetu Kyenge), Amendment 128 (Ana Gomes, Birgit Sippel, Caterina Chinnici, Rachida Dati), Amendment 129 (Marek Jurek);

*1. Calls on the Commission to establish as a priority an action plan to implement the EU strategy for combating radicalisation and recruitment to terrorism, on the basis of the exchange of best practice and the pooling of skills within the European Union, the evaluation of measures undertaken in the Member States, cooperation with third countries and international organisations, through a multistakeholder and multisectoral approach; takes the view that the Commission should contribute to and support Member states in developing an effective and intensive communication strategy on preventing the radicalisation and recruitment of European citizens by terrorist organisations;*

*Comments:* The rapporteur's efforts to gather different input regarding paragraph 1 is positive. However, it needs three changes: 1) "radicalisation" does not have a unified meaning. Specifying the report refers to terrorist radicalisation is needed, in line with CAM on Title III; 2) the EU action plan shall be based on evidence, not only on "best" practices and EU skills; 3) AM 120 is not fully covered. Recent terrorist acts show EU and Member State's strategies are not effective. This should be reflected in the compromise.

*EDRi suggestion to fix CAM A:* "Calls on the Commission to establish as a priority an action plan to implement the EU strategy for combating **terrorist** radicalisation and recruitment to terrorism, on the basis of **evidence**, the exchange of best practice and the pooling of skills within the European Union, the evaluation of **the effectiveness and impact of** measures undertaken in the **EU and** Member States, cooperation with third countries and international organisations, through a multistakeholder and multisectoral approach; takes the view that the Commission should contribute to and support Member states in developing an effective and intensive communication strategy on preventing the **terrorist** radicalisation and recruitment of European citizens by terrorist organisations".

- **COMPROMISE B ON PARAGRAPH 1a NEW** **NO POSITION**

Amendment 132 (Gérard Deprez, Louis Michel, Maite Pagazaurtundúa Ruiz, Nathalie Griesbeck, Petr JežekAmendment); 134 (Gérard Deprez, Louis Michel, Nathalie Griesbeck, Petr Ježek), Amendment 130 (Kinga Gál), Amendment 148 (Kinga Gál),

***1.a.new.Calls on the Member States to coordinate their strategies and share the information and experience at their disposal, to implement goods practices, at both a national and a European level, to cooperate with a view to taking new steps in combating radicalisation and recruitment to terrorism by updating national prevention policies and putting networks of practitioners in place on the basis of the ten priority areas for action as identified in the EU strategy for combating radicalisation and recruitment to terrorism (doc. 9956/14). Stresses the importance of fostering and strengthening crossborder cooperation among law enforcement authorities to this regard, and highlights the crucial importance of providing adequate resources and training to police forces working on the ground;***

*Comments:* This CAM falls outside our scope of work.

- **COMPROMISE C on paragraph 2** **NO POSITION**

Amendment 136 (Ana Gomes),Amendment 137 (Barbara Spinelli),Amendment 138 (Kristina Winberg), Amendment 139 (Mariya Gabriel), Amendment 140 (Gérard Deprez, Louis Michel, Petr Ježek), Amendment 142 (Jean Lambert), Amendment143 (Anna Hedh, Soraya Post), Amendment 144 (Louis Michel, Gérard Deprez), Amendment 145 (Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume),

***2.Considers that the additional protocol to the Council of Europe Convention on the Prevention of Terrorism as well as the resolution 2178 of the UN Security Council should be used by the Member States and the European institutions with a view to agreeing on a common definition for the criminalisation of persons to be considered as 'foreign fighters'. Calls on the Commission to carry out in-depth studies of the primary causes, the process, the various influences and factors which lead to radicalisation with the support of the new Centre of Excellence of the Radicalisation Awareness Network (RAN);***

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE C on paragraph 3** **NO POSITION**

Amendment 147 (Tomáš Zdechovský), Amendment 150 (Jean Lambert), Amendment 151 (Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume), Amendment 152 (Goffredo Maria Bettini, Caterina Chinnici), Amendment 153 (Brice Hortefeux, Rachida Dati), Amendment 155 (Gérard Deprez, Louis Michel, Petr Ježek), Amendment 156 (Ana Gomes, Maite Pagazaurtundúa Ruiz, Birgit Sippel, Rachida Dati), Amendment 157 (Barbara Spinelli, Kostas Chrysogonos), Amendment 158 (Angel Dzhambazki);

***3.Stresses the importance of making the fullest use of existing instruments to prevent and combat the radicalisation and recruitment of European citizens by terrorist organisations; highlights the importance of using all relevant internal and external instruments in a holistic and comprehensive manner; and recommends that the Commission and the Member States make use of available means, particularly under the Internal Security Fund (ISF), via the SIF Police instrument, in order to support projects and measures aimed at preventing radicalisation; stresses the major role which can be played by the Radicalisation Awareness Network (RAN) and its centre of excellence in taking on this objective of counteracting the radicalisation of European citizens in a comprehensive way; requests that this network receive better publicity and visibility among players combating radicalisation.***

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE D – MOVE AS RECITAL**

Amendment 159 (Caterina Chinnici, Goffredo Maria Bettini, Ana Gomes), Amendment 160 (Tanja Fajon)

**RECONSIDER**



***Whereas human rights should be at the core of the counter terrorism and prevention of radicalisation policies of the Union while ensuring that a right balance is struck between public safety and respect of fundamental rights of individuals, including the right to security, privacy, freedom of expression, and association.***

*Comments:* This CAM can be interpreted as saying that fundamental rights can be undermined. AM 160 (also from S&D) was clearer in the intention to take due account to human rights when countering or preventing terrorism. In addition, the CAM should clarify it refers to terrorist "radicalisation", in line with CAM on Title III.

EDRi suggestion to fix CAM D -1st part: "Whereas human rights should be at the core of the counter terrorism and prevention of **terrorist** radicalisation policies of the Union ~~while to ensure ing that a right balance is struck between~~ public safety ~~and~~ **while** respecting of fundamental rights of individuals, including the right to security, privacy, freedom of expression, and association."



## SUPPORT

### Having regard to the ECJ ruling on the Data Retention Directive

*Comment:* Referring to landmark case law is very much appreciated.

#### • **COMPROMISE ON PARAGRAPH 4** NO POSITION

Amendment 165 (Jean Lambert, Ana Gomes, Sylvia-Yvonne Kaufmann, Barbara Spinelli), Amendment 166 (Anna Hedh, Soraya Post), Amendment 167 (Barbara Spinelli, Kostas Chrysogonos), Amendment 169 (Kristina Winberg), Amendment 171 (Maite Pagazaurtundúa Ruiz, Gérard Deprez, Louis Michel), Amendment 179 (Mariya Gabriel),

*4. Stresses that prisons remain a breeding ground for the spread of radical ideologies and terrorist radicalisation; calls on the Commission to encourage the exchange of best practices among the Member States in order to counter the increase of terrorist radicalisation in Europe's prisons; encourages Member States to take immediate actions against overcrowded prisons, which is an acute problem in many Member States that significantly increases the risk of radicalization and reduce the opportunities for rehabilitation; recalls that public youth protection institutions or detention or rehabilitation centres may also become places of radicalisation for minors, who constitute a particularly vulnerable target;*

*Comments:* This CAM falls outside our scope of work.

#### • **COMPROMISE ON PARAGRAPH 5** NO POSITION

Amendment 173 (Sophia in 't Veld), Amendment 174 (Kati Piri), Amendement 175 (Ana Gomes, Christine Revault D'Allonnes Bonnefoy, Birgit Sippel, Caterina Chinnici, Sylvia-Yvonne Kaufmann), Amendment 176 (Barbara Spinelli, Martina Anderson), Amendment 177 (Maite Pagazaurtundúa Ruiz, Gérard Deprez, Louis Michel), Amendment 178 (Jean Lambert), Amendment 180 (Liisa Jaakonsaari), Amendment 181 (Petr Ježek), Amendment 183 (Anna Maria Corazza Bildt, Carlos Coelho, Monica Macovei, Barbara Matera, Kinga Gál, Alessandra Mussolini), Amendment 185 (Monika Hohlmeier, Rachida Dati)

*5. Calls on the Commission to propose guidelines based on best practices on measures to be implemented in European prisons aimed at the prevention of radicalisation and of violent extremism in full respect of human rights; recommends that the Member States separate inmates adhering to violent extremism or already recruited by terrorist organisations from others inmates within their prisons, aiming to prevent terrorist radicalism from being imposed through intimidation or other practices on other inmates and to contain radicalisation in those institutions;*

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON PARAGRAPH 6** **NO POSITION**

Amendment 187 (Maite Pagazaurtundúa Ruiz, Petras Auštrevičius, Petr Ježek, Gérard Deprez, Louis Michel) Amendment 188 (Ana Gomes, Caterina Chinnici), Amendment 189 (Timothy Kirkhope), Amendment 190 (Barbara Spinelli, Malin Björk), Amendment 191 (Frank Engel), Amendment 193 (Anna Maria Corazza Bildt, Carlos Coelho, Monica Macovei, Frank Engel, Barbara Matera, Traian Ungureanu, Kinga Gál, Alessandra Mussolini), Amendment 194 (Brice Hortefeux, Rachida Dati), Amendment 196 (Monika Hohlmeier, Rachida Dati), Amendment 197 (Louis Michel, Gérard Deprez), Amendment 198 (Jean Lambert), Amendment 200 (Kashetu Kyenge)

