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(2004/C 70 E/143)

**WRITTEN QUESTION E-2774/03**

**by Theresa Villiers (PPE-DE) to the Commission**

**(16 September 2003)**

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:92003E002774&qid=1402224645432&from=EN#ntr2-CE2004070EN.01014001-E0002>

***Subject:*   Classification of Hamas as a terrorist organisation**

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| 1. | Does the European Commission classify Hamas as a terrorist organisation? |

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| 2. | If it does not, how does the Commission justify its stance on this? |

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| 3. | Does the Commission believe that refusal to label Hamas as a terrorist oganisation would constitute a dangerous obstacle to peace in the Middle East at what is a crucial stage of the peace process? |

**Answer given by Mr Patten on behalf of the Commission**

***(10 October 2003)***

The Union has, further to Resolution 1373(2001) of the United Nations (UN) Security Council, adopted Common Position 2001/931/CFSP on the application of specific measures to combat terrorism[(1)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:92003E002774&qid=1402224645432&from=EN#ntr1-CE2004070EN.01014001-E0001). The Common Position provides that these specific measures apply to persons, groups and entities involved in terrorist acts and listed in the annex to that Common Position. That list is established and updated by Council.

In December 2001, the Council listed Izz al-Din al-Qassem, the terrorist wing of Hamas. On 12 September 2003, it decided to list Hamas in its entirety[(2)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:92003E002774&qid=1402224645432&from=EN#ntr2-CE2004070EN.01014001-E0002).

Listing essentially means that Member States offer each other the widest possible assistance in preventing and combating terrorist acts through police and judicial co-operation in criminal matters[(3)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:92003E002774&qid=1402224645432&from=EN#ntr3-CE2004070EN.01014001-E0003), and that the financial restrictions set out in Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism[(4)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:92003E002774&qid=1402224645432&from=EN#ntr4-CE2004070EN.01014001-E0004) apply.

[(1)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:92003E002774&qid=1402224645432&from=EN#ntc1-CE2004070EN.01014001-E0001)  [OJ L 344, 28.12.2001](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=OJ:L:2001:344:TOC).

[(2)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:92003E002774&qid=1402224645432&from=EN#ntc2-CE2004070EN.01014001-E0002)  Common Position 2003/651/CFSP, [OJ L 229, 13.9.2003](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=OJ:L:2003:229:TOC).

[(3)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:92003E002774&qid=1402224645432&from=EN#ntc3-CE2004070EN.01014001-E0003)  See for modalities of this co-operation Council Decision 2003/48/JHA, [OJ L 16, 22.1.2003, p. 68](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=OJ:L:2003:016:TOC).

[(4)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:92003E002774&qid=1402224645432&from=EN#ntc4-CE2004070EN.01014001-E0004)  [OJ L 344, 28.12.2001](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=OJ:L:2001:344:TOC). See also Council Decision 2003/646/EC of 12 September 2003 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2003/480/EC, [OJ L 229, 13.9.2003](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=OJ:L:2003:229:TOC).