



Strasbourg, 24 October 2017

CODEXTER-BU (2017)06  
*English only*

# **COMMITTEE OF EXPERTS ON TERRORISM (CODEXTER)**

## **10th Meeting of the Bureau**

Paris (France), 19-20 October 2017

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### **ABRIDGED REPORT AND LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN**

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The Bureau of the CODEXTER under the Chairmanship of Mr Alexandros STAVROPOULOS (Greece) held its 10<sup>th</sup> meeting in Paris (France) on 19-20 October 2017 and decided to:

**Communication by the Chair, Bureau Members and Secretariat**

- take note of the information provided by the Secretary to the CODEXTER, Mr Carlo CHIAROMONTE, on the most recent developments in Council of Europe (hereinafter CoE) activities related to CODEXTER work in particular that, as a result of the decision by a member State to suspend payment of the outstanding balance of its contributions to the budget of the Organisation for 2017, the meeting of the Consultation of the Parties to the CoE Convention on the Prevention of Terrorism (CETS N° 196) will be held only in 2018. In addition, the Bureau took note of the information that the Terms of Reference of the CODEXTER for 2018-2019 have been approved by the GR-J and will be finally adopted by the Committee of Ministers in November;
- take note of the information provided by the Chairman, Mr Alexandros STAVROPOULOS, and the Deputy Head of the Counter-Terrorism Division, Mr Kristian BARTHOLIN, on their joint participation to the Terrorism Working Party (TWP) session, held on 18 July 2017 in the EU Council, Brussels;
- take note of the information provided Mr Carlo CHIAROMONTE concerning his participation to the United Nations Security Council Counter-Terrorism Committee Special Meeting on international judicial and law enforcement cooperation in Counter-Terrorism Matters pursuant to Security Council resolution 2322 and other relevant Council Resolutions, held in the United Nations Headquarters, New York, on 21 June 2017 and of the information provided by the Deputy Head of the Counter-Terrorism Division, Mr Kristian BARTHOLIN, concerning his participation to the twelfth GCTF Coordinating Committee Meeting, held in New York on 18 September;
- take note of the adoption of Recommendation CM/Rec(2017)6 of the Committee of Ministers to member States on "special investigation techniques" in relation to serious crimes including acts of terrorism on 5 July 2017 at the 1291st meeting of the Ministers' Deputies.

**Future work and activities of the CODEXTER/CDCT (new acronym of CODEXTER as of next year)**

- On the basis of the CDCT Terms of Reference for the biennial period 2018-2019, hold an exchange of views on future priorities of the CDCT;
- propose to the Committee to give special priority to the following main items: the elaboration by the CDCT of a CoE Counter-Terrorism Strategy for the period 2018-2022, the elaboration of a pan-European legal definition of terrorism, the follow-up to the Conference on Terrorism and Organised Crime (Malaga, September 2017), and the organisation of a counter-terrorism conference on the roles of women and children in terrorism (further information to be found under the respective agenda items);
- schedule the implementation of the different subject matters as follows:
  - a) *34<sup>th</sup> Plenary meeting, spring 2018*: elaboration of a CoE Counter-Terrorism Strategy for the period 2018-2022; elaboration of a pan-European legal definition of terrorism; follow-up to the Conference on Terrorism and Organised Crime (Malaga, September 2017);
  - b) *35<sup>th</sup> Plenary meeting, autumn 2018*: roles of women and children in terrorism and organisation of a counter-terrorism conference on this issue;
  - c) *36<sup>th</sup> and 37<sup>th</sup> Plenary meetings*: to be decided on the basis of specific needs identified by the Committee and other "Specific tasks" contained in the 2018-2019 CDCT Terms of Reference.