***6. Supports the establishment of specialised training, including by CEPOL, to the entire prison staff, partners operating in the penal system, religious staff and NGO's personnel who interact with prisoners in order to teach them to detect at an early stage, prevent and deal with behaviours which tend to radical and extremist behaviour; stresses the importance of appropriately training and recruiting religious, philosophical and secular representatives so that they can not only adequately meet prisoners' cultural and spiritual needs in prisons, but also counter radical discourse effectively;***

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON PARAGRAPH 7** **NO POSITION**

Amendment 202 (Barbara Spinelli, Kostas Chrysogonos), Amendment 203 (Sophia in 't Veld), Amendment 204 (Mariya Gabriel), Amendment 205 (Timothy Kirkhope), Amendment 206 (Goffredo Maria Bettini, Caterina Chinnici), Amendment 207 (Sylvia-Yvonne Kaufmann, Ana Gomes, Caterina Chinnici), Amendment 208 (Ana Gomes, Christine Revault D'Allonnes Bonnefoy, Birgit Sippel, Caterina Chinnici, Sylvia-Yvonne Kaufmann, Rachida Dati); Amendment 209 (Jean Lambert, Ana Gomes), Amendment 210 (Maite Pagazaurtundúa Ruiz, Gérard Deprez, Louis Michel)

***7. Encourages the establishment of educational programmes with adequate funding in European prisons in order to promote critical thinking, religious tolerance, and reintegration into society to inmates vulnerable to pressure from inmates adhering to violent extremism, but also to offer special assistance to those that are young, vulnerable and more susceptible to radicalisation and recruitment by terrorist organisations, and thus with utmost respect for the human rights of inmates; considers that accompanying measures should also be offered subsequently to the release from prison;***

*Comments:* This CAM falls outside our scope of work.

** COMPROMISE ON TITLE III **SUPPORT****

Amendment 215 (Sophia in 't Veld), Amendment 216 (Petras Auštrevičius), Amendment 217 (Barbara Spinelli, Kostas Chrysogonos), Amendment 218 (Maite Pagazaurtundúa Ruiz, Gérard Deprez, Louis Michel)

### III. Preventing online *terrorist* radicalisation

*Comments:* This seems like a reasonable compromise between the AMs tabled.



#### **COMPROMISE ON PARAGRAPH 8 PART 1 RECONSIDER**

Amendment 221 (Sophia in 't Veld), Amendment 222 (Christine Revault D'Allonnes Bonnefoy), Amendment 224 (Michał Boni), Amendment 225 (Liisa Jaakonsaari), Amendment 226 (Emil Radev), Amendment 227 (Heinz K. Becker), Amendment 228 (Frank Engel), Amendment 229 (Jean Lambert), Amendment 230 (Barbara Spinelli, Kostas Chrysogonos), Amendment 231 (Anna Hedh, Soraya Post), Amendment 232 (Kati Piri), Amendment 233 (Petras Auštrevičius), Amendment 234 (Petr Ježek), Amendment 235 (Timothy Kirkhope), Amendment 236 (Goffredo Maria Bettini, Caterina Chinnici), Amendment 237 (Anna Maria Corazza Bildt, Carlos Coelho, Monica Macovei, Frank Engel, Barbara Matera, Kinga Gál, Alessandra Mussolini), Amendment 238 (Brice Hortefeux, Rachida Dati), Amendment 239 (Ana Gomes, Birgit Sippel, Caterina Chinnici, Sylvia-Yvonne Kaufmann), Amendment 241 (Louis Michel, Gérard Deprez), Amendment 242 (Maite Pagazaurtundúa Ruiz, Gérard Deprez, Louis Michel),

*8. notes that the internet provides specific challenges given its global and cross border nature, which can create legal gaps and jurisdictional conflicts thus allowing recruiters and those that are radicalised to communicate remotely and easily from all corners of the world with no physical borders, no need to establish a base and no need to seek sanctuary in a particular country; recalls that the internet and social networks are significant platforms in fuelling the radicalisation and fundamentalism, as they facilitate the rapid, large-scale global distribution of hate messages and praise for terrorism; expresses concern at the impact that such messages praising terrorism have especially on younger people, who are particularly vulnerable; underlines the role of education and public awareness campaign to prevent radicalization online;*

*Comments:* The compromise seems fine, but, for consistency, references to "radicalisation" must at least clarify that are about terrorism.

*EDRi suggestion to fix CAM on para. 8, part 1:*

"notes that the internet provides specific challenges given its global and cross border nature, which can create legal gaps and jurisdictional conflicts thus allowing recruiters and those that are radicalised **by terrorism** to communicate remotely and easily from all corners of the world with no physical borders, no need to establish a base and no need to seek sanctuary in a particular country; recalls that the internet and social networks ~~are~~ **may be** significant platforms in fuelling the radicalisation and fundamentalism, as they facilitate the rapid, large-scale global distribution of hate messages and praise for terrorism; expresses concern at the impact that such messages praising terrorism have especially on younger people, who are particularly vulnerable; underlines the role of education and public awareness campaign to prevent radicalization online".

## **COMPROMISE ON PARAGRAPH 8 PART 2 SUPPORT**

Amendment 221 (Sophia in 't Veld), Amendment 222 (Christine Revault D'Allonnes Bonnefoy), Amendment 224 (Michał Boni), Amendment 225 (Liisa Jaakonsaari), Amendment 226 (Emil Radev), Amendment 227 (Heinz K. Becker), Amendment 228 (Frank Engel), Amendment 229 (Jean Lambert), Amendment 230 (Barbara Spinelli, Kostas Chrysogonos), Amendment 231 (Anna Hedh, Soraya Post), Amendment 232 (Kati Piri), Amendment 233 (Petras Auštrevičius), Amendment 234 (Petr Ježek), Amendment 235 (Timothy Kirkhope), Amendment 236 (Goffredo Maria Bettini, Caterina Chinnici), Amendment 237 (Anna Maria Corazza Bildt, Carlos Coelho, Monica Macovei, Frank Engel, Barbara Matera, Kinga Gál, Alessandra Mussolini), Amendment 238 (Brice Hortefeux, Rachida Dati), Amendment 239 (Ana Gomes, Birgit Sippel, Caterina Chinnici, Sylvia-Yvonne Kaufmann), Amendment 241 (Louis Michel, Gérard Deprez), Amendment 242 (Maite Pagazaurtundúa Ruiz, Gérard Deprez, Louis Michel),

***8. notes the dialogue launched at European level with the internet companies with a view to preventing the online distribution of illegal content and to erasing them swiftly in line with national legislation; calls for an effective strategy for the detection and takedown of illegal content inciting to violent extremism, while respecting fundamental rights and the freedom of expression, and in particular to contributing to the distribution of effective discourse to counter terrorist propaganda;***

*Comments:* This amendment takes into consideration fundamental rights and rightly refers to the action needed regarding illegal content inciting to terrorism.

## **COMPROMISE ON PARAGRAPH 9 RECONSIDER**

Amendment 247 (Péter Niedermüller), Amendment 248 (Emil Radev), Amendment 249 (Kinga Gál), Amendment 250 (Ana Gomes), Amendment 251 (Frank Engel), Amendment 252 (Christine Revault D'Allonnes Bonnefoy), Amendment 253 (Barbara Spinelli), Amendment 254 (Jean Lambert), Amendment 255 (Mariya Gabriel), Amendment 256 (Heinz K. Becker), Amendment 257 (Anna Hedh, Soraya Post), Amendment 258 (Petras Auštrevičius), Amendment 259 (Anna Maria Corazza Bildt, Carlos Coelho, Monica Macovei, Barbara Matera, Alessandra Mussolini), Amendment 261 (Timothy Kirkhope), Amendment 262 (Nadine Morano), Amendment 263 (Monika Hohlmeier, Rachida Dati), Amendment 265 (Louis Michel, Gérard Deprez), Amendment 266 (Maite Pagazaurtundúa Ruiz, Petr Ježek, Gérard Deprez, Louis Michel)

***9. Feels that the internet companies and service providers should be made aware of their responsibilities to cooperate with Member States' authorities in fighting against any form of extremism and delete illegal content that does not comply with the policy and rules of the internet platform hosting it as quickly as possible and with full respect for the rule of law, fundamental rights and the freedom of expression; believes that the Member States should plan for the possibility of bringing criminal prosecutions against digital operators who do not take action in identifying and deleting manifestly illegal messages or messages praising terrorism on their internet platforms; believes that refusal or failure to cooperate on the part of internet platforms which allow such messages to circulate should be considered an act of complicity with praising terrorism and should consequently be punished; to that effect, calls on the Commission to address, in the context of the European Forum with the IT sector, the question of training and forming***

***teams that will be tasked, within internet platforms, for deciding whether to delete manifestly illegal content;***

*Comments:* It is good that the first part of this compromise refers to ILLEGAL content. However, adding that illegal content that does not comply with companies' terms of service is not helpful, as providers already have to delete content which is illegal. The reference to terms of service adds no clarity.

