



SUMMARIES OF THE COUNCIL OF EUROPE TREATIES

The summaries available hereunder are designed to meet a practical need, that of supplying the public at large with concise descriptions of the Council of Europe treaties. The summaries are necessarily short and can therefore only give a first introduction to the main features of each treaty.

Subject-matter: **TERRORISM**

European Convention on the Suppression of Terrorism ([ETS No. 90](#)), open for signature, in Strasbourg, on 27 January 1977.

Entry into force: 4 August 1978.

The Convention is designed to facilitate the extradition of persons having committed acts of terrorism. To this end, it lists the offences that Parties undertake not to consider as political offences, or as offences connected with political offences, or as offences inspired by political motives, namely acts of particular gravity, hijacking of aircraft, kidnapping and taking of hostages, the use of bombs, grenades, rockets, letter or parcel bombs, if their use endangers persons. Moreover, the Convention empowers Parties not to consider as a political offence any act of violence against the life, physical integrity or liberty of a person.

It is expressly provided that nothing in the Convention shall be interpreted as imposing an obligation upon a Party to extradite a person who might then be prosecuted or punished solely on the grounds of race, religion, nationality or political opinion.

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Protocol amending the European Convention on the Suppression of Terrorism ([ETS No. 190](#)), open for signature, in Strasbourg, on 15 May 2003.

Entry into force: The Protocol will enter into force after its ratification by all Parties to the Convention.

The main features of the Amending Protocol are the following:

- the list of offences to be "depoliticised" has been extended considerably to cover all the offences described in the relevant UN anti-terrorist Conventions and Protocols.
- the introduction of a simplified amendment procedure, which will allow new offences to be added to the list in the future.
- the Convention has been opened to accession by the Observers to the Council of Europe. The Committee of Ministers may decide on a case-by-case basis to invite other States to join the Convention as well.

While the Convention as such does not deal directly with general issues of extradition, the classical discrimination clause has been expanded to include a clause authorising the refusal to extradite to a country where there is a risk of applying a death sentence, or a risk of being subject to torture or life imprisonment without parole.

Finally, the Protocol provides for a follow-up mechanism ("COSTER") in charge of implementing the new procedure in relation to reservations as well as other tasks related to the follow-up of the Convention. This mechanism will operate in addition to the classic and more general competence of the European Committee on Crime Problems (CDPC) in relation to Conventions in the criminal field.

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Council of Europe Convention on the Prevention of Terrorism ([CETS No. 196](#)), open for signature, in Warsaw, on 16 May 2005.

Entry into force: 1 June 2007.

The Council of Europe has adopted this Convention to increase the effectiveness of existing international texts on the fight against terrorism. It aims to strengthen member States' efforts to prevent terrorism in two different ways:

- by establishing as criminal offences certain acts that may lead to the commission of terrorist offences, namely: public provocation, recruitment and training
- by reinforcing co-operation on prevention both internally (national prevention policies), and internationally (modification of existing extradition and mutual assistance arrangements and additional means).

The Convention contains a provision on the protection and compensation of victims of terrorism. A consultation process is planned to ensure effective implementation and follow up.

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Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism ([CETS No. 198](#)), open for signature, in Warsaw, on 16 May 2005.

Entry into force: 1 May 2008.

The Council of Europe decided to update and widen its 1990 Convention to take into account the fact that not only could terrorism be financed through money laundering from criminal activity, but also through legitimate activities.

This new Convention is the first international treaty covering both the prevention and the control of money laundering and the financing of terrorism. The text addresses the fact that quick access to financial information or information on assets held by criminal organisations, including terrorist groups, is the key to successful preventive and repressive measures, and, ultimately, is the best way to stop them.

The Convention includes a mechanism to ensure the proper implementation by Parties of its provisions.

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Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism ([CETS No. 217](#)), open for signature, in Riga, on 22 October 2015.

Entry into force: 1 July 2017.

The Protocol to the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196) makes a number of acts, including taking part in an association or group for the purpose of terrorism, receiving terrorist training, travelling abroad for the purposes of terrorism and financing or organising travel for this purpose, a criminal offence. The Protocol also provides for a network of 24-hour-a-day national contact points facilitating the rapid exchange of information.