



Strasbourg, 17 November 2016

CODEXTER (2016) 25

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



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

**31<sup>st</sup> Plenary Meeting**

Strasbourg (France), 16-17 November 2016



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

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The Committee of Experts on Terrorism (CODEXTER), meeting in Strasbourg on 16 and 17 November 2016, under the Chairmanship of Mr Alexandros STAVROPOULOS (Greece), has 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, notably about the important role of the CODEXTER, as steering committee, in coordinating counter-terrorism within the framework of the Council of Europe. With reference to the future work of the CODEXTER, Mr KLEIJSEN noted that more emphasis could be put on other tasks than the legal standard-setting, such as on the topics of radicalisation and the financing of terrorism. Mr KLEIJSEN stressed that Internet related issues and terrorism, as well as the roles of women in terrorism remain high on the agenda. The Director further underlined that the revision of the SIT recommendation is an important task for the CODEXTER and so is the work on a new recommendation on “terrorists acting alone”. Mr KLEIJSEN informed that, as a follow-up to the CODEXTER work on foreign terrorist fighters, the Committee of Ministers decided to set up the 24/7 Network of contact points, pending the entry into force of the Additional Protocol (CETS No. 217), and that the contact points held their first meeting on 17 October. Finally, he welcomed that the UK Independent Reviewer of Terrorism Legislation, Mr David ANDERSON Q.C., had been invited to address the CODEXTER on anti-terrorism law issues.

### **2. Adoption of the agenda**

- Examine and adopt the agenda.

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

- Take note of the information provided by the Chair, Mr Alexandros STAVROPOULOS, notably about the outcome of the 8<sup>th</sup> Meeting of the Bureau, and by Mr Carlo CHIAROMONTE, Secretary to the CODEXTER, about the most recent activities of the Council of Europe relevant to the CODEXTER's work since the last Plenary meeting in May 2016;
- take note of the information provided by the Secretariat about developments concerning the drafting of a new convention by the Council of Europe on offences against cultural property, which is undertaken by the CDPC;
- hold an exchange of views on the most recent counter-terrorism issues;
- instruct the Secretariat to explore the possibility to implement new initiatives on how the CODEXTER can best contribute to the counter-terrorism efforts of the international community;
- appoint a member of the CODEXTER, on a voluntary basis, to participate to the next meeting of the PC-IBC, which will be held on 9 January 2017 and to express interest to the Secretariat within 15 days.

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

- Examine the Council of Europe Action Plan against violent extremism and radicalisation leading to terrorism;
- take note of the information provided by the Secretariat on the state of play of the implementation of the Action Plan;
- endorse the proposals presented by the Secretariat for promoting and increasing the visibility of the work of the CODEXTER.

#### **5. Amendments to the Recommendation on special investigation techniques**

- Examine in detail the amendments to the Recommendation on special investigation techniques (paragraph by paragraph) and its Explanatory Report (section by section);
- preliminarily adopt the draft amended Recommendation and its draft Explanatory Report;
- instruct the Secretariat to submit the draft amended Recommendation and its draft Explanatory Report to the Steering Committee for Human Rights (CDDH) for comments by no later than 8 December 2016;
- take note that the CODEXTER will examine the CDDH comments in written procedure and, subsequently, submit them to the Committee of Ministers for formal adoption.

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

- Welcome the work done by Dr. Ana SALINAS and Professor Peter NEUMANN concerning their joint preliminary report on the links between terrorism and organised crime;
- examine the preliminary report and hold an exchange of views;
- keep this item under review and provide regular follow-up to the issue of the links between terrorism and organised crime;
- instruct the Secretariat to set up a group of experts to be nominated from relevant Committees of the Council of Europe to provide additional support to the two academic experts as required;
- agree on the need for further action by the CODEXTER in this field;
- provide, on a voluntary basis, the academic experts with relevant legislation and other documents deemed useful for the subject of the report. Such information should be sent to the Secretariat, which will pass it on to the academic experts.

#### **7. Terrorists acting alone**

- Take note of the report of the first meeting of the Drafting Committee on Terrorists Acting Alone and the information provided by the Secretariat.

#### **8. CoE 24/7 Foreign Terrorist Fighters Network of Contact Points**

- Take note of the information by the Secretariat concerning the first meeting of contact points which took place on 17 October 2016 in Strasbourg.