Furthermore, this paragraph needs to be brought in line with Article 14 (hosting) of the E-commerce Directive, by adding "***or disabling access to***". In fact, disabling access to illegal content allows the evidence to be preserved. Finally, criminal liability of companies is not a harmonised topic within the EU and it seems to create too much pressure on companies to act in an arbitrary way against the rule of law and fundamental rights. What is the experience in Europe that suggests that Internet platforms are leaving illegal terrorist material online? What is the experience that is so severe that criminal sanctions are necessary? What is the experience that shows that, in any European country, the existing sanctions are not adequate? In a democratic society, is it appropriate to use coercive measures to persuade private companies to delete content in the complete absence of any counterbalancing obligations to leave legitimate (even if unwelcome) speech online? There is no provision of the E-commerce Directive asking Member states to impose criminal liability on companies. Finally, this amendment appears to be in contradiction with the balance described by the European Court of Justice in the Telekable case (C/314-12). Finally, it would be virtually impossible to prove criminal intent for failing to search *enough* for manifestly illegal content and, therefore, we recommend deleting this. In the end, consumer reporting will always be more thorough than even the best-resourced online platform.

*EDRi suggestion to fix CAM on para. 9:*

"Feels that the internet companies and service providers should be made aware of their responsibilities to cooperate with Member States' authorities in ~~fighting against any form of extremism and delete~~ ***ing or disabling access to*** illegal content ~~that does not comply with the policy and rules of the internet platform hosting it as quickly as possible and with full respect for the rule of law, fundamental rights and the freedom of expression; believes that the Member States should plan for the possibility of bringing criminal prosecutions against digital operators who do not take action to in identifying and deleting~~ ***or disable access to*** manifestly illegal messages ~~or messages praising terrorism on their internet platforms; believes that refusal or failure to cooperate on the part of internet platforms which allow such messages to circulate should be considered an act of complicity with praising terrorism and should consequently be punished; to that effect, calls on the Commission to address, in the context of the European Forum with the IT sector, the question of training and forming teams that will be tasked, within internet platforms, for deciding whether to delete~~ ***or disable access to*** manifestly illegal content."

## **COMPROMISE ON PARAGRAPH 10 RECONSIDER**

Amendment 269 (Sophia in 't Veld), Amendment 270 (Anna Maria Corazza Bildt, Carlos Coelho, Monica Macovei, Frank Engel, Barbara Matera, Traian Ungureanu, Kinga Gál, Alessandra Mussolini), Amendment 271 (Monika Hohlmeier, Rachida Dati), Amendment 272 (Barbara Spinelli), Amendment 273 (Christine Revault D'Allonnes Bonnefoy), Amendment 274 (Mariya Gabriel), Amendment 275 (Liisa Jaakonsaari), Amendment 276



(Tomáš Zdechovský, Andrey Novakov, Eva Paunova), Amendment 277 (Anna Hedh, Soraya Post), Amendment 278 (Petras Auštrevičius), Amendment 279 (Brice Hortefeux, Rachida Dati), Amendment 280 (Ana Gomes, Birgit Sippel, Caterina Chinnici, Sylvia-Yvonne Kaufmann), Amendment 282 (Louis Michel, Gérard Deprez), Amendment 283 (Maite Pagazaurtundúa Ruiz, Petr Ježek, Gérard Deprez, Louis Michel)

***10. Is convinced that the internet is an effective platform for spreading discourse of respect of human rights and fundamental freedoms and opposed to violence; considers that the internet industry and service providers should develop powerful and attractive narratives to counter hate speech and radicalisation online, which should be based on the charter of fundamental rights; calls on the digital platforms to cooperate with the Member States, civil society and with organisations whose fields of expertise are terrorist deradicalisation or evaluation of hate speeches, in order to take part in the spread of prevention messages calling for the development of critical thinking and for a process of deradicalisation and identify innovative legal ways for countering praise of terrorism and hate speech, thereby making online radicalisation more difficult; calls on the European Commission and the Member States to work closely with civil society organisations for the purposes of reinforcing the channels for distributing positive discourse and to propose adequate training for key persons and opinion makers at the local level;***

*Comments:* We are deeply concerned by the idea that private companies should be tasked with changing the online discourse in Europe. Counter-speech is important, but the text as it stands could be seen as support for the approach reportedly used by Russia and China. As the OSCE Representative on Freedom of the Media commented recently “Propaganda is an evil that can create huge problems in society. It needs to be fought with truth.”

*EDRi suggestion to fix CAM on para. 10:*

"Is convinced that the internet is an effective platform for spreading discourse of respect of human rights and fundamental freedoms and opposed to violence; ~~considers that the internet industry and service providers should develop powerful and attractive narratives to counter hate speech and radicalisation online, which should be based on the charter of fundamental rights;~~ calls on the digital platforms to cooperate with the Member States, civil society and with organisations whose fields of expertise are terrorist deradicalisation or evaluation of hate speeches, in order to take part in **support** the spread of prevention messages calling for the development of critical thinking and for a process of deradicalisation and identify innovative legal ways for countering praise of terrorism and hate speech, thereby making online radicalisation more difficult; calls on the European Commission and the Member States to work closely with civil society organisations for the purposes of reinforcing the channels for distributing positive discourse and to propose adequate training for key persons and opinion makers at the local level;"



#### **COMPROMISE ON PARAGRAPH 11 RECONSIDER**

Amendment 289 (Maite Pagazaurtundúa Ruiz, Gérard Deprez, Louis Michel), Amendment 290 (Barbara Spinelli), Amendment 291 (Jean Lambert), Amendment 292 (Christine Revault D'Allonnes Bonnefoy), Amendment 293 (Kati Piri), Amendment 294 (Mariya Gabriel), Amendment 295 (Petr Ježek), Amendment 296 (Ana Gomes, Birgit Sippel, Sylvia-Yvonne Kaufmann), Amendment 297 (Monika Hohlmeier, Rachida Dati), Amendment 299 (Louis

Michel, Gérard Deprez)

***11. States that the internet companies and service providers through internet referencing, have the power to promote terrorist radicalisation prevention messages aimed at countering messages that praise terrorism; feels that it is thus their duty to highlight messages that oppose hate speech and praise for terrorism, thereby making online radicalisation more difficult; calls on the Commission and on Member States to support the effective use of counter narratives and mitigation measures through the internet; believes that this should be accompanied by the de-indexing of websites inciting terrorism, which makes it possible for these websites not to be shown on the first pages of search engine results, thus considerably reducing the frequency with which the website is visited;***

*Comments:* It is not at all clear from this text how much intervention is being requested from online companies in their efforts to shape, change and influence online discourse in Europe. If it is appropriate for them to do this in an *ad hoc* way, is it appropriate for them to do the same for their own business reasons in European elections?

The reference to “supporting the effective use of counter-narratives” risks being interpreted as being support for the reported Russian and Chinese approach to using “trolls” to promote national policies. It would be unfortunate if the European Parliament were to be understood as supporting such approaches.

Companies like Google already actively de-index websites that are illegal under national law. If sites are illegal, they should not be on any page of search results, not just the first page.

*EDRi suggests deleting this amendment*, as its salient points are comprehensively covered by paragraphs 9 and 10.

## **COMPROMISE ON PARAGRAPH 12** **SUPPORT**

Amendment 303 (Anna Hedh, Soraya Post), Amendment 304 (Anna Maria Corazza Bildt, Carlos Coelho, Monica Macovei, Frank Engel, Barbara Matera, Traian Ungureanu, Kinga Gál, Alessandra Mussolini), Amendment 305 (Ana Gomes, Barbara Spinelli, Caterina Chinnici, Sylvia-Yvonne Kaufmann, Rachida Dati)

***12. Supports the introduction of measures enabling all internet users to easily and quickly flag illegal content circulating on the internet and on social media networks and to report it to competent authorities, including through hotlines, while respecting fundamental rights, especially freedom of expression, and national legislation;***

*Comments:* A crowd-sourced approach is more democratic and more efficient than arbitrary searching by internet companies.

## **COMPROMISE ON PARAGRAPH 13 RECONSIDER**

Amendment 308 (Jean Lambert), Amendment 309 (Barbara Spinelli), Amendment 310 (Christine Revault D'Allonnes Bonnefoy), Amendment 311 (Emil Radev), Amendment 312 (Kinga Gál), Amendment 313 (Frank Engel), Amendment 314 (Petras Auštrevičius), Amendment 315 (Maite Pagazaurtundúa Ruiz, Petras Auštrevičius), Amendment 316 (Goffredo Maria Bettini, Caterina Chinnici), Amendment 317 (Anna Maria Corazza Bildt, Carlos Coelho, Monica Macovei, Frank Engel, Barbara Matera, Traian Ungureanu, Kinga Gál, Alessandra Mussolini), Amendment 318 (Caterina Chinnici, Goffredo Maria Bettini, Ana Gomes), Amendment 319 (Monika Hohlmeier, Rachida Dati), Amendment 321 (Gérard Deprez, Louis Michel, Nathalie Griesbeck, Petr Ježek, Maite Pagazaurtundúa Ruiz)

*13. affirms that every Member State should set up a special unit tasked with flagging illegal content on the internet and with facilitating the detection, de-indexing, and removal of content that does not conform to the host internet platform's charter and rules; welcomes the creation of the Internet Referral Unit (IRU) by Europol to detect illegal content and supporting Member States in this regard, while fully respecting the fundamental rights of all parties involved; recommends that such unit should also cooperate with the EU-anti terrorism coordinator and the European Counter-Terrorism Centre within Europol, and civil society organisations active in this field;*

*Comments:* If it transpires that messages are simultaneously illegal, damaging and frequently not reported, it would make sense to have state authorities searching for them. However, if the content is not illegal, it is not the role of the state to tell service providers what may or may not be in breach of their contract with their customer.

