



MJU-26 (2005) Resol. 3 Final

*26th CONFERENCE OF EUROPEAN MINISTERS OF JUSTICE*  
(Helsinki, 7-8 April 2005)

**RESOLUTION No. 3**  
**on Combating Terrorism**

THE MINISTERS participating in the 26<sup>th</sup> Conference of European Ministers of Justice (Helsinki, 7 and 8 April 2005);

1. Concerned by the threats posed by terrorism to the core values on which Europe is based, namely pluralist democracy, the rule of law and the protection of fundamental rights and freedoms;
2. Deploring the loss of life and the injuries suffered by thousands of innocent people as a result of terrorism;
3. Condemning all terrorist attacks and reaffirming their determination to combat all forms of terrorism while fully respecting human rights;
4. Aware that concerted international action is vital to success in the fight against the scourge of terrorism, including action aiming, where appropriate, at preventing or remedying situations which may foster terrorism;
5. Recalling the importance of the international instruments against terrorism and, in this respect, welcoming the finalisation within the United Nations at expert level of the draft International Convention for the suppression of acts of nuclear terrorism;
6. Welcoming the efforts of international organisations and institutions to fight against terrorism under the aegis of the United Nations Security Council Counter-Terrorism Committee (CTC);
7. Welcoming the co-operation between the Council of Europe and these organisations and institutions, in particular the European Union, the OSCE and the United Nations;

8. Recalling the relevant texts adopted by the Parliamentary Assembly;
9. Bearing in mind Resolution No. 1 adopted at their 24<sup>th</sup> Conference (Moscow, 4-5 October 2001) and Resolution No. 1 adopted at their 25<sup>th</sup> Conference (Sofia, 9-10 October 2003) as well as the report of the Secretary General concerning the follow-up given to this Resolution;
10. Bearing in mind the Resolution adopted at the Third High Level multilateral meeting of Ministries of Interior on the theme of the “Fight against terrorism and organised crime to improve security in Europe” (Warsaw, 17-18 March 2005);
11. Bearing in mind the report prepared under the aegis of the European Commission for the Efficiency of Justice (CEPEJ) on the effectiveness of national judicial systems in their responses to terrorism;
12. Resolved to pursue their efforts to reinforce the fight against terrorism and to increase the security of citizens, in a spirit of solidarity and on the basis of the core values to which the Council of Europe is firmly committed: the rule of law, human rights and pluralist democracy;
13. Recalling the Guidelines on Human Rights and the Fight against Terrorism adopted by the Committee of Ministers in July 2002;
14. Convinced of the need to continue to strengthen international co-operation;
15. Noting the importance in this regard of the Third Summit of the Heads of States and Governments of the Council of Europe, which will be held in Warsaw in May 2005, and of the impetus which it will add to the future work of the Council of Europe in the fight against terrorism;

\* \* \*

16. WELCOME the progress achieved by the Council of Europe in the implementation of the priority activities against terrorism, in particular the elaboration of two new conventions respectively on the Prevention of Terrorism, and on Laundering, Search, Seizure and Confiscation of Proceeds from Crime and on the Financing of Terrorism, as well as three new Recommendations of the Committee of Ministers to member states on Special Investigative Techniques, Protection of Witnesses and Collaborators of Justice, and on Identity and Travel Documents and Terrorism, and in this connection;
17. WELCOME the adoption by the Committee of Ministers of the Recommendation on Identity and Travel Documents and the Fight against Terrorism and CALL UPON the Committee of Ministers to adopt, at an early date, the two above-mentioned Conventions, in order to allow as far as possible their opening for signature at the Third Summit of the Heads of States and Governments of the Council of Europe, as well as to adopt, as soon as possible, the remaining Recommendations ;

18. WELCOME the adoption by the Committee of Ministers of the Guidelines on the Protection of Victims of Terrorist Acts and the Declaration on Media and Terrorism in March 2005;
19. WELCOME the work of the Committee of Experts on Terrorism (CODEXTER) in coordinating the work of the Council of Europe against terrorism in the legal field;
20. WELCOME the contribution of the European Committee on Crime Problems (CDPC) and its subordinated committees the Committee of Experts on the protection of witnesses and collaborators of justice (PC-PW), the Committee of Experts on special investigation techniques (PC-TI) and the Committee of Experts on the revision of the Convention on Laundering, Search, Seizure and Confiscation of the proceeds from crime laundering (PC-RM), as well as of the European Committee on Legal Co-operation (CDCJ) to the implementation of the priority activities of the Council of Europe against terrorism in their respective fields of competence;
21. WELCOME the number of signatures and ratifications to the Protocol Amending the European Convention on the Suppression of Terrorism (ETS No. 190) whilst regretting that this new instrument has not yet entered into force, and therefore,
22. CALL UPON the member States of the Council of Europe to become Parties to this Protocol so as to ensure its entry into force as soon as possible, and INVITE observer States to become Parties to the European Convention on the Suppression of Terrorism, as revised by its amending Protocol, as soon as possible thereafter;
23. INVITE those States which have not yet done so to become Parties to other instruments of the Council of Europe which facilitate measures against terrorism, in particular the Convention on Cybercrime (ETS No. 185), the Conventions on Corruption (ETS No. 173 and ETS No. 174) and the 2nd Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS No. 182);
24. WELCOME the large number of member states of the Council of Europe which have become Parties to international treaties on terrorism, in particular, those concluded in the framework of the United Nations, as well as to the Rome Statute of the International Criminal Court;
25. INVITE those States which have not yet done so to become Parties as soon as possible to these instruments and to ensure their effective implementation in pursuance of United Nations Security Council Resolution 1373 (2001);
26. CALL upon all member states to contribute to resolving the outstanding issues in negotiations within the United Nations on the draft Comprehensive Convention against terrorism;

27. WELCOME the work of MONEYVAL regarding the evaluation of member states compliance with the Special Recommendation on Terrorist Financing of the Financial Action Task Force (FATF);
28. CALL upon the Council of Europe to continue its work against terrorism, including the development of country-profiles on counter-terrorism capacities, activities concerning victims of terrorism and international co-operation;
29. INVITE the Committee of Ministers:
  - a. to instruct the CODEXTER to identify additional priority activities against terrorism particularly in the light of the report of the Multidisciplinary Group on International Action against Terrorism (GMT) and the report prepared for the CODEXTER on gaps regarding international law and action;
  - b. to instruct, in particular, the CDPC and the CDCJ, in the framework of their specific terms of reference and as regards the implementation of the activities identified to ensure the coherence of the action of the Council of Europe in their respective fields of competence;
30. INVITE the Committee of Ministers, in the framework of the co-operation programmes with member states of the Council of Europe, to provide support for States in upgrading their counter-terrorism legislative and institutional capacities and to pursue effective co-ordination with other international bodies;
31. EXPRESS THE WISH that the Third Summit of Heads of State and Government of the Council of Europe to support and strengthen the role of the Council of Europe in the prevention and suppression of terrorism, through standard setting, monitoring and technical co-operation, and to give impetus to the early signature and ratification of the new Council of Europe conventions relating to terrorism;
32. INVITE the Secretary General of the Council of Europe to report on the steps taken to give effect to this Resolution on the occasion of their next Conference.