

# Common Criteria on Entering Terrorists and Extremists in SIS

Thomas Wahl



## News

On 11 April 2024, the Belgian Council Presidency [circulated a note](#) which lists criteria on when a person should be regarded as a potential terrorist or violent extremist threat (“Gefährder”). The note stressed that the criteria are “strictly non-binding”. Their goal is to have a common understanding on making entries of individuals into the European databases and information systems by the Member States subject to the legal requirements governing these systems. The systems mentioned are the Schengen Information System (SIS) and the Europol Information System (EIS). Information exchange should be facilitated by Europol Analysis Projects such as “Hydra” and “Traveller”.

The note sets out a “basic indicative criterion” for the assessment, along with “indicative auxiliary criteria.” Underpinning these two forms of criteria, the note sets as “minimum materiality threshold” (considered as “red line”): the existence of (objective and verifiable) information suggesting that a criminal offence, or future criminal offence, has a certain degree of seriousness, either because of the nature of the offence in question - e.g. membership in a terrorist organisation - or, in the case of a lesser offence, because it is a repeated or ongoing activity.

[Yasha Maccanico from Statewatch criticised](#) the approach: “A drive to take action against people in advance of them committing criminal offences is troubling and the umpteenth effort to assert social control over ideas and behaviour.”

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