*EDRi suggestion to fix CAM on para. 13:*

"affirms that every Member State should set up a special unit tasked with flagging illegal content on the internet ~~and with facilitating the detection, de-indexing, and removal of content that does not conform to the host internet platform's charter and rules~~; welcomes the creation of the Internet Referral Unit (IRU) by Europol to detect illegal content and supporting Member States in this regard, while fully respecting the fundamental rights of all parties involved; recommends that such unit should also cooperate with the EU-anti terrorism coordinator and the European Counter-Terrorism Centre within Europol, and civil society organisations active in this field;"

## • **COMPROMISE ON PARAGRAPH 14 NO POSITION**

Amendment 327 (Anna Hedh, Soraya Post), Amendment 328 (Michał Boni), Amendment 329 (Jean Lambert), Amendment 330 (Monika Hohlmeier, Rachida Dati), Amendment 332 (Gérard Deprez, Louis Michel, Petr Ježek), Amendment 333 (Ana Gomes, Christine Revault D'Allonnes Bonnefoy, Rachida Dati), Amendment 334 (Barbara Spinelli, Kostas Chrysogonos)

*14. Believes that online radicalisation cannot be stamped out without reinforcing the tools available to the EU to combat cybercrime; recommends that the mandate and resources of the European Cybercrime Centre (EC3) should be strengthened, as well as Europol and Eurojust, so that it can play an effective role in better detecting and tackling online threats and better identifying the ways used by terrorist organisations; recalls the*

*necessity of sufficiently trained experts at Europol as well as in Member States to respond to this specific threat; calls also on the HR/VP to reorganise the EU Situation Centre (SitCen) and the Intelligence Centre (IntCen) and ensure their coordination with the Anti-Terrorism Coordinator to better track online criminal activities, the spread of hate speech related to radicalisation and terrorism; urges Member States, on the other hand, to significantly increase information sharing amongst each other and with the relevant EU structures and agencies;*

*Comments:* This CAM falls outside our scope of work.

- **COMPROMISE ON TITLE IV NO POSITION**

Amendment 339 Barbara Spinelli, Kostas Chrysogonos, Amendment 340 Christine Revault D'Allonnes Bonnefoy, Amendment 341, Liisa Jaakonsaari, Amendment 342 Sophia in 't Veld, Amendment 343 Maite Pagazaurtundúa Ruiz, Petras Auštrevičius, Amendment 344 Jean Lambert,

**IV. Preventing radicalisation through education and *social inclusion***

*Comments:* This CAM falls outside our scope of work.

- **COMPROMISE ON PARAGRAPH 15 NO POSITION**

Amendment 346 (Kati Piri), Amendment 348 (Sophia in 't Veld), Amendment 349 (Sylvie Guillaume), Amendment 350 (Christine Revault D'Allonnes Bonnefoy), Amendment 351 (Maite Pagazaurtundúa Ruiz, Petras Auštrevičius, Petr Ježek), Amendment 352 (Barbara Spinelli, Kostas Chrysogonos), Amendment 353 (Ana Gomes, Jean Lambert, Birgit Sippel, Barbara Spinelli, Sylvia-Yvonne Kaufmann), Amendment 354 (Louis Michel, Gérard Deprez, Maite Pagazaurtundúa Ruiz), Amendment 355 (Péter Niedermüller), Amendment 356 (Liisa Jaakonsaari), Amendment 357 (Tomáš Zdechovský, Andrey Novakov, Eva Paunova), Amendment 358 (Anna Hedh, Soraya Post), Amendment 359 (Timothy Kirkhope),

*15. Stresses that schools and education have an important role to play in preventing radicalisation; recalls the crucial role that schools play in helping to promote integration within society and develop critical thinking, and to promote non-discrimination; calls on the Member States to encourage educational establishments to provide courses and academic programmes aimed at strengthening understanding and tolerance of different religions, history of religions, philosophies and ideologies; stresses the need to teach Union fundamental values and democratic principles such as human rights.*

*Comments:* This CAM falls outside our scope of work.

- **COMPROMISE ON PARAGRAPH 15a new NO POSITION**

Amendment 360 (Teresa Jiménez-Becerril Barrio, Rachida Dati), Amendment 361 (Barbara Spinelli, Kostas Chrysogonos, Malin Björk), Amendment 362 (Barbara Spinelli, Kostas Chrysogonos), Amendment 363 (Barbara Spinelli, Kostas Chrysogonos, Malin Björk), Amendment 364 (Barbara Spinelli, Kostas Chrysogonos, Malin Björk),

***15.a new. Highlights the importance of combining de-radicalisation programs with measures such as establishing partnerships with community representatives, investment in social and neighbourhood projects that disrupt economic and geographical marginalization and mentoring schemes dedicated to alienated and excluded youths considered at risk of radicalisation. Recalls that all Member States shall diligently implement EU anti-discrimination instruments and take effective measures to address discrimination, hate speech and hate crimes, as part of the counter-radicalisation strategy;***

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON PARAGRAPH 16 NO POSITION**

Amendment 366 (Timothy Kirkhope), Amendment 367 (Kati Piri, Amendment); 368 (Sylvie Guillaume), Amendment 369 (Christine Revault D'Allonnes Bonnefoy), Amendment 370 (Liisa Jaakonsaari), Amendment 372 (Jean Lambert), Amendment 373 (Anna Hedh, Soraya Post), Amendment 374 (Monika Hohmeier), Amendment 375 (Petr Ježek), Amendment 376 (Goffredo Maria Bettini, Caterina Chinnici), Amendment 377 (Brice Hortefeux, Rachida Dati), Amendment 379 (Barbara Spinelli, Kostas Chrysogonos), Amendment 380 (Maite Pagazaurtundúa Ruiz, Petras Auštrevičius, Louis Michel, Gérard Deprez)

***16. Calls on the European Commission to support Member states in carrying out a communication campaign to raise the awareness of youngsters, as well as supervisory staff, as regards issues of radicalisation including the fight against conspiracy theories;; stresses that training and awareness-raising campaigns should give priority to early intervention, to protect individuals and avoid any risk of radicalisation; calls on the Member States to provide educational staff with a special training and appropriated tools to detect any worrying changes in behaviour, identify circles of complicity which amplify the phenomenon of radicalisation through imitation, and properly supervise young people who are at risk of being recruited by terrorist organisations; further encourages Member States to invest in and to financially support specialised facilities in the proximity of schools that serve as contact points for young people but also their families, teachers and relevant experts to engage in extracurricular activities including psychological counselling; stresses the importance of there being clear guidance in this area so as not to compromise the primary role of teachers, youth workers and others for whom the well-being of the individual is the primary concern;***

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON PARAGRAPH 16 A new NO POSITION**

Amendment 382 (Barbara Spinelli, Kostas Chrysogonos), Amendment 383 (Sylvie Guillaume), Amendment 384 (Barbara Spinelli, Kostas Chrysogonos), Amendment 385 (Barbara Spinelli), Amendment 386 (Barbara Spinelli),

***16. a new. Points to the opportunities offered to Member States and to media education experts by the 'Creative Europe' programme; notes that the European Union's programmes in the field of education, culture and sport constitute essential pillars of support for the actions taken by Member States to tackle inequalities and prevent marginalisation; stresses the importance of developing new actions to promote European values in education, as part of the European strategic framework for cooperation in education and training; insists among other things on targeted use of the Erasmus+ funding programme to offer significant opportunities for mobility to students and teachers, while prioritising the transmission and practice of civic values;***

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON PARAGRAPH 17 NO POSITION**

Amendment 387 (Kristina Winberg), Amendment 388 (Tomáš Zdechovský), Amendment 389 (Maite Pagazaurtundúa Ruiz, Petras Auštrevičius), Amendment 390 (Anna Maria Corazza Bildt, Carlos Coelho, Monica Macovei, Frank Engel, Barbara Matera, Kinga Gál, Alessandra Mussolini), Amendment 391 (Barbara Spinelli, Kostas Chrysogonos, Malin Björk), Amendment 392 (Sophia in 't Veld), Amendment 393 (Anna Hedh, Soraya Post), Amendment 394 (Christine Revault D'Allonnes Bonnefoy), Amendment 395 (Heinz K. Becker), Amendment 396 (Ana Gomes), Amendment 397 (Kati Piri), Amendment 399 (Kashetu Kyenge), Amendment 400 (Louis Michel, Gérard Deprez), Amendment 401 (Jean Lambert), Amendment 402 (Morten Messerschmidt), Amendment 406 (Barbara Spinelli, Kostas Chrysogonos);

