



Strasbourg, 8 May 2017

CODEXTER (2017) OJ1prov annotated

# COMMITTEE OF EXPERTS ON TERRORISM (CODEXTER)

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## DRAFT ANNOTATED AGENDA

### 32<sup>nd</sup> Plenary Meeting

Strasbourg (France), 23-24 May 2017

Council of Europe  
Palais, Room 9

Opening at 9:30, Tuesday  
Closing at 17:30, Wednesday

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

codexter@coe.int - [www.coe.int/terrorism](http://www.coe.int/terrorism)

### 1. Opening of the meeting

*The meeting will start at 9.30 a.m.*

### 2. Adoption of the agenda

*The Committee shall decide on the adoption of the agenda and the order of business.*

Documents:

- Draft agenda CODEXTER (2017) OJ1 prov
- Annotated agenda CODEXTER (2017) OJ1 annotated
- Order of business CODEXTER (2017) OB1

### 3. Communication by the Chair and by the Secretariat

*The Committee is invited to take note of the information presented orally by the Chair and the Secretariat concerning developments of importance for its work since the 31<sup>st</sup> Plenary Meeting notably that the new Council of Europe Convention on Offences relating to Cultural Property was adopted on 5 May and opened for signature in Nicosia on 19 May. On the same day, during the Ministerial Session the Ministers of Foreign Affairs of the Council of Europe examined issues related to the Council of Europe actions on terrorism and particularly the progresses made in the implementation of the Action Plan on the Fight against Violent Extremism and Radicalisation Leading to Terrorism (2015-17) and the next steps to be undertaken in the forthcoming years. The Committee shall have a discussion on these recent developments and consider how they could be integrated in its future activities.*

Documents:

- List of decisions of the 9<sup>th</sup> Bureau meeting CODEXTER BU (2017) 4
- Abridged Report and List of Decisions of the 30<sup>th</sup> and 31<sup>st</sup> CODEXTER (2016) 13  
CODEXTER Plenary meetings CODEXTER (2016) 25
- Information document on the CoE 24/7 Network of contact CODEXTER (2017) 3  
points

### 4. Future work and activities of the CODEXTER

*The Committee shall discuss its future work and activities. In particular, Delegations are invited to examine the draft new Terms of Reference for the Committee for the years 2018 and 2019. The proposed changes to the current Terms of Reference concern a general broadening of the tasks of the Committee to not only cover the legal issues related to counter-terrorism, but also prevention and de-radicalisation/disengagement. In particular, it is proposed that the Committee shall be responsible for elaborating and overseeing the implementation of a comprehensive Council of Europe Counter-Terrorism Strategy for the years 2018–2022. Among the legal tasks is the possible development of a pan-European legal definition of terrorism and the updating of the provisions on financing of terrorism contained in Convention 198. Finally, it is proposed to change the name of the Committee from the “Committee on Experts on Terrorism (CODEXTER)” to “Steering Committee on Counter-Terrorism” to better reflect the change of status of the Committee. The draft Terms of reference presented to the Committee has been prepared on the basis of the previous Terms of reference of the CODEXTER for 2016-2017 and the changes proposed appear in track changes. The Committee shall examine the new Terms of reference for the years 2018 and 2019 and approve them. This document will then be transmitted to the Committee of Ministers of the Council of Europe for final adoption.*

Documents:

- CODEXTER Terms of Reference for 2016 – 2017 ToR 2016-2017

- Council of Europe Action Plan against violent extremism and radicalisation leading to terrorism CM(2015)74-addfinal
- Proposals to promote the work of CODEXTER CODEXTER (2016) 24
- Draft CODEXTER Terms of Reference for 2018-2019 ToR 2018-2019

## 5. Terrorists acting alone

*The Committee is invited to take note of the reports of the two meetings held by the drafting committee on the work done with regard to the elaboration of the new recommendation on "Terrorists acting alone" and of the information provided by its Chair Mr Nicola PIACENTE (Italy). The Committee shall provide the drafting committee with concrete suggestions and guidance for its work.*

### Documents:

- Discussion Paper on Terrorists Acting Alone CODEXTER (2015) 7
- Terms of Reference for the Drafting Committee on Terrorists Acting Alone CODEXTER (2016) 13 – Appendix 1
- Main elements of the draft recommendation on "Terrorists Acting Alone" CODEXTER (2016) 15
- 1<sup>st</sup> meeting report of the drafting committee CODEXTER TAA (2016) 1  
*English only*
- 2<sup>nd</sup> meeting report of the drafting committee CODEXTER TAA (2017) 3

