



Istanbul, 24 October 2013

CODEXTER (2013) 12

COMMITTEE OF EXPERTS ON TERRORISM (CODEXTER)



ABRIDGED REPORT LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN

25th Plenary Meeting

Istanbul (Turkey), 23 – 24 October 2013



Secretariat of the Terrorism Division
Information Society and Action against Crime Directorate, DG I

taskforce.terrorism@coe.int - <http://www.coe.int/terrorism>

The Committee of Experts on Terrorism (CODEXTER) meeting in Istanbul on 23 and 24 October 2013 under the Chairmanship of Mr Tihomir LULIĆ (Croatia), decided to:

1. Opening of the meeting

- Extend its heartfelt thanks to Turkey for hosting the 25th meeting of the Committee in Istanbul.
- Take note of the message from the outgoing Chair, Mr Aaron BUGEJA (Malta).
- Warmly thank Mr BUGEJA for his excellent work as Chair of the Committee and congratulate him on his appointment as Magistrate.
- Take note of the opening remarks of the Vice-Chair, Mr LULIĆ.
- Take note of the remarks of Director Jan KLEIJSSSEN, Information Society and Action against Crime Directorate, notably that a Council of Europe Ministerial Conference on, inter alia, the openness of the Internet will take place on 6 – 8 November 2013 in Belgrade, Serbia. The conclusions of this Ministerial Conference will have a bearing on the work of CODEXTER, which should be kept duly informed about the outcomes relevant for its mandate. Moreover, a new ad hoc Committee on data protection has been set up with a view to revising Convention CETS No 108 (on data protection). The work of this ad hoc Committee is similarly expected to have an impact on the tasks of CODEXTER, in particular as regards the revisiting of Recommendation (2005)10 on the use of special investigation techniques.
- Pay its respect to the recent victims of terrorism by observing a minute of silence.

2. Adoption of the draft agenda

- Adopt the draft agenda and decide on the order of business.
- Take note that the agenda of the 25th meeting is shortened in order to accommodate the International Conference on National and International Coordination in Counter-terrorism (24 – 25 October 2013).

3. Approval of the report of the 24th meeting

- Approve the report of the 24th meeting.

4. Communication by the Chair and by the Secretariat

- Take note of the information provided by the Chair and the Secretariat, notably concerning the outcome of the meeting of the Bureau on 17 September 2013 and the state of play regarding the adoption by the Committee of Ministers of the Terms of Reference of CODEXTER for the years 2014 - 2015.
- Take note of the information provided by the Chair and the Secretariat on the elections for the Bureau and in particular the call for candidates for the positions in the Bureau to be filled, in particular the posts as Chair and Vice-Chair respectively.
- Take note that Delegations are encouraged to send in the information requested by the Gender Equality Rapporteur at the 24th meeting, cf. item 19 on the Summary Report and List of Items discussed and Decisions taken (doc. CODEXTER (2013) 7).

- Take note of the information provided by the Secretariat about the work undertaken by the CDPC with regard to the issue of the treatment of dangerous offenders notably that the treatment of terrorist offenders may be subject to future work, which could require a contribution by CODEXTER.
- Take note of the information provided by the Secretariat concerning the upcoming CDAP Conference on 27 and 28 November 2013 in Brussels, Belgium, which will also touch on the issue of radicalisation in prisons.
- Instruct the Secretariat to make proposals for how to ensure a) that CODEXTER is consulted by other Committees when dealing with issues related to the prevention and suppression of terrorism and b) that the views of CODEXTER in this regard are properly conveyed to the Committees in question.

5. Exchange of views on future CODEXTER activities pertinent to the monitoring of the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196]

- Take note of the information provided by the Chair of the Group of Parties, Mr Vladimir SALOV (Russian Federation), about the state of play of the Group's on-going work on the assessment of the implementation of the Convention, in particular that the Group of Parties will examine and finalise the assessment report on the implementation of Article 6 of the Convention at its 6th meeting in November 2013. The summary of this report will be submitted to CODEXTER for information and consideration at the 26th meeting of the Committee. The Group of Parties will also examine and adopt the draft template on Article 7 at the 6th meeting. The 7th meeting of the Group of Parties will be held immediately before the 26th meeting of CODEXTER.

6. Future priorities for the work of CODEXTER

- Take note that the document CODEXTER (2013) 9 entitled "Proposals for priority areas for the work of CODEXTER, 2014 – 2015" was examined and endorsed by the Bureau at its meeting on 17 September 2013.
- Examine this document and decide on the priorities of the work of CODEXTER in the aforesaid biennial period.
- As regards the sequence in which the four priorities agreed upon by the Committee will be dealt with, to start with the issue of "**special investigation techniques**", followed by "**radicalisation and the receiving of training for terrorism, including via the Internet**", and "**terrorists acting alone**", ending with the "**assessment of possible gaps in the legal framework provide by the Council of Europe international legal instruments in the area of the prevention and suppression of terrorism**".
- Devote at least one day of each of the four plenary meetings foreseen for the period of 2014 and 2015 to each of the aforementioned four priorities.
- Take note that the four priorities entail concrete deliverables, such as the drafting of legal texts, and that they require proper preparation.
- Establish four sub-groups of the Committee to be responsible for the preparations of the deliberations of the Committee. The preliminary composition of these sub-groups is set out in the Annex. The Committee stressed that the sub-groups will remain open to all interested member States.
- Invite Delegations, which have not already done so, to inform the Secretariat about their participation in the aforementioned sub-groups by 15 November 2013, at the latest.