***17. Stresses that it is vital to engage in intercultural dialogue with the various religious communities, leaders and experts, in order to help reaching a better understanding of and to prevent radicalisation; stresses the responsibility and the important role that religious communities can play in countering fundamentalism, hate speech and terrorism propaganda; draws the Member States' attention to the issue of training religious leaders- which ought, where possible, to take place in Europe - in preventing incitement to hatred and violent extremism in places of worship in Europe, and to ensure that they share European values, and also of training the representatives of religions, philosophies and secular society working inside correctional facilities; notes however, that while places of worship may provide contact points, much of the indoctrination and recruitment process takes place in more informal settings or on internet;***

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON PARAGRAPH 18 NO POSITION**

Amendment 408 (Kristina Winberg), Amendment 409 (Christine Revault D'Allonnes Bonnefoy), Amendment 410 (Sophia in 't Veld), Amendment 411 (Barbara Spinelli, Kostas Chrysogonos), Amendment 413 (Petras Auštrevičius), Amendment 414 (Timothy Kirkhope), Amendment 415 (Anna Hedh, Soraya Post, Ana Gomes), Amendment 417 (Maite Pagazaurtundúa Ruiz, Petras Auštrevičius, Gérard Deprez, Louis Michel);

***18. Highlights the crucial importance of making all actors aware of their responsibility to prevent radicalisation, whether at local, national, European or international level;***

*encourages the establishment of close cooperation between all civil society actors at national and local level, and to create greater cooperation between actors on the ground, such as associations and NGOs to support victims of terrorism and their families as well as the families of those that have been radicalised; calls, in this regard, for the introduction of training adapted for those actors on the ground and for additional financial support for those actors.*

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON PARAGRAPH 19 NO POSITION**

Amendment 420 (Sophia in 't Veld), Amendment 422 (Sylvie Guillaume), Amendment 423 (Christine Revault D'Allonnes Bonnefoy), Amendment 424 (Jean Lambert), Amendment 425 (Anna Hedh, Soraya Post), Amendment 426 (Kati Piri), Amendment 427 (Goffredo Maria Bettini, Caterina Chinnici), Amendment 428 (Timothy Kirkhope), Amendment 429 (Barbara Spinelli, Kostas Chrysogonos, Malin Björk), Amendment 430 (Maite Pagazaurtundúa Ruiz, Petr Ježek, Ana Gomes, Gérard Deprez, Louis Michel);

*19. Considers that civil society and local actors have a crucial role to play in the development of projects adapted to their towns or organisations, in addition to their role as an integrating factor for those European citizens who feel at odds with society and tempted by radicalisation; feels that it is essential to raise awareness among, inform and train front line workers (teachers, educationalists, police officers, child protection workers and workers in the health care sector) in order to strengthen local capacity to combat radicalisation; feels that the Member States should support the establishment of structures facilitating, in particular, the supervision of young people, as well as exchanges with families, schools, hospitals, universities and so on; reminds that these measures can only be implemented through long-term social investment programmes; notes that such associations and organisations, which do not bear the mark of governments, can achieve excellent results in reintegrating citizens who are on the path towards radicalisation into society;*

*Comments:* This CAM falls outside our scope of work.



## **COMPROMISE ON PARAGRAPH 20 RECONSIDER**

Amendment 433 (Aldo Patriciello), Amendment 434 (Sophia in 't Veld), Amendment 435 (Maite Pagazaurtundúa Ruiz, Gérard Deprez, Louis Michel), Amendment 436 (Sylvie Guillaume), Amendment 436 (Sylvie Guillaume), Amendment 437 (Anna Hedh, Soraya Post), Amendment 438 (Petras Auštrevičius), Amendment 439 (Ana Gomes, Christine Revault D'Allonnes Bonnefoy, Birgit Sippel), Amendment 440 (Timothy Kirkhope), Amendment 442 (Jean Lambert), Amendment 443 (Barbara Spinelli, Kostas Chrysogonos); Amendment 446 (Sylvia-Yvonne Kaufmann, Ana Gomes, Birgit Sippel, Caterina Chinnici);

*20. Considers it vital to set up an alert system of assistance and guidance in every Member State which would allow families and community members to get support or to easily and swiftly flag the development of sudden behavioural change that might signal a process of radicalisation or an individual departure to join a terrorist organisation; notes that in this regard, "hotlines" have been successful in this endeavour; and are encouraging the reporting of persons amongst friends and families suspected of being radicalised and asks that Member States look into the possibility of establishing such a system;*

*Comments:* What would constitute a "sudden behavioural change" that could be considered as a "radicalisation" sign? Certainly, the [French model](http://static4.stop-djihadisme.gouv.fr/var/stop/storage/images/media/images/radicalisation/607-6-fre-FR/radicalisation.png) (<http://static4.stop-djihadisme.gouv.fr/var/stop/storage/images/media/images/radicalisation/607-6-fre-FR/radicalisation.png>) is not an example of best practice. Reporting is not an end in itself and non-specific references to "hotlines" that, on some unspecified basis can be defined as "successful" are unhelpful – the support elements of several other amendments make them preferable.

*EDRi suggests deleting this paragraph or adopting AM 436 (S&D) as a compromise.*

- **COMPROMISE ON NEW PARAGRAPH 20 a new NO POSITION**

Amendment 448 (Tanja Fajon), Amendment 449 (Sylvie Guillaume),

*20.a.new.Stresses that recent research reports point to the growing number of young women who have been radicalised and recruited by terrorist organisations and provide evidence of their role in violent extremism; considers that the EU and Member States should take gender into account at least to some extent in developing strategies for prevention of radicalisation; calls on the Commission to support widespread programmes that aim to engage young women in their endeavours for greater equality and provide support networks through which they can safely have their voices heard;*

*Comments:* This CAM falls outside our scope of work.



## **COMPROMISE ON TITLE V RECONSIDER**

Amendment 453 (Sophia in 't Veld), Amendment 454 (Maite Pagazaurtundúa Ruiz, Amendment); 455 (Barbara Spinelli, Kostas Chrysogonos)

V. Stepping up the exchange of information on *radicalised individuals in Europe*



*Comments:* The concept "radicalisation" is not clear and can be offensive to some citizens. In consistency with CAM on Title III, we suggest clarifying that this report refers to terrorist radicalisation.

*EDRi suggestion to fix CAM on Title V:* "stepping up the exchange of information on radicalised individuals **by terrorism** in Europe".

### **COMPROMISE ON PARAGRAPH 21 RECONSIDER**

Amendment 456 (Jean Lambert), Amendment 457 (Sophia in 't Veld), Amendment 458 (Kati Piri), Amendment 459 (Birgit Sippel, Sylvia-Yvonne Kaufmann), Amendment 460 (Barbara Spinelli), Amendment 462 (Ana Gomes, Christine Revault D'Allonnes Bonnefoy, Caterina Chinnici), Amendment 463 (Maite Pagazaurtundúa Ruiz, Petr Ježek, Gérard Deprez, Louis Michel), Amendment 465 (Timothy Kirkhope), Amendment 467 (Gérard Deprez, Louis Michel, Petr Ježek)

21. Reiterates its commitment to adopt the 'EU PNR' directive by the end of 2015 ***in full compliance with fundamental rights and freedoms*** of European citizens ***and free from discriminatory practices based on ideological, religious or ethnic stigmatization***; recalls, however, that the EU PNR ***is just one measure in the fight against terrorism; but that a holistic, ambitious and comprehensive strategy which should involve foreign policy, social policy, education policy, law enforcement and justice is required in order*** to prevent the recruitment of European citizens by terrorist organisations;

*Comments:* We strongly disagree with this proposed compromise. AMs 456 to 459 (from Green, ALDE, GUE and S&D MEPs) called for the deletion of this paragraph. In addition, AM 460 cannot be considered as covered, since it clearly states the opposite of this CAM. Due to the divergences of the political spectrum, a CAM should be consider its deletion or a reference to the last resolution of the Parliament (AM 11 or 12). In any event, this issue is part of an ongoing legislative procedure and this text is therefore superfluous.