## **9. Terrorism and the Internet**

- Examine the document presented by the Secretariat on the proposed public-private platform to address the abuse of the Internet for terrorist purposes;
- welcome the initiative of the Council of Europe while noting that other very similar initiatives have already been launched by other intergovernmental and supranational organisations and fora, in particular the United Nations;
- underline the need for aligning, as appropriate, the Council of Europe initiative with these other initiatives for the purpose of creating synergies and avoiding unnecessary duplications;
- hold an exchange of views on topics that should be included under the platform and endorse the proposals of the Secretariat in this regard;
- take note of the information provided by the Secretariat that the first meeting between representatives of private Internet and telecommunications service providers and the Secretariat on the public-private platform will take place on 25 November 2016 in Paris;
- take note of the T-CY Guidance Note #11: Aspects of Terrorism covered by the Budapest Convention.

## **10. Monitoring of the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196) – Group of Parties**

- Take note of the information by the Chair of the Group of Parties, Mr. Tobias KAPPELMANN (Germany) concerning the 11<sup>th</sup> Meeting of the Group of Parties (Strasbourg, 15 November 2016) and the assessment of the implementation of Article 1 of the Convention;
- take note of the Summary of the Thematic Assessment Report on the implementation of Article 1 (“Terminology”) of the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196);
- take note of the information provided by Mr. KAPPELMANN and by the Secretariat concerning the change of format from the “Group of Parties” to “Consultation of the Parties”.

## **11. Radicalisation in prisons**

- Take note of the information provided by the Secretariat concerning the state of play of the drafting of the “Council of Europe handbook for prison and probation services regarding radicalisation and violent extremism”;
- welcome the organisation by the Council of Europe of an expert meeting on radicalisation on 23-24 November 2016 in Strasbourg, gathering representatives of the prison and probation services.

## **12. The roles of women in Daesh**

- Examine the discussion paper prepared by the Gender Equality Rapporteur, Ms Tanja KIKEREKOVA (“the former Yugoslav Republic of Macedonia”);
- hold an exchange of views on the document;
- instruct the Secretariat to include the topic of women and terrorism in the CODEXTER Terms of Reference for 2018 – 2019.

## **13. Preliminary Draft Revision of the Guidelines on the Protection of Victims of Terrorist Acts (2005) prepared by the Steering Committee for Human Rights (CDDH)**

- Adopt its opinion on the Preliminary Draft Revision of the Guidelines on the Protection of Victims of Terrorist Acts (2005) prepared by the Steering Committee for Human Rights (CDDH).

## **14. Exchange of views with Mr. David Anderson Q.C., Independent Reviewer of Terrorism Legislation in the UK**

- Extend a warm welcome to Mr. David ANDERSON Q.C. and thank him for attending this meeting of the CODEXTER;
- take note of the remarks by Mr. ANDERSON, in particular concerning the role of the Independent Reviewer of Terrorism Legislation and the challenges in ensuring an effective and independent review of terrorism legislation;
- examine how the lessons learnt from the experience of Mr ANDERSON could be incorporated into the future standard-setting work of the CODEXTER.

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

- Examine and approve for publication on the website of the CODEXTER the updated country profiles provided by Belgium, Germany, Hungary and Norway respectively;
- call on all member States, which have not yet done so, to present or update their country profiles and to inform the Secretariat if they intend to submit new/updated country profiles;
- invite member States to indicate to the Secretariat if their country profiles are still valid;
- take note of the national action plan on countering terrorism submitted by Norway;
- invite member States to make public, on a voluntary basis, their national action plans on countering terrorism on the website of the CODEXTER.

## **16. Review of mandates for the Bureau**

- Renew the mandates of Mr Alexandros STAVROPOULOS (Greece) and Ms Lucia LING KET ON (the Netherlands) as Chair and Vice-Chair of the CODEXTER respectively for one year;
- renew the mandate of Mr Mario JANECEK (Bosnia and Herzegovina) as member of the Bureau for two years;

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- take note that the mandate of Mr Tobias KAPPELMANN (Germany) will lapse with the abolishment of the Group of Parties. The future Chair of the Consultation of the Parties will become member of the Bureau of the CODEXTER *ex officio*.

#### **17. Date and place of the 32<sup>nd</sup> Plenary Meeting of the CODEXTER**

- Hold the 32<sup>nd</sup> Plenary Meeting of the Committee in Strasbourg on 23-24 May 2016.

#### **18. 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.