### **Terrorists acting alone**

- take note of the information provided by the Chair of the Drafting Committee on Terrorists Acting Alone, Mr Nicola PIACENTE (Italy), on the state of play regarding the elaboration of a new draft Recommendation on terrorists acting alone, notably that the Drafting Committee:
  - i. was established under the aegis of the CODEXTER to elaborate a draft Recommendation focusing on the early detection and prevention of attacks carried out by terrorists acting alone; the prevention of radicalisation leading to terrorism, in particular on the Internet, including on Internet based social media; international cooperation concerning the criminal investigation and prosecution of terrorists acting alone and any other issue which it deems to be of consequence for the prevention or criminal investigation of terrorists acting alone;
  - ii. was composed of CODEXTER members further supported by the expertise of representatives of the European Committee on Crime Problems (CDPC), the Steering Committee on Media and Information Society (CDMSI) and the Steering Committee for Human Rights (CDDH);
  - iii. held four meetings between November 2016 and November 2017;
  - iv. held its fourth meeting on 17-19 October 2017 and managed to reach agreement within the deadline on the draft Recommendation and its Explanatory Report;
  - v. during the last meeting, examined the draft Recommendation and the Explanatory Report and discussed the proposed amendments, comments and drafting suggestions by the members of the Drafting Committee paragraph by paragraph;
  - vi. decided to include a reference to the public-private platform for cooperation between member States and the internet industry in the Explanatory Report;
- instruct the Secretariat to submit the draft Recommendation and its Explanatory Report to the delegations of the CODEXTER in view of their final approval at the next Plenary meeting on November 2017;
- invite the CODEXTER delegations to consider these texts and to present their possible remarks and observations during the next CODEXTER Plenary meeting;
- note that large part of the aforesaid Plenary meeting will be devoted to the examination of the draft Recommendation and its Explanatory Report as well as to the discussion of the possible delegations' comments and drafting proposals.

### **Definition of terrorism**

- Take note of the discussion paper drafted and presented by the Secretariat on the definition of terrorism and in particular that its main objective is to provide a factual description of the current situation;
- examine the discussion paper, make proposals concerning minor changes to be included in a revised version and consider this document an adequate basis for discussion for the next CODEXTER Plenary meeting in November;
- decide that, together with the Recommendation on Terrorists Acting Alone, the discussion on this item will be one of the main topics on the agenda of the 33<sup>rd</sup> Plenary meeting and invite the CODEXTER delegations to be prepared to hold a discussion on this topic in November;
- on the basis of the debates held at the 33<sup>rd</sup> Plenary meeting, propose to the CODEXTER that delegations should provide formal observations on this item at the 34<sup>th</sup> Plenary meeting (spring 2018) and on whether a sub-group should be set-up to begin the work on the elaboration of a definition of terrorism.

### **Links between terrorism and organised crime**

- Discuss the conclusions of the Conference on Terrorism and Organised Crime (Malaga, September 2017);

- endorse the position adopted by the Bureau of the CDPC with regard to the setting-up joint a working groups of experts (CDPC-CODEXTER) aimed at discussing future common topics and actions for both committees to ensure a valuable follow-up to the Malaga conclusions;
- invite the Secretariat to start planning the organisation of the first meeting of the working group in 2018.

### **Preparation of the next Plenary Meeting of the CODEXTER**

- Examine and adopt, as amended, the draft agenda for the 33<sup>rd</sup> Plenary meeting of the CODEXTER and instruct the Secretariat to disseminate the draft agenda to all Delegations.

### **Terrorism and the Internet**

- Take note of the information provided by the Secretariat on the decision adopted at the 1296th meeting of the Ministers' Deputies (4 October 2017), also distributed to the Bureau members, according to which the Ministers' Deputies authorised the Secretary General of the CoE to exchange letters with Internet companies and/or their representative associations, in order to facilitate co-operation between these companies/associations and the CoE with a view to promoting respect for human rights and the rule of law online;
- take note that the first exchange of letters will take place on 8 November at the occasion of the World Forum for Democracy (Strasbourg, 8-10 November 2017);
- follow closely developments in this field and instruct the Secretariat to inform regularly the CODEXTER

### **Coe 24/7 Foreign Terrorist Fighters Network of Contact Points**

- Take note of the information provided by the Secretariat concerning the Coe 24/7 Foreign Terrorist Fighters Network of Contact Points, notably that the third meeting of the contact points will be held early in 2018.

### **Country profiles**

- Take note that Armenia has submitted its amended country profile on counter-terrorism capacity.

### **Elections**

- Take note that a new Chair, as well as a Vice-Chair and one Bureau Member, should be elected;
- instruct the Secretariat to inform Delegations that interested Members are invited to submit their candidacy not later than at 18:00 of the first day of the next Plenary meeting, on 22 November 2018.

### **Date and place of the 1<sup>st</sup> meeting of the Bureau of the CDCT**

- Hold its next meeting in 2018, exact date and place to be confirmed once the next Bureau will be composed.

### **Adoption of the Abridged Report and List of Items Discussed and Decisions Taken**

- Adopt the Abridged Report and List of Items Discussed and Decisions Taken.