### **COMPROMISE ON PARAGRAPH 22 RECONSIDER**

Amendment 470 (Christine Revault D'Allonnes Bonnefoy), Amendment 471 (Jean Lambert), Amendment 472 (Kinga Gál), Amendment 473 (Monica Macovei, Rachida Dati, Traian Ungureanu, Csaba Sógor, Agustín Díaz de Mera García Consuegra, Elissavet Vozemberg, Brice Hortefeux), Amendment 474 (Timothy Kirkhope), Amendment 475 (Caterina Chinnici, Goffredo Maria Bettini), Amendment 476 (Birgit Sippel, Sylvia-Yvonne Kaufmann), Amendment 477 (Monika Hohlmeier, Rachida Dati), Amendment 478 (Gérard Deprez, Louis Michel, Petr Ježek), Amendment 479 (Ana Gomes, Caterina Chinnici, Rachida Dati), Amendment 480 (Marek Jurek), Amendment 481 (Barbara Spinelli, Kostas Chrysogonos), Amendment 482 (Maite Pagazaurtundúa Ruiz, Gérard Deprez, Louis Michel)

22. Insists on the absolute necessity of stepping up the expedient and effective exchange of relevant information between the law enforcement authorities in the Member States and between Member states and the relevant agencies, ***in particular by optimising the use of and contributions to the Schengen Information System and VIS, Europol's secure information exchange network application (SIENA), Europol's 'Focal Point Travellers'***

***on European citizens who have been radicalised ; stresses that stepping up the exchange of information between law enforcement authorities will entail **increasing trust between Member States and** also reinforcing the role and the effective resourcing of European Union agencies, such as Europol and Eurojust and Ceuol, and **the establishment of the European Public Prosecutor's office as a matter of priority;*****

*Comments:* The CAM misses data protection and privacy safeguards that AM 476 pointed out. We do not see that AM as covered by this text. As demonstrated by EDRi-member Statewatch, both the Schengen Information System (SIS) and the Visa Information system (VIS) contain several deficiencies (for a detailed explanation, read [http://www.aedh.eu/plugins/fckeditor/userfiles/file/AEDH\\_EuropeanMonograph\\_PublicDataCollection\\_Final.pdf](http://www.aedh.eu/plugins/fckeditor/userfiles/file/AEDH_EuropeanMonograph_PublicDataCollection_Final.pdf)). The solution does not come by sharing more information, but through effectively using existing tools while respecting fundamental rights and freedoms, including the principles of necessity and proportionality. Of course, efficient data sharing is welcome in the context of necessary, proportionate, efficient and reliable data.

*EDRi suggestion to fix CAM on para. 22:*

"Insists on the absolute necessity of stepping up the expedient and effective exchange of relevant information between the law enforcement authorities in the Member States and between Member states and the relevant agencies, ***subject to the appropriate data protection and privacy safeguards***, in particular by optimising the use of and contributions to the Schengen Information System and VIS, Europol's secure information exchange network application (SIENA), Europol's 'Focal Point Travellers' on European citizens who have been radicalised ***by terrorism***; stresses that stepping up the exchange of information between law enforcement authorities will entail increasing trust between Member States and also reinforcing the role and the effective resourcing of European Union agencies, such as Europol and Eurojust and Ceuol, and the establishment of the European Public Prosecutor's office as a matter of priority;"



### **COMPROMISE ON PARAGRAPH 23 RECONSIDER**

Amendment 483 Maite Pagazaurtundúa Ruiz, Amendment 484 Christine Revault D'Allonnes Bonnefoy, Amendment 485 Sophia in 't Veld, Amendment 487 Ana Gomes, Jean Lambert, Barbara Spinelli, Caterina Chinnici, Amendment 488 Emil Radev, Rachida Dati, Amendment 489 Louis Michel, Gérard Deprez, Amendment 490 Barbara Spinelli, Kostas Chrysogonos,

***23. Stresses that improved cooperation between the Member States aimed at countering the radicalisation and recruitment of European citizens is also characterised by intensive exchanges and cooperation between the judicial authorities and with Eurojust; Notes that better reporting at European level on the criminal records of radicalised individuals would help speed up their detection and make it easier for them to be properly monitored, either when they leave or when they return to the EU; encourages, therefore, the reform and better use of the ECRIS system; urges the Commission to assess the feasibility and added value of establishing EPRIS; underlines that fundamental rights, and in particular the protection of personal data, as well EU law and international treaties, should be respected when exchanging such information;***

*Comments:* This CAM improves the original wording. However, it requires further improvement, as it does not fully cover AMs 483 or 485-487.

*EDRi suggestion to fix CAM on para. 23:*

"Stresses that improved cooperation between the Member States aimed at countering the **terrorist** radicalisation and recruitment of European citizens is also characterised by intensive exchanges and cooperation between the judicial authorities and with Eurojust; Notes that better reporting at European level on the criminal records of ~~radicalised individuals~~ **terrorist suspects** [AM 487] would help speed up their detection and make it easier for them to be properly monitored, either when they leave or when they return to the EU; encourages, therefore, the reform and better use of the ECRIS system; urges the Commission to assess the **concerns**, feasibility and added value of establishing EPRIS; underlines that fundamental rights, and in particular the protection of personal data, as well EU law and international treaties, should be respected when exchanging such information;"

• **COMPROMISE ON PARAGRAPH 24** **NO POSITION**

Amendment 494 Kati Piri; Amendment 495 Sophia in 't Veld; Amendment 496 Maite Pagazaurtundúa Ruiz; Amendment 497 Barbara Spinelli, Kostas Chrysogonos; Amendment 498 Jean Lambert; Amendment 499 Ana Gomes; Amendment 500 Nadine Morano; Amendment 503 Ana Gomes, Christine Revault D'Allonnes Bonnefoy, Rachida Dati

*24. Believes that measures aimed at preventing the radicalisation of European citizens and their recruitment by terrorist organisations will not be fully effective until they are accompanied by uniformed, effective and dissuasive range of criminal justice measures in all Member States; considers that, through effectively criminalising terrorist acts and other criminal actions carried out abroad with terrorist organisations, the Member States would equip themselves with the tools needed to eliminate radicalisation among European citizens, while making full use of the existing EU police and judicial cooperation tools in criminal matters; Considers that law enforcement and justice authorities (judges and prosecutors) should have sufficient capacity to prevent, detect and prosecute those acts and are adequately and continuously trained on terrorism-related crimes;*

*Comments:* This CAM falls outside our scope of work. However, this reference would be preferred as compromise instead of a reference to criminal law sanctions in para. 9.

 **COMPROMISE ON PARAGRAPH 25** **SUPPORT**

Amendment 507 Maite Pagazaurtundúa Ruiz, Petr Ježek, Gérard Deprez, Louis Michel; Amendment 508 Ana Gomes, Barbara Spinelli, Birgit Sippel, Sylvia-Yvonne Kaufmann; Amendment 509 Sophia in 't Veld; Amendment 510 Kinga Gál; Amendment 511 Kristina Winberg; Amendment 512 Jean Lambert; Amendment 513 Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume; Amendment 514 Ana Gomes, Christine Revault D'Allonnes Bonnefoy, Rachida Dati; Amendment 515 Barbara Spinelli, Kostas Chrysogonos;

*25. Notes that prosecuting terrorist acts carried out in third countries by European*

*citizens or non EU nationals residing in the EU requires the collection of evidence in third countries to be possible in full compliance with fundamental rights; calls, therefore on the European Union to work on the set-up of judicial and law enforcement cooperation agreements with third countries to facilitate the collection of evidence in said countries provided that strict legal standards, rule of law, international law and Fundamental Rights are safeguarded by all parts;*

*Comments:* Any evidence collected must be done respecting fundamental rights and the rule of law. We thus welcome this CAM.

• **COMPROMISE ON TITLE VII** **NO POSITION**

Amendment 519 Sophia in 't Veld; Amendment 520 Barbara Spinelli, Kostas Chrysogonos; Amendment 521 Maite Pagazaurtundúa Ruiz, Gérard Deprez, Louis Michel;

**VII. Preventing the departure and anticipating the return of radicalised European citizens recruited by terrorist organizations**

*Comments:* This CAM falls outside our scope of work.



**COMPROMISE ON PARAGRAPH 26** **RECONSIDER**

Amendment 523 Sophia in 't Veld; Amendment 525 Jean Lambert; Amendment 526 Anna Hedh, Soraya Post; Amendment 527 Ana Gomes; Amendment 528 Maite Pagazaurtundúa Ruiz, Angelika Mlinar; Amendment 529 Sylvie Guillaume; Amendment 530 Barbara Spinelli; Amendment 531 Emil Radev; Amendment 533 Anna Maria Corazza Bildt, Carlos Coelho, Monica Macovei, Frank Engel, Barbara Matera, Traian Ungureanu, Alessandra Mussolini; Amendment 534 Timothy Kirkhope; Amendment 535 Caterina Chinnici, Goffredo Maria Bettini; Amendment 536 Monika Hohlmeier, Rachida Dati; Amendment 537 Gérard Deprez, Louis Michel; Amendment 538 Morten Messerschmidt; Amendment 539 Monika Hohlmeier, Rachida Dati;

**26. Reiterates its belief that the European Union must step up its external border controls as a matter of urgency in full compliance with fundamental rights; stresses that it will be impossible to effectively track entry and exit in the EU unless Member States implement the mandatory and systematic controls foreseen on the European Union's external borders; calls on the Member States to make a good use of existing instruments such as SIS and VIS, including in reference to stolen, lost and falsified passports; states that, to this end, one of the European Union's priorities must be to better enforce the Schengen Code and to swiftly adopt the Smart Borders package;**

*Comments:* The original and the proposed amendment includes an intention to track people, which unless it is done under the sufficient guarantees foreseen in the Charter of Fundamental Rights, the Convention on Human Rights, and the jurisprudence of both the CJEU and the EctHR it will not be in accordance with EU law. In addition, the Smart Borders Package is currently being subject to consultation, which makes this reference premature. As it stands, we believe the Smart Borders Package "fails to ensure the protection of travellers' personal data and right to privacy", as EDRI-member Access stated after analysing it. Read

<https://www.accessnow.org/blog/2015/08/25/passports-and-profiles-please-eu-may-exact-digital-toll-at-its-borders>. For this paragraph, we suggest supporting a compromise using AM 528 (ALDE) as a basis.