- Instruct the Bureau to appoint from among its Members four “coordinators” to be responsible for each of the four sub-groups and to assure proper liaisons between the sub-groups.
- Instruct the Secretariat to provide more detailed information about the technical aspects of how the work of the sub-groups will proceed.

7. Setting up of a new database of CODEXTER on the case law of ECHR relevant for counter-terrorism measures

- Take note of the information provided by the Secretariat with regard to the state of play of the setting up of the database on the case law of ECHR relevant for counter-terrorism measures.
- Take note that a more detailed presentation by the Secretariat, including of the expected upgrades of the search functions, will be made at the occasion of the 26th meeting of the Committee.

8. Presentation, analysis and discussion of judicial cases from Member States in the counter-terrorism field

- Take note of the presentation of judicial cases by the Delegation of Greece and the Delegation of Turkey.
- Invite Delegations which are interested in making presentations under this agenda item at the occasion of the 26th meeting to inform the Secretariat as soon as possible.

9. Possible areas of co-operation with the Global Counterterrorism Forum (GCTF)

- Take note of the presentation on GCTF provided by Mr Eric ROSAND, Senior Advisor and GCTF Coordinator, U.S. Department of State, and engage in deliberations with him on how the Council of Europe and the GCTF can further develop their co-operation, in particular in cooperation with the two thematic working groups of the GCTF on “Criminal Justice and the Rule of Law” and on “Countering Violent Extremism” respectively.
- Instruct the Secretariat to continue its communications with the secretariat of the GCTF with a view to identifying concrete proposals for cooperation between the Council of Europe and the GCTF and report back to the Bureau on possible initiatives and suggestions on how to proceed.
- Keep this item on the agenda for its future meetings.

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

- Consider the updated country profiles on counter-terrorism capacity as submitted by the Delegations of Bulgaria, France, Latvia as well as the new country profile of Montenegro respectively and authorise their publication on the website of CODEXTER.
- Take note that the Delegations of Azerbaijan, Bosnia and Herzegovina, Finland, Norway and Switzerland intend to submit updated versions of their country profiles at the occasion of the 26th meeting of the Committee.

11. Information by States concerning the Council of Europe Conventions against terrorism

- Take note that there have been no new developments under this agenda item since the 24th meeting of the Committee.
- Call on member States, which have not yet done so, to sign and ratify the relevant conventions.

12. Information on other relevant activities of the Council of Europe and work carried out in other international fora

- Take note of the written and oral contributions provided by:

Ms Irka KULESHNYK, Chief of Section, Implementation Support Section 1, Terrorism Prevention Branch, Division for Treaty Affairs, UNODC.

Mr Enrico BONISEGNA, Human Rights Officer on Anti-Terrorism Issues, Human Rights Department, OSCE ODIHR.

Mr László SZÜCS, Programme Officer, Action against Terrorism Unit (ATU), Transnational Threats Department, OSCE.

- Take note of the information provided by Ms Yuliia LAPUTINA (Ukraine) concerning the Leadership Conference on Security Issues of the Security Service of Ukraine and the EU Member States, which took place in Yalta, Ukraine, on 24 – 26 September 2013.
- Take note of the information provided by the Vice-Chair, Mr LULIĆ, about the 9th International Conference on Terrorism and Electronic Media, which took place in Budva, Montenegro, from 29 September to 4 October 2013, and the suggestion by the Vice-Chair that this topic should receive more attention in the future.

13. Elections

- Elect as its Chair (for a period of one year, renewable) Mr Nicola PIACENTE (Italy), and as its Vice-Chair (for a period of one year, renewable) Mr Vladimir SALOV (Russian Federation), as well as Mr Alexandros STAVROPOULOS (Greece) and Ms Judit LANG (Hungary) as new members of the Bureau (both for a period of two years, renewable), the election of Ms LANG being subject to the expected adoption by the Committee of Ministers of the new Terms of Reference for CODEXTER for the period 2014 and 2015.
- Take note that the new Chair of the Group of Parties to the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196) will ex officio become Member of the Bureau.

14. Date and place of the 26th meeting of CODEXTER

- Hold the 26th meeting of CODEXTER in Strasbourg in the spring of 2014 (date to be confirmed).

15. Adoption of the Summary Report and List of Items discussed and Decisions taken

- Examine and adopt the Summary Report and List of Items discussed and Decisions taken.

ANNEX**PRELIMINARY OVERVIEW OF SUB-GROUPS OF CODEXTER****Sub-Group on Radicalisation and the Receiving of Training for Terrorism, including via the Internet**

Bosnia-Herzegovina

Croatia

Estonia

Finland

Georgia

Ireland

Netherlands

Norway

Portugal

Russian Federation

Serbia

Spain

Turkey

Ukraine

Sub-Group on Terrorists Acting Alone

Austria

Czech Republic

Greece

Netherlands

Norway

“The former Yugoslav Republic of Macedonia”

Sub-Group on Special Investigation Techniques

Cyprus

Greece

Ireland

Italy

Montenegro

Ukraine

Sub-Group on Assessment of Possible Gaps in the Legal Framework Provided by Council of Europe International Legal Instruments in the Area of the Prevention and Suppression of Terrorism

Latvia

Netherlands

Poland

“The former Yugoslav Republic of Macedonia”

Turkey