



Strasbourg, 18 May 2018

CDCT (2018) 5

STEERING COMMITTEE ON COUNTER-TERRORISM (CDCT)

ABRIDGED REPORT LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN

1st Plenary Meeting

Strasbourg (France), 16-18 May 2018

The Council of Europe Committee on Counter-Terrorism (CDCT), meeting in Strasbourg on 16-18 May 2018 under the Chairmanship of Mr Mario JANEČEK (Bosnia and Herzegovina), decided to:

1. Opening of the meeting

- Take note of the opening remarks by Mr Jan KLEIJSEN, Director of the Directorate of Information Society and Action against Crime, who welcomed the first meeting of the CDCT in its new format and congratulated Mr Mario JANEČEK as Chairman of the CDCT. The Director focused on the situation of international terrorism at the global level and in Europe, notably on the new problems and challenges that member States are facing in the wake of the military defeat of Daesh in Syria and Iraq. In this context, Mr KLEIJSEN noted that the CDCT is in a key position to assist member States in developing policies, as well as legal and practical tools. However, Mr KLEIJSEN also informed the CDCT that the Council of Europe is in a difficult financial situation and reiterated that it cannot be excluded that budgetary pressures will have an effect on the work of the Committee. As an example of the help member States can provide in this challenging context, he welcomed the secondment of Ms Hanna MÄNTYLÄ by Finland as special advisor on radicalisation. On substance, the Director drew the attention to two very important items on the CDCT's agenda, namely the Council of Europe Counter-Terrorism Strategy (2018 – 2022) and the issue of a pan-European legal definition of terrorism. As regards the strategy, he praised the work accomplished by the working group for providing a strategic and more coordinated vision to the CDCT work. As for the work on a definition of terrorism, Mr KLEIJSEN stressed the importance to harmonise the legal concepts of terrorism for the whole Council of Europe area. Moreover, Mr KLEIJSEN informed the CDCT on recent developments concerning the formal exchange of letters that had taken place between the Council of Europe and private internet companies and telecommunications services allowing for the involvement of the latter in the intergovernmental co-operation in the Council of Europe. Finally, the Director remarked on the positive outcome of the third meeting of the Council of Europe 24/7 Network on Foreign Terrorist Fighters, held in Paris on 20 April 2018, at which the national contact points confirmed the effectiveness and added value of the Network.

2. Adoption of the agenda

- Adopt the agenda.

3. Communication by the Chair and by the Secretariat

- Take note of the information provided by its Chair, Mr Mario JANEČEK, and the Secretariat on the outcomes of the Bureau meeting that took place on 15-16 March and on the most recent activities of the Council of Europe relevant to the CDCT's work since the last Plenary meeting in November 2017, notably the two meetings of the Working Group on the Council of Europe Counter-Terrorism Strategy which prepared the draft Strategy to be examined and adopted at this Plenary Meeting. The Secretary to the CDCT, Mr Carlo CHIAROMONTE, informed the Committee about his participation at the OSCE-Wide-Counter-Terrorism Conference 2018, which took place in Rome, Italy, on 10-11 May.
- Take note of the information provided by Mr Gábor HORVÁTH (Hungary) concerning his participation on behalf of the CDCT in the High-Level International Conference entitled "Countering Terrorism and Preventing Violent Extremism", which took place in Dushanbe, Tajikistan, on 3-4 May 2018.

4. Future work and activities of the CDCT

- In addition to the activities under agenda item 6 (definition of terrorism) and agenda item 7 (links between terrorism and organised crime), undertake the following activities, as a priority, in 2018 and the first half of 2019:
 - a) Establishing a set of indicators for assessing the risk that a terrorist attack may be carried out by radicalised individuals (Activity 1.3 of the Strategy). This activity shall be initiated in 2018. The deadline for nominations is 18 June 2018. Hungary has already expressed an interest.

