

SWITZERLAND

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NATIONAL POLICY

The UN Counter-Terrorism Global Strategy, adopted by the UN General Assembly in 2006, serves as the political and legal framework for the definition and implementation of the Swiss counterterrorist policy.

In conformity with the four pillars of the UN CT Global Strategy, Switzerland has developed its international cooperation and a wide range of effective instruments to combat terrorism and the financing of terrorism, organised crime and money laundering.

Addressing the conditions conducive to the spread of terrorism (Pillar I), Switzerland is strongly engaged in development programmes worldwide, as well as in peace-keeping and peace-building processes, ensuring notably mediation in various conflict zones. It supports many initiatives at the level of international or regional organisations, including the Global Counterterrorism Forum (GCTF).

Concerning the prevention and fight against terrorism (Pillar II), Switzerland is implementing the Recommendations of the Financial Action Task Force (FATF) related to the Money Laundering and Terrorist Financing, and has effective legislation to permit rapid co-operation in the sphere of mutual legal assistance in criminal matters, in particular for the purpose of blocking funds. It has also introduced a federal law on the allocation of confiscated assets (LVPC),¹ which lays down the procedure for dividing those assets between Switzerland and foreign States. Switzerland is encouraging and strengthening international and inter-institutional cooperation and coordination, supporting global or regional initiatives and events related to prosecution (bringing terrorists to justice), investigation (special investigation techniques) or the financing of terrorism.

Switzerland contributes to the strengthening of the UN system concerning the capacity-building of the States to prevent and combat terrorism (Pillar III). It supports notably the global and regional work and

initiatives of the UNODC and of the GCTF. As Chair of the OSCE in 2014, Switzerland is supporting the development of capacity-building and best practices within this regional organisation.

Finally, the respect of human rights and the rule of law (Pillar IV) is the fundamental basis for Switzerland in the fight against terrorism: it is essential that the counterterrorism efforts and policies are carried out within the framework of international law and particularly of human rights, maintaining a balanced approach between prevention and repression. Moreover, in the context of armed conflict, all parties and individuals shall apply international humanitarian law without any exception. Switzerland is conducting its counterterrorism policy on this basis and is firmly committed to the full respect of these principles and to a strict application of international law.

LEGAL FRAMEWORK

Criminal law

Individual terrorist acts

Outside the sphere of the financing of terrorism,² isolated terrorist acts are dealt with on the basis of the provisions of the Swiss Criminal Code³ and the associated criminal legislation. The relevant provisions are, in particular, those governing the offences of homicide and offences against life and limb,⁴ the penalty for which may extend to life imprisonment; offences against freedom;⁵ serious or minor offences which create danger to the public;⁶ public health offences;⁷ public order offences;⁸ and

² See the section entitled "Prevention of the financing of terrorism".

³ CC, SR 311.0; the text of the Federal law is available in four languages at the following address:

http://www.admin.ch/ch/f/rs/c311_0.html (please note that the English version is not officially approved).

⁴ Article 111 et seq. Criminal Code; in particular, Articles 111, 112, 122, 123 and 129.

⁵ Article 180 et seq. Criminal Code, in particular Articles 181, 183, 184 and 185; the penalties may be up to 20 years' imprisonment.

⁶ Article 221 et seq. Criminal Code; in particular, Articles 221, 223, 224, 226, 226^{bis} and 226^{ter}; the penalties may be up to 20 years' imprisonment.

⁷ Article 230^{bis} et seq. Criminal Code; in particular, Articles 230^{bis} and 231; the penalties may be up to 10 years' imprisonment.

¹ LVPC, SR 312.4; the text of this Federal Law is available, in three languages, at the following address:
http://www.admin.ch/ch/f/rs/312_4/index.html.

also offences against the administration of justice.⁹ Where the offender had a particularly odious intention, for example where the offence was committed with terrorist motives, the court takes that fact account when determining the sentence.¹⁰

Penalties are also laid down for any person convicted of participating in those offences by incitement or complicity¹¹ and also for attempting to commit such offences.¹² In the case of a number of serious offences,¹³ a penalty may be incurred even before an attempt is made to commit the act: the criminal provisions cover preparatory acts,¹⁴ in respect of which a person may be sentenced to a maximum of five years' imprisonment.

Criminal or terrorist organisations

Under Article 260^{ter} of the Criminal Code, anyone convicted of participating in a criminal organisation or of providing support to such an organisation may be sentenced to a maximum of five years' imprisonment.

Anyone who generally supports the activity of a criminal organisation commits an offence, there's no need for a direct link between that support and a specific offence. "Support" for a group is considered to consist of making any decisive contribution which reinforces the organisation, for example by providing an element of the logistic infrastructure. For the purposes of criminal law, an organisation is an association of several persons which is kept secret from the outside world, on a permanent basis and with a hierarchical structure, whose aim is to commit criminal acts of violence or to obtain funds by criminal means.