## 6. The Application of International Humanitarian Law and Criminal Law in a Counter-Terrorism Context

*The Committee is invited to hold an exchange of views on the subject of the application of IHL and criminal law in a counter-terrorism context on the basis of the discussion paper prepared by the Secretariat. In this regard, the Committee is also invited to take note of the presentations by Dr. Tristan FERRARO (ICRC) on the application of IHL, and Dr. Bibi van GINKEL (Clingendael Institute/International Centre for Counter-Terrorism) on the problems involved in collecting evidence for criminal cases in conflict zones.*

### **Presentations by:**

**Dr. Tristan FERRARO**, Legal Adviser, International Committee of the Red Cross (ICRC)

**Dr. Bibi van GINKEL, LL.M.**, Senior research fellow, Clingendael Institute/International Centre for Counter-Terrorism

### Documents:

- Discussion Paper CODEXTER (2017) 1

## 7. Links between terrorism and transnational organised crime (TOC)

*The Committee is invited to take note of the Final report on the links between terrorism and transnational organised crime prepared by Professor Ana SALINAS DE FRÍAS (University of Malaga) and Professor Peter NEUMANN (King's College London) and the presentation by Professor SALINAS DE FRÍAS. The Delegates shall take note of the information provided by the Secretariat on the progresses made in the organisation of the International Conference on the same topic to take place in Malaga, Spain, on 21 and 22 September 2017, of the draft agenda of the Conference and make any proposal they consider suitable.*

### Documents:

- Background information on the links between terrorism and organised crime CODEXTER (2016) 12\_Rev
- Concept Paper on the International Conference on Terrorism and Organised Crime Concept Paper  
For information only
- Draft programme of the Conference on the fight against terrorism and organised crime Draft programme  
(Malaga, Spain, 21-22 September 2017)
- Report on the links between terrorism and transnational organised crime CODEXTER (2017) 4

## 8. Terrorism and the Internet

*The Committee is invited to take note of the information document prepared by the Secretariat. Delegations are invited to share information about relevant national or international measures regarding public-private cooperation to address the abuse of the internet for terrorist purposes.*

### Documents:

- CoE internet Governance Strategy 2016-2019 CM (2016)10-final
- Proposed Public-Private Platform to Address the Abuse of the Internet for Terrorist Purposes CODEXTER (2016) 20rev1
- Information document from the Secretariat CODEXTER (2017) 2  
Restricted

## 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)

*The Committee is invited to take note of the information provided by the Secretariat on the state of implementation of the Convention and its Additional Protocol. Concerning the latter, the Committee is invited to note, that the Additional Protocol will enter into force on 1 July 2017.*

*The Committee is also invited to take note of the information provided by the Chair of the Consultation of the Parties and the Secretariat concerning its 2<sup>nd</sup> meeting on 22 May 2017.*

### Documents:

- State of signatures and ratifications of the Council of Europe Convention on the Prevention of Terrorism Treaty Office
- State of signatures and ratifications of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism Treaty Office

**10. Gender equality****Presentation by:**

**Ms Carlien SCHEELE**, Senior Gender Equality Advisor, Directorate of Human Dignity and Equality (DGII)

*The Committee is invited to take note of the information provided by the Senior Gender Equality Adviser, Ms Carlien SCHEELE, concerning the Council of Europe's efforts in gender mainstreaming.*

**11. Exchange of views with a representative of the International Institute for Justice and the Rule of Law (IIJ)****Presentation by:**

**Mr Robert STRANG**, Executive Secretary, International Institute for Justice and the Rule of Law (IIJ)

*The Committee is invited to take note of the presentation by the Executive Secretary of the International Institute for Justice and the Rule of Law (IIJ) concerning the activities of the IIJ.*

**12. The Council of Europe Convention on Offences Related to Cultural Property****Report by:**

**Mr Gábor HORVÁTH**, CODEXTER representative to the Committee on offences relating to cultural property (PC-IBC)

*The Committee is invited to take note of the information provided by Mr Gábor HORVÁTH (Hungary) concerning his participation in the elaboration of a new draft Convention on Offences relating to Cultural Property prepared by the PC-IBC under the aegis of the CDPC. The new Convention will be adopted by the Committee of Ministers at the occasion of the Ministerial Session on 19 May 2017 in Nicosia, Cyprus.*

Documents:

- Draft Council of Europe Convention on Offences relating to Cultural Property CM(2017)32-final
- Draft Explanatory Report CM(2017)32-addfinal

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

*The Committee is invited to examine and approve for publication on the website of the CODEXTER the country profiles of .... [Countries are invited to present their country profiles]. Delegations are strongly encouraged to present their country profiles during the forthcoming meetings, particularly those whose profiles are old.*

**14. Date and place of the 33<sup>rd</sup> Plenary Meeting of the CODEXTER**

*The Committee shall agree on the date and place of the 33rd Plenary Meeting of the CODEXTER. The Secretariat proposes to hold the meeting in Strasbourg on 22 and 23 November 2017.*

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

*The Committee shall adopt the Abridged Report and List of Items discussed and Decisions taken.*