- b) Gathering of evidence from conflict zones for the purpose of criminal prosecution (Activity 2.1 of the Strategy). This activity shall be initiated in 2019.
- Instruct the Secretariat to prepare the first meetings of the two Drafting Committees. Each of the Drafting Committees will be made up of 12 national experts and will be assisted by scientific experts. The Council of Europe will cover the travel and subsistence expenses of the 12 experts appointed by the CDCT. Should the Secretariat receive more than 12 nominations by member States, experts still wishing to join the Drafting Committees will be able to do so at their own expenses. Members of the CDCT are invited to indicate whether they would be interested in participating in the Drafting Committees.
 - Instruct the Secretariat to prepare and distribute a timetable of activities.
 - Instruct the Secretariat to prepare a concept paper for the Working Group on the establishment of a set of indicators for assessing the risk that a terrorist attack may be carried out by radicalised individuals.

5. Council of Europe Counter-Terrorism Strategy

- Examine and adopt the Council of Europe Counter-Terrorism Strategy (2018-2022) outlining the principal strands of activities to be implemented by the CDCT and other relevant committees of the Council of Europe in the aforesaid period.
- Instruct the Secretariat to transmit the adopted Strategy to the Committee of Ministers for information.
- Take note that the Strategy will become publicly available.

6. Definition of Terrorism

- Hold an exchange of views on the issue of definition of terrorism.
- Establish a Sub-Group for the purpose of examining the feasibility of elaborating a definition of terrorism to replace or augment the current wording of Article 1 of the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196), and/or its Appendix, and prepare a report on its findings to be submitted to the CDCT. The Terms of Reference of the Sub-Group are appended to the Abridged Report, List of Items Discussed and Decisions Taken as Appendix 1.
- Instruct the Secretariat to prepare the first meeting of the Sub-Group on 16-17 October 2018.
- Appoint Mr Nicola PIACENTE (Italy) as Chair of the Sub-Group.
- Take note that 11 delegations (France, Germany, Greece, Hungary, Italy, Portugal, Romania, Russian Federation, Spain, Turkey, United Kingdom) have expressed their interest to participate in the Sub-Group.
- Invite Delegations to inform the Secretariat about their interest in participating in the Sub-Group by 18 June 2018.

7. Links between terrorism and organised crime

- Take note that the delegations of Cyprus, the Czech Republic, Greece and Ukraine expressed their interest in nominating experts to the Joint Working Group (CDPC-CDCT)
- Invite delegations to inform the Secretariat if they are interested in nominating an expert to be part of the Joint Working Group (CDPC-CDCT) by 18 June 2018.

8. Terrorism and the Internet

- Examine the documents prepared by the Secretariat containing proposals on how activities related to terrorism and the internet could be implemented in the future.
- Instruct the Secretariat to prepare a special thematic session on terrorism and internet as part of the 2nd Plenary Meeting of the CDCT and invite the internet companies and associations to participate.
- Invite delegations to provide suggestions for topics to be discussed by 14 September 2018.

9. The Council of Europe Convention on the Prevention of Terrorism (CETS No. 196) and the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (CETS No. 217)

- Take note of the information provided by the Secretariat on the status of signatures and ratifications of the Council of Europe instruments related to Counter-Terrorism. As of 9 May 2018, the Convention has been ratified by 39 member States. 8 member States and the European Union have signed it. The Additional Protocol has been ratified by 12 member States. 28 member States and the European Union have signed it.

10. Council of Europe 24/7 Foreign Terrorist Fighters Network of Contact Points

- Take note of the information provided by the Secretariat on the most recent developments regarding the Network of Contact Points.
- Encourage the two member States, which have not yet done so, to join the Network.