• **COMPROMISE ON PARAGRAPH 27** **NO POSITION**

Amendment 543 Sophia in 't Veld; Amendment 544 Barbara Spinelli; Amendment 546 Ana Gomes, Christine Revault D'Allonnes Bonnefoy; Amendment 547 Birgit Sippel; Amendment 548 Jean Lambert; Amendment 549 Maite Pagazaurtundúa Ruiz, Gérard Deprez, Angelika Mlinar; Amendment 550 Anna Hedh, Soraya Post; Amendment 551 Anna Maria Corazza Bildt, Carlos Coelho, Monica Macovei, Frank Engel, Barbara Matera, Traian Ungureanu, Kinga Gál, Alessandra Mussolini; Amendment 552 Louis Michel, Gérard Deprez; Amendment 553 Barbara Spinelli;

**27. Calls on Member States to share good practices with regard to exit checks and freezing of financial assets of citizens in the context of the prevention of citizens taking part in terrorist activities in conflict areas in third countries and how to manage their return to the EU; stresses in particular the possibility for Member States to confiscate the passports of their citizens planning to join terrorist organisations, according to their National Constitutions and in full compliance of the principle of proportionality; Further supports the implementation of criminal sanctions for foreign fighters on their return to Europe.**

*Comments:* This CAM falls outside our scope of work.

 **COMPROMISE ON PARAGRAPH 28** **RECONSIDER**

Amendment 556 Barbara Spinelli; Amendment 557 Kinga Gál; Amendment 558 Ana Gomes, Maite Pagazaurtundúa Ruiz, Rachida Dati; Amendment 559 Maite Pagazaurtundúa Ruiz, Petr Ježek, Gérard Deprez, Louis Michel; Amendment 560 Kati Piri; Amendment 562 Emil Radev, Rachida Dati; Amendment 564 Tanja Fajon;

**28. Reiterates that making good use of existing instruments such as the SIS, SIS II and VIS systems, Interpol's SLTD system, and Europol's Focal Point TRAVELLERS constitutes the first step in stepping up external border security in order to identify EU citizens and foreigners residing in the EU who may be leaving or returning from a conflict area for the purpose of committing terrorist acts, receive terrorist training or take part in non-conventional armed conflict on behalf of terrorist organisations; these existing instruments should also be used set up a list, based on a set of criteria, in order to prevent hate preachers and extremist recruiters from entering the European Union; urges Member States to improve cooperation and sharing of information regarding suspected "foreign fighters" with Member States at the external EU borders;**

*Comments:* It is very important to use the means already available in a wise way. Making good use of the SIS and VIS systems is not enough. These systems must be reformed to solve data protection problems. For more information, please read [http://www.aedh.eu/plugins/fckeditor/userfiles/file/AEDH\\_EuropeanMonograph\\_PublicData](http://www.aedh.eu/plugins/fckeditor/userfiles/file/AEDH_EuropeanMonograph_PublicData)

[Collection\\_Final.pdf](#). EDRi suggests deleting this whole paragraph.

 **COMPROMISE ON PARAGRAPH 29** **RECONSIDER**

Amendment 567 Barbara Spinelli, Kostas Chrysogonos; Amendment 568 Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume; Amendment 570 Anna Hedh, Soraya Post; Amendment 571 Ana Gomes, Caterina Chinnici; Amendment 572 Emil Radev, Rachida Dati; Amendment 573 Maite Pagazaurtundúa Ruiz, Petr Ježek, Gérard Deprez, Louis Michel;

29. Stresses *the vital* importance of the European Union establishing *close* cooperation with third countries, notably transit countries and destination countries, *insofar as this is possible, in order to be able to identify EU citizens and non-european residents leaving to fight for terrorist organisations or returning thereafter*; Also stresses the need to *strengthen political dialogue and shared action plans to combat radicalisation and terrorism, in the context of bilateral relations and with regional organisations such as the African Union and the League of Arab States*;

*Comments:* Most of this CAM does not fall within our scope of work. AM 567 and AM 568 include a very important reference to respect of the EU Charter of fundamental rights which is completely avoided in this compromise. It should be included.

• **COMPROMISE ON PARAGRAPH 30** **NO POSITION**

Amendment 574 Barbara Spinelli, Kostas Chrysogonos; Amendment 575 Ana Gomes, Christine Revault D'Allonnes Bonnefoy, Rachida Dati; Amendment 576 Sophia in 't Veld; Amendment 577 Petras Auštrevičius; Amendment 578 Goffredo Maria Bettini, Caterina Chinnici; Amendment 580 Jean Lambert; Amendment 581 Maite Pagazaurtundúa Ruiz, Petr Ježek, Gérard Deprez, Louis Michel;

**30. Is convinced that for such enhanced cooperation to be established the Commission, and the European External Action Service (EEAS) in particular, need to make greater efforts in terms of increasing and improving expertise in the matters of fighting terrorism, non-conventional armed conflict and radicalisation, reinforce and diversify the current level of language skills, such as Arabic, Urdu, Russian and Mandarin, which is seriously lacking among European information and intelligence services; considers it essential that the EU's call to combat terrorism, radicalisation and violence can be heard beyond its own borders through strategic communication that is both incisive and effective;**

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON PARAGRAPH 31** **NO POSITION**

Amendment 583 Barbara Spinelli; Amendment 584 Christine Revault D'Allonnes Bonnefoy; Amendment 585 Liisa Jaakonsaari; Amendment 586 Sophia in 't Veld; Amendment 587 Maite Pagazaurtundúa Ruiz; Amendment 588 Kati Piri; Amendment 590 Goffredo Maria Bettini, Caterina Chinnici; Amendment 591 Ana Gomes, Caterina Chinnici;

**31. Acknowledges that radicalisation and recruitment of individuals by terrorist networks is a global phenomenon; believes that the response to this phenomenon ought to be international and not just local or European; It is therefore necessary to strengthen cooperation with third countries to identify recruitment networks to increase security at the borders of the countries concerned; reiterates also that cooperation with key partners that are facing similar challenges, such as Tunisia, Turkey, Canada or the United States, has to be stepped up through diplomatic, political dialogue and intelligence cooperation;**

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON TITLE IX** NO POSITION

Amendment 596 Sophia in 't Veld; Amendment 597 Barbara Spinelli; Amendment 598 Maite Pagazaurtundúa Ruiz

IX. Promoting the exchange of *good practices on de-radicalisation*

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON PARAGRAPH 32** NO POSITION

Amendment 600 Sophia in 't Veld; Amendment 601 Frank Engel; Amendment 602 Ana Gomes, Caterina Chinnici, Rachida Dati; Amendment 603 Christine Revault D'Allonnes Bonnefoy; Amendment 604 Mariya Gabriel; Amendment 605 Maite Pagazaurtundúa Ruiz, Petr Ježek; Amendment 606 Goffredo Maria Bettini, Caterina Chinnici; Amendment 607 Jean Lambert, Maite Pagazaurtundúa Ruiz; Amendment 608 Barbara Spinelli, Kostas Chrysogonos;

**32. States that a comprehensive policy to preventing the radicalisation and recruitment of EU citizens by terrorist organisations can only be successfully put in place if accompanied by a de-radicalisation policy; calls on the European Union therefore to facilitate the sharing by Member States and with third countries which have already acquired experience and achieved positive results in this area of good practices on the setting-up of deradicalisation structures to prevent EU citizens and non-EU nationals legally residing in the EU to leave the EU or to control their return thereto;**

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON PARAGRAPH 33** NO POSITION

Amendment 610 Brice Hortefeux; Amendment 612 Christine Revault D'Allonnes Bonnefoy; Amendment 613 Barbara Spinelli; Amendment 614 Liisa Jaakonsaari; Amendment 615 Maite Pagazaurtundúa Ruiz; Amendment 616 Petr Ježek; Amendment 617 Birgit Sippel, Sylvia-Yvonne Kaufmann; Amendment 618 Tanja Fajon;

**33. Suggests that Member States examine the idea of including mentors or counselling assistants in the process to deradicalise EU citizens who have returned from conflict areas disillusioned by what they have experienced thereto, to help support them in their reintegration into society through appropriate programmes; underlines the necessity for**

*a better best-practice exchange among member states to that respect; and stresses these mentors should be willing to contribute to specific programmes through appropriate training;*

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON PARAGRAPH 34** **NO POSITION**

Amendment 622 Kristina Winberg; Amendment 623 Maite Pagazaurtundúa Ruiz; Amendment 624 Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume; Amendment 625 Ana Gomes, Maite Pagazaurtundúa Ruiz; Amendment 626 Barbara Spinelli, Kostas Chrysogonos; Amendment 627 Kashetu Kyenge; Amendment 628 Jean Lambert; Amendment 629 Louis Michel, Gérard Deprez; Amendment 630 Kashetu Kyenge

*34. Calls for an EU level structured communication campaign to be launched, making use of the cases of former european 'foreign fighters' who have successfully undergone deradicalisation and whose traumatic experiences help expose the deeply perverse and fallacious religious dimension of joining terrorist organisations such as ISIS; encourages Member States therefore to develop platforms enabling face-to-face meetings and dialogue with former fighters; emphasises furthermore that contact with victims of terrorism also seems to be an effective means of stripping radical rhetoric of its religious or ideological significance; Suggests that this campaign is used as a tool to assist in the deradicalisation process in prisons, schools and in all establishments focusing on prevention and rehabilitation; Further calls on the Commission to support, particularly through funding, and to coordinate such national communication campaigns;*

*Comments:* This CAM falls outside our scope of work.