Article 260^{ter} of the Criminal Code is applicable to terrorist organisations. According to the practice of the Federal Court, the Italian Red Brigades, the Basque group ETA or the international network Al-Qaida, among others, are criminal organisations for the purposes of that provision. In 2012, the Federal Criminal Court and the Federal Court considered that the central armed and terrorist structures of the Kurdish PKK – the People's Defence Force (HPG) and the Kurdistan Freedom Falcons (TAK) - were criminal organisations within the meaning of Article 260^{ter} of the Criminal Code.

⁸ Article 258 et seq. Criminal Code; in particular, Articles 258, 259, 260^{bis} and 260^{quater}; the penalties may be up to 5 years' imprisonment.

⁹ Article 303 et seq. Criminal Code; in particular Articles 305^{bis} and 305^{ter}; the penalties may be up to 5 years' imprisonment.

¹⁰ Article 47 Criminal Code.

¹¹ Article 24 and 25 Criminal Code.

¹² Attempt and failure to commit an offence; Articles 21 and 22 Criminal Code.

¹³ For example murder, serious physical injury, abduction, hostage-taking.

¹⁴ Article 260^{bis} Criminal Code: "... specific provisions of a technical or organisational nature".

Criminal procedure

In Switzerland, offences committed with terrorist intent are dealt with according to the same procedural rules as ordinary offences. Switzerland has established a comprehensive Code of Criminal Procedure¹⁵ on 1 January 2011, which has replaced the numerous existing cantonal and federal codes. The aim has not been to alter the allocation of jurisdiction between the Confederation and the cantons, but to ensure that the same rules apply both at Confederation and at cantonal level. Isolated offences committed with terrorist aims will continue to be prosecuted and tried by the cantons, while the prosecution and punishment of terrorism linked with organisations will remain within the jurisdiction of the Confederation.

The Swiss Code of Criminal Procedure provides for measures of protection for persons participating in proceedings, in particular for witnesses and accused persons, where there is reason to fear that the lives or physical safety of those persons, or one of their close relatives, might be in serious danger or that they might be exposed to some other serious harm.¹⁶ The protective measures set out in the Code are not exhaustive: they include ensuring the anonymity of the person to be protected, altering his/her appearance or his/her voice, and hearing the persons concerned in camera or in the absence of the parties. The Code also provides that the cantons or the Confederation may take protective measures outside the proceedings.

Investigative methods

Undercover agents

According to the Swiss Code of Criminal Procedure¹⁷, police officers may be employed under a borrowed identity as undercover agents in order to obtain information about particularly serious offences. Other persons may be appointed as undercover agents on a provisional basis in order to perform an investigative role. Other information may be obtained by persons who are prepared to assist the authorities responsible for the investigation by disclosing information which came to their knowledge, in return for an assurance that their co-operation will remain confidential and that their anonymity will be respected.

¹⁵ CCP, SR 312.0; the text of the federal law is available in four languages at the following address: http://www.admin.ch/ch/e/rs/312_0/index.html (please note that the English version is not officially approved).

¹⁶ Article 146, para. 1, of the Code.

¹⁷ Art. 285a.

Undercover inquiries

To elucidate crimes or misdemeanours, members of a police force may, within the framework of short-term operations, operate in a manner that conceals their true identity and function (art. 298a *et seq* of the Code of Criminal Procedure). The police may order covert investigations of this nature for a maximum duration of one month, beyond which they require the authorisation of the public prosecutor's office.

Surveillance of banking transactions

The Code of Criminal Procedure¹⁸ provides for the possibility of monitoring the relations between a bank or bank-type institution and an accused person in order to elucidate crimes or offences, subject to authorisation by the court deciding on measures of constraint. The purpose of this surveillance is to obtain from the bank information and documents which are not yet in its possession but are thought to be due to reach it.

Surveillance

Conventional surveillance outside dwelling places or surveillance using special technical equipment¹⁹ may be carried out in the context of particularly serious offences.

Monitoring

The monitoring of telecommunications – including monitoring of portable telephones, fax or electronic messaging – may be ordered by the courts. It is also possible, under a court order, to obtain details on the location of the apparatus used or the number of the calling card.

DNA

Samples may be taken at the scene of the crime and examined according to molecular genetics methods and compared with DNA material taken from suspects. Switzerland has a national data bank containing profiles of suspects and samples.

