



**COUNCIL OF  
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**NOTE**

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From : Presidency  
To : Delegations  
Subject : Explanatory note: EU CBRN Action Plan - Detection

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Delegations will find annexed an explanatory note on the EU CBRN Action Plan - Detection, submitted by the Presidency.

## **Enhancing the security of CBRN-materials**

### **EU CBRN Action Plan**

#### **Strand 2; Detection, Goal 1-5**

##### **1. Introduction - EU CBRN Action Plan**

The Communication on Strengthening Chemical, Biological, Radiological and Nuclear (CBRN) Security in the European Union [COM (2009) 273] and the proposed EU CBRN Action Plan presented in June 2009 will serve as the basis for discussions on the development of a CBRN Action Plan during the Swedish Presidency.

The EU CBRN Action Plan focuses on three main areas of action: ensuring that unauthorised access to CBRN materials of concern is as difficult as possible (prevention); having the capability to detect CBRN materials (detection); and being able to respond efficiently to CBRN incidents and recover from them as quickly as possible (preparedness and response). In addition, a number of horizontal actions have been included which are applicable across these areas and the different types of materials.

The Presidency's aim is for the Council to adopt conclusions on the CBRN Communication and to **approve** the EU CBRN Action Plan. Negotiations on the Council conclusions and the EU CBRN Action Plan will take place in the Working Party on Civil Protection, meeting in a special configuration on 7 and 8 July, 16 September, 14 October and 4 November 2009. If necessary, the Presidency will convene additional meetings of Attachés.

The Presidency would like to emphasise the importance of implementing a prioritised, relevant and effective European strategy to prevent, detect, prepare for and respond to major CBRN incidents.

The implementation of the EU CBRN Action Plan should be taken forward by a CBRN Advisory Group consisting of relevant stakeholders, technical experts, operational actors, and representatives from the private sector.

## **2. Guiding Principles for action under the EU CBRN Action Plan**

The CBRN Action Plan is not a legal instrument. Approval of the Action Plan forms a political commitment, which can be seen as a roadmap of intentions for the coming years.

Detailed examination of the EU CBRN Action Plan will be guided by the following principles:

1. although it is first and foremost the responsibility of each Member State to protect its populations against CBRN incidents, the European Union can provide added value and support by exchanging best practices, promoting joint exercises and training, financially supporting projects across the EU, and in general terms ensuring a coherent and consistent approach to cooperation on this issue between the Member States;
2. the European Union's supportive role in this area should be in accordance with the principles of subsidiarity and proportionality, giving preference where possible to non-legislative solutions. Any new EU measures in this field should draw upon existing work, avoid duplication and provide added value for the Member States;
3. effective policies to address CBRN risks should be further developed in close consultation with national authorities and, as appropriate, in close cooperation with the private sector, academic institutions and other relevant stakeholders, notably with a view to ensuring the relevance and proportionality of the measures envisaged;
4. action to counter the CBRN threat must be based on high-quality risk- and threat assessment and a cost-benefit assessment, in order to make certain that the measures taken are proportionate, relevant and effective.

### **3. Detection: the background**

In September 2006 the Commission adopted a Green Paper on detection technologies in the work of law enforcement, customs and other security authorities (COM(2006) 474). Consultation was concluded in the course of 2007 and a Commission staff working document summarising the responses was published in May 2008. The responses to the Green paper identify a clear gap between the CBRN capabilities of detection technologies and the requirements, particularly security authorities' requirements.

Since the publication of the Green Paper, concrete policy options on detection technologies were explored in specific areas such as explosives. The same was done for the individual CBRN topics during the proceedings of the CBRN Task Force in 2008.

### **4. Detection within the CBRN Task Force during 2008**

During 2008 the Commission invited Member States to send relevant experts to the CBRN Task Force in order to hold specific technical discussions on detection. The working results of the sub-groups formed a contribution to the development of the CBRN policy package, including the EU CBRN Action Plan which was adopted by the Commission in June 2009.

- **29-30 May 2008, Bio-Subgroup: Detection and Diagnosis (Humans, Animals and Plants)**

The aim of the meeting was to identify practical measures which need to be taken in order to improve the detection and diagnosis of biological substances threatening humans, animals and plants.

- **24 November 2008, Chemical Subgroup: Detection**

The aim was to identify practical measures which need to be taken in order to improve the detection of chemicals which may be used to commit terrorist attacks.

- **15 December 2008, Radiological/Nuclear Sub-group: Detection**

The aim was to identify practical measures which need to be taken in order to improve and harmonise the detection of radiological sources and nuclear materials, while taking into account national specificities and needs.

## **5. 8 July 2009, ProCiv**

At the first ProCiv meeting on 8 July 2009 examination will concentrate on the following goals and actions:

### **Goal 1: Establish a scenario-based/modelling approach to identifying work priorities in the detection field**

- Action: H.14- H.17, B.8

### **Goal 2: Develop minimum detection standards**

- Action: H.18, B.9 – B.10

### **Goal 3: Establish trialling, testing and certification schemes for CBRN detection in the EU**

- Action: H.19, B.11

### **Goal 4: Identify good practices related to the detection of CBRN materials, awareness raising and training**

- Action: H.20-H.24, B.12, R/N.21

### **Goal 5: Improve the exchange of information and strengthen the monitoring of radiation for security purposes**

- Action: C.18, B.13, RN.22

Request for written comments on the measures on detection (as above) - to be sent to the Presidency (**DELETED**) and to the Council Secretariat (**secretariat.civil-protection@consilium.europa.eu**), at the latest by **23 July 2009**; copies of the comments should also be sent to the Commission: **DELETED**, **DELETED** and **DELETED**.

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