• **COMPROMISE ON TITLE X** **NO POSITION**

Amendment 631 Sophia in 't Veld; Amendment 632 Ana Gomes, Jean Lambert, Barbara Spinelli, Birgit Sippel; Amendment 633 Barbara Spinelli, Kostas Chrysogonos

**X. Dismantling terrorist networks**

*Comments:* This CAM falls outside our scope of work.



• **COMPROMISE ON PARAGRAPH 35** **RECONSIDER**

Amendment 635 (Kinga Gál), Amendment 636 (Birgit Sippel), Amendment 637 (Ana Gomes, Maite Pagazaurtundúa Ruiz, Sylvia-Yvonne Kaufmann), Amendment 638 (Monika Hohlmeier, Rachida Dati), Amendment 639 (Jean Lambert), Amendment 640 (Sophia in 't Veld), Amendment 641 (Emil Radev, Rachida Dati), Amendment 643 (Barbara Spinelli, Kostas Chrysogonos)

*35. Supports measures to weaken terrorist organisations from the inside and lessen their current influence on EU citizens and non-EU nationals legally residing in the EU; urges the European commission and the competent agencies to look into ways of dismantling terrorist networks and identifying how they are funded; to this end, calls for better*



*cooperation between the Financial Intelligence Units of the Member States and the quick transposition and implementation of the Anti-Money Laundering Package; encourages the Commission to propose a regulation on identifying and blocking terrorism funding channels and countering the ways in which they are funded; thus calls on the Commission to re-evaluate the creation of a common European terrorist finance tracking system; encourages Member States to implement the highest standards of transparency concerning access to information on beneficial owners of all corporate structures in the EU and in opaque jurisdictions, which can be vehicles to finance terrorist organisations;*

*Comments:* Most of this CAM does not fall within our scope of work. However, we strongly disagree on the need of a European terrorist finance tracking system. The Terrorist Finance Tracking Programme poses a serious threat to fundamental rights, which is why the European Parliament called for its suspension in 2013. Any attempt to introduce an even broader programme does not seem to be needed at this stage, given the serious risks this implies.

*EDRi suggestion to fix CAM on para. 35:*

"Supports measures to weaken terrorist organisations from the inside and lessen their current influence on EU citizens and non-EU nationals legally residing in the EU; urges the European commission and the competent agencies to look into ways of dismantling terrorist networks and identifying how they are funded; to this end, calls for better cooperation between the Financial Intelligence Units of the Member States and the quick transposition and implementation of the Anti-Money Laundering Package; encourages the Commission to propose a regulation on identifying and blocking terrorism funding channels and countering the ways in which they are funded; ~~thus calls on the Commission to re-evaluate the creation of a common European terrorist finance tracking system;~~ encourages Member States to implement the highest standards of transparency concerning access to information on beneficial owners of all corporate structures in the EU and in opaque jurisdictions, which can be vehicles to finance terrorist organisation;"

• **COMPROMISE ON PARAGRAPH 36** **NO POSITION**

Amendment 649 (Ana Gomes), Amendment 650 (Christine Revault D'Allonnes Bonnefoy), Amendment 651 (Kinga Gál), Amendment 652 (Sophia in 't Veld), Amendment 653 (Jean Lambert), Amendment 654 (Barbara Spinelli), Amendment 655 (Maite Pagazaurtundúa Ruiz), Amendment 657 (Tanja Fajon)

**36. *Calls on Member States to participate in efforts to trace external flows of funding and to ensure and to display transparency in their relations with certain Gulf countries, with the aim of stepping up cooperation in order to shine a light on the financing of terrorism and fundamentalism in Africa and the Middle East, but also by some organisations in Europe; Member States should not hesitate to use restrictive measures against individuals and organizations where there is credible evidence of financing or other complicity with terrorism;***

*Comments:* This CAM falls outside our scope of work.

- **COMPROMISE ON PARAGRAPH 37** NO POSITION

Amendment 661 (Mariya Gabriel)

***37. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the candidate countries, the United Nations, the Council of Europe, the African Union, the member states of the Union for the Mediterranean, the League of Arab States and the Organisation for Security and Cooperation in Europe.***

*Comments:* This CAM falls outside our scope of work.

- **COMPROMISE ON RECITAL A** NO POSITION

Amendment 19, Amendment 20

A. whereas more than 5000 European citizens have joined terrorist organisations ***and other military formations***, particularly ISIS (Da'esh), ***Jahbat al-Nusra and others outside the European Union, especially in the MENA region***; whereas this phenomenon is speeding up and taking on significant proportions;

*Comments:* This CAM falls outside our scope of work.

- **COMPROMISE ON RECITAL B** NO POSITION

Amendment 31, Amendment 32, Amendment 34, Amendment 35, Amendment 36

B. whereas the ***recent*** terrorist attacks ***in France, Belgium, Tunisia and Copenhagen*** highlight the security threat which is posed by the presence and movement of these 'foreign' fighters in Europe ***who are often EU nationals; and in the neighbourhood***; whereas the European Union has condemned these attacks in the strongest terms and has committed itself to combat terrorism alongside the Member States, ***inside and outside EU territory***;

*Comments:* This CAM falls outside our scope of work.

- **COMPROMISE ON RECITAL C** NO POSITION

Amendment 50, Amendment 52, Amendment 53, Amendment 54, Amendment 56

C. whereas combating terrorism and preventing the radicalisation and recruitment of European citizens by terrorist organisations still falls essentially within the sphere of competence of the Member States, but whereas ***European cooperation is essential for the efficient and effective exchange of information between law enforcement agencies in order to combat the cross border nature and threat posed by terrorists and*** a concerted European approach is ***thus necessary and will provide added value to co-ordinate or harmonise where appropriate*** the legislation that applies in an area where European citizens are free to move ***and to make prevention and counterterrorism effective***;

*Comments:* This CAM falls outside our scope of work.



## COMPROMISE ON RECITAL D **SUPPORT\*\***

Amendment 61, Amendment 63, Amendment 64, Amendment 66

D. whereas a number of instruments already exist in Europe to address the radicalisation of European citizens and whereas the European Union and its Member States should *make* full use of these *tools and look to enhancing them in order to reflect the current challenges the EU and Member States face; whereas there remains a perverse reluctance on the part of Member States to cooperate in sensitive areas, such as information and intelligence sharing; whereas, given the increasing significance of terrorist radicalisation, which is in total contradiction with European values, new means must be implemented, and this must take place in compliance with the Charter of Fundamental Rights;*

*Comments:* This proposal is ok. EDRi would just like to comment that it not aware of evidence of lack cooperation between Member States' information and intelligence agencies. If that were true, we support this CAM.

- COMPROMISE ON RECITAL E **NO POSITION**

Amendment 68-76

E. whereas the extent to which the *Member States assume* responsibility *to counteract* the risk of radicalisation *and the prevention of recruitment by terrorist organisations* can vary greatly from one Member State to another; whereas, while some Member States have already taken effective measures, others are lagging behind in their action to tackle this phenomenon;

*Comments:* This CAM falls outside our scope of work.

- COMPROMISE ON RECITAL F **NO POSITION**

Amendments 77-86

F. whereas *concerted* European action is required as a matter of urgency to prevent the radicalisation and recruitment of European citizens *by terrorist organisations* in order to contain this growing phenomenon so as to stem the flow of departures by European citizens to conflict zones, *de-radicalise the home-stayers*, and prevent other terrorist acts from being committed ~~on European soil~~;

*Comments:* This CAM falls outside our scope of work.

- COMPROMISE ON RECITAL G **NO POSITION**

Amendments 89-96, 99

G. whereas the important thing now is to put greater *emphasis* on *and invest in* preventive rather than reactive measures to address the radicalisation of European citizens and their recruitment by terrorist organisations; *whereas a strategy to counter extremism, radicalisation and terrorist recruitment within the EU can only work if it is developed in parallel to a strategy of integration and social inclusion and of re-integration and de-radicalisation of so-called "foreign fighters" returnees;*

*Comments:* This CAM falls outside our scope of work.



## COMPROMISE ON RECITAL H SUPPORT

Amendments 101-106

H. whereas it is essential that fundamental rights and civil liberties be respected in all measures undertaken by the *Member States and the* European Union, *namely the right to private life, the right to security, the right to data protection, presumption of innocence, the right to a fair trial and due process, freedom of expression and freedom of religion*; whereas the security of European citizens *must preserve their rights and liberties*; whereas, indeed, these two principles are two sides of the same coin;

*Comments:* The CAM is self-explanatory. Our analysis above aims to ensure that the spirit and letter of this CAM is reflected throughout this report.