Assistance to victims

Victims of offences committed on Swiss territory, whose physical, mental or sexual integrity has been harmed as a result of this offence, are entitled, under certain conditions, to support provided for in the Federal Law on assistance to the victims of offences (LAVI).²⁰ This law provides for counselling, protection and the rights of the victim in criminal

proceedings, and pecuniary and non-pecuniary compensation. As regards counselling, consultation centres are responsible for providing victims with assistance, in particular medical, psychological and legal assistance. The victim's close relatives have rights that are comparable to those of the victim. Subject to certain conditions, assistance under the LAVI may also be obtained where the offence was committed abroad.²¹ Assistance may also be available even where no criminal proceedings are initiated or where no one is convicted.

Witness protection

The new Witness protection service, coming under the federal criminal investigation police at the Federal Police Office (Fedpol), became operational on 1 January 2013 with the entry into force of the Federal law on extra-procedural protection of witnesses ("Ltém"²²). This service implements measures to protect people who help to elucidate offences and are exposed to considerable risks to their physical integrity as a result. To date, extra-procedural protection measures have been taken in Switzerland for the benefit of individuals providing witness testimony in cases involving offences committed against life and physical integrity, offences against property, offences against freedom (eg trafficking in human beings) and public order offences.

The extra-procedural protection of witnesses will also play a major role in future criminal proceedings against terrorists.

Prevention of the financing of terrorism

Following the attacks of 11 September 2001, Switzerland adopted measures to ensure that the existing legislation on money laundering would also cover the financing of terrorism. The Swiss Criminal Code, which already declares it an offence to participate in or to support a criminal organisation,²³ was supplemented by a provision criminalizing the financing of terrorism.²⁴

In addition to these criminal law provisions, as well as those relating to the seizing and confiscation of assets, there are other regulations aimed at preventing the financing of terrorism. The Federal law on combating money laundering and the financing of terrorism in the financial sector²⁵ (Swiss Law on money laundering – "LBA") *inter alia* places

¹⁸ SR 312.0, in force as of 01.01.2011; Art. 284 and 285

¹⁹ Audio or visual equipment, satellite positioning system.

²⁰ LAVI, SR 312.5; may be downloaded at the following address: http://www.admin.ch/ch/f/rs/c312_5.html.

²¹ This happened, for example, in the case of the Luxor attack in 1997.

²² SR 312.2

²³ Article 260^{ter} Criminal Code; see above.

²⁴ Article 260^{quinquies} Criminal Code, entered into force on 1 October 2003.

²⁵ LBA, SR 955.0; may be downloaded at: http://www.admin.ch/ch/f/rs/c955_0.html.

an obligation on any financial intermediary²⁶ with founded suspicions that the assets involved in a business transaction are connected with one of the offences mentioned in Articles 260ter, ch. 1 or 305bis of the Criminal Code, are the proceeds of crime, are subject to the power of disposal of a criminal organisation or serve to finance terrorism (Art. 260quinquies, para. 1 of the Criminal Code) to inform without delay (Art. 9 of the LBA) the Money Laundering Reporting Office of Switzerland (MROS). In such a case, the financial intermediary must also block the assets (Art. 10 LBA) entrusted to them. The MROS analyses the cases submitted to it and, if the financial intermediaries' suspicions are confirmed, passes on the details to the prosecution authorities without delay. The Swiss legislature has made provision for direct access to judicial and police databases for the Reporting Office. This enables the Reporting Office to provide the prosecution authorities with complete analyses, supplemented by the information received by the Reporting Office in exchanges with its foreign counterparts.

In the Federal Financial Market Supervisory Authority Order on the prevention of money laundering and the financing of terrorism (FINMA Order on money laundering – "OBA-FINMA"²⁷) the FINMA furthermore specifically established a ban on financial intermediaries from accepting assets which they know or must presume to be proceeds of crime, even a crime committed abroad (Art.7 of the OBA-FINMA) and from maintaining business relations with companies or individuals whom they know or must presume to finance terrorism or constitute a criminal organisation, are members of such an organisation or support it (Art. 8 of the OBA-FINMA). Violating the provisions of the OBA-FINMA or self-regulation arrangements recognised by the FINMA may call into question the financial intermediary's guarantee of irreproachable business conduct (Art. 9 of the OBA-FINMA). Pursuant to Art. 33 of the Law of 22 June 2007 on financial market supervision (LFINMA), serious offences may result in a professional ban and, under Art. 35 of the LFINMA, confiscation of the proceeds.

Furthermore, financial intermediaries intentionally violating the regulations could render themselves criminally liable for supporting a criminal organisation.

All the lists of organisations and physical persons suspected of links with terrorist networks compiled in United Nations Security Council resolutions

²⁶ Entities deemed to be financial intermediaries: banks, boards of funds, life insurance institutions, securities dealers, casinos, credit institutions, payment traffic service providers, credit card and traveller's cheque issuers, currency exchange offices, precious metals or commodities dealers, asset managers and investment advisers.

²⁷SR 955.033.0.

(UNSCR) are swiftly and regularly circulated to financial intermediaries.