11. Information from the Gender Equality Rapporteur

- Examine and discuss the concept paper (doc. CDCT(2018)2-rev) prepared by the Gender Equality Rapporteur and the Secretariat on the proposed International Conference on the Roles of Women and Children in Terrorism to be organised in 2019 under the auspices of the CDCT (Activity 3.5 of the Strategy).
- Instruct the Gender Equality Rapporteur to revise the concept paper in light of the decisions made concerning the scope of the proposed International Conference in the Strategy (cf. agenda item 5) and present a new version thereof together with more concrete information on the International Conference at the occasion of the 2nd Plenary Meeting of the CDCT.
- Keep this item on the agenda for future meetings and invite delegations to submit relevant comments for the organisation of the International Conference.

12. Country profiles on counter-terrorism capacity and information on measures taken at national level against terrorism

- Consider the updated country profile on counter-terrorism capacity as submitted by the Delegation of the Republic of Moldova and authorise its publication on the website of the CDCT.
- Take note that Portugal intends to submit an update of its country profile in time for the 2nd Plenary Meeting of the CDCT.

13. Items for information

- Take note of the information provided by the Secretariat on the state of signatures regarding the Council of Europe Convention on Offences related to Cultural Property (CETS No. 221). Currently one member State has ratified and 8 member States and Mexico have signed the Convention.
- Take note of information provided by the Secretariat concerning the upcoming 74th Plenary Meeting of the European Committee on Crime Problems (CDPC), Strasbourg, 5-7 June 2018.

14. Any other business

- Take note that no points have been raised under this agenda item.

15. Date and place of the 2nd Plenary Meeting of the CDCT

- Hold the 2nd Plenary Meeting of the CDCT in Strasbourg on 13-15 November 2018.

16. 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.

APPENDIX I

COUNCIL OF EUROPE COMMITTEE ON COUNTER-TERRORISM (CDCT)

Terms of Reference for the Sub-Group on Definition of Terrorism

Tasks:

The Sub-Group on Definition of Terrorism shall examine the feasibility of elaborating a definition of terrorism to replace or augment the current wording of Article 1 of the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196), and/or its Appendix, and prepare a report on its findings to be submitted to the CDCT.

The report shall state whether or not, in the view of the Sub-Group, it is feasible to elaborate the aforesaid definition together with the reasons therefor.

In case the Sub-Group finds that it is feasible to elaborate a definition of terrorism, the report shall also contain a proposal on the possible main characteristics of such a definition which will be compatible with existing international obligations of member States.

Working methods:

The Sub-Group shall base its work on relevant existing domestic, international and regional definitions of terrorism or drafts thereof, provided the latter are in a sufficiently advanced state.

For the purpose of fulfilling its task, the Sub-Group may make use of questionnaires addressed to the member States.

The Sub-Group may, where necessary and within the limits of the administrative budget assigned to the CDCT, avail itself of the assistance of academic experts.

The Sub-Group shall report, on a regular basis, on the progress of its work to the CDCT and its Bureau, which may provide guidance to the Sub-Group, as necessary.

Composition:

Members

The Sub-Group shall be composed of members of the CDCT. A Delegation may appoint additional members at its own costs. The Chair of the Sub-Group shall be proposed by the Bureau and appointed by the Plenary of the CDCT.

The administrative budget of the CDCT will bear the travelling and subsistence expenses of 15 representatives of member States (one per Delegation to the CDCT). Other Delegations of the CDCT may participate at their own costs.

Participants to the CDCT

The Parliamentary Assembly to the Council of Europe (PACE), the Office of the Commissioner for Human Rights, the European Committee on Crime Problems (CDPC), the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) and the Committee of Legal Advisers on Public International Law (CAHDI), shall be invited to send representatives, without the right to vote and at the charge of their corresponding administrative budgets.

Other Participants to the CDCT may send representatives without the right to vote and at the charge of their corresponding administrative budgets or without the defrayal of expenses, as the case may be.

Duration of Terms of Reference:

These Terms of Reference shall be valid until 31 December 2019, or until the Sub-Group has performed its tasks. They may be renewed as necessary.