The remittance services are subject to the LBA and its requirements without exception. Companies offering these types of services are bound either to affiliate to a recognised self-regulation body and supervised by the Financial market supervision authority (FINMA) or to apply for a permit from that authority. If illegal activities are detected, the FINMA may take measures that can go as far as winding up the establishment concerned.

The most important players in the not-for-profit bodies sector are subject to State or private supervision. If cases of abuse on the part of not-for-profit bodies which tend to favour the financing of terrorism come to light in the course of a fiscal inspection, the cantonal or federal authorities have at their disposal a legal framework which allows them to disclose their suspicions to the competent criminal authorities.

Switzerland has therefore developed a comprehensive and effective mechanism to combat money laundering. This mechanism was the subject of a mutual evaluation by the Financial Action Task Force on Money Laundering (FATF) in 2005.

Other relevant legislation

Prohibition of Al-Qaida and extension of the duties to inform

In 2001, Swiss Government, relying on the Federal Constitution, banned Al-Qaida and organisations which might emanate from, support or act on behalf of that organisation. Furthermore, in the exercise of the power conferred on it by the Federal Law introducing measures aimed at maintaining internal security (LMSI),²⁸ the Federal Council, by means of a limited ordinance, extended the duties to inform of the authorities and organisations performing public service tasks and granted them a right to communicate with the aim of improving preventive information gathering. The main purpose of this extended information gathering is to identify the members and structures of terrorist organisations present in Switzerland.

Maintenance of internal and external security

In 2010, Switzerland merged the internal affairs and strategic intelligence services to form the Confederation Intelligence Service (SRC). As the two services operated within two different legal frameworks, the SRC is regulated by the following two laws: the Federal Law instituting measures to maintain internal security and the Federal Law on

²⁸ LMSI, Article 13, SR 120; available at the following address: <http://www.admin.ch/ch/f/rs/c120.html>.

civilian intelligence. In order to create a single legal platform, the Federal Council put a draft of the new federal law on intelligence (LRens) before Parliament in February 2014. It is planned for the new law to enter into force in 2016. It will regulate and specify the tasks and legal and supervisory limits of the SRC and lay down legal guidelines for it for the coming years. The new law creates the framework needed to identify risks and threats to the country in good time. It will make it possible to take action in certain circumstances to safeguard vital national interests (protection of sensitive infrastructures, protection of Switzerland's financial and economic sphere, intervention in the event of Swiss citizens being abducted abroad etc). It will introduce new intelligence-gathering measures (eg surveillance of postal and telecommunications traffic) to counteract terrorism, espionage and proliferation, respond to attacks against sensitive infrastructures or protect other key interests. The Federal Law instituting measures to maintain internal security (LMSI) will be maintained alongside the LRens, but its scope will be restricted to the policing measures which the police authorities are empowered to take in the event of threats to internal security.

The Federal Police Office (Fedpol) may, in accordance with the Federal Law on foreigners (LEtr)²⁹ and in collaboration with the SRC, ban individuals who could compromise the country's internal and external security from entering Swiss territory. This measure makes it possible to prohibit entry into and stay in Switzerland by known or presumed members of organisations who have violated security and public order in Switzerland or may constitute a threat thereto. There have been only very few cases where the Federal Council has had to expel individuals threatening the internal and external security of Switzerland.

Under the Law on asylum (LAsi)³⁰, asylum is refused to refugees who render themselves unworthy of it by reprehensible acts or have damaged or threatened the internal and external security of Switzerland. Similarly, asylum is revoked for refugees having damaged or compromised the internal and external security of Switzerland or having committed particularly reprehensible crimes.

Owing to the principle of protection of sources, the Federal Police Office or the SRC respectively are not always able to issue a detailed opinion to the other offices concerned³¹. Nevertheless, the office may pass on knowledge of any cases where national

security has been threatened in the form of a recommendation. It is then for the other offices to decide on whether that information should affect the decision to grant asylum.

However, on humanitarian grounds or for other important reasons, the authority required to take a decision (Fedpol) may refrain from imposing an entry ban or temporarily or definitively suspend it.

In addition, the office competent for asylum and foreigners (ODM) may also decide to temporarily admit a foreigner, an asylum seeker or a refugee whose asylum status has been revoked, if the execution of an expulsion order is not possible, is not legal or may not be reasonably demanded.

Practical application

Switzerland is not a priority target for terrorism. For example, there is no evidence of any plans or preparations to carry out a jihadist attack in Switzerland. Compared to other European countries, the al-Qaida threat level for Switzerland is rather low and the country has not been mentioned as a specific or priority target in al-Qaida's global jihad strategy. However, jihadists continued to misuse Swiss soil primarily as a logistics and propaganda base in order to support jihadist groups and activities abroad.

At federal level, several cases related to (1) recruitment in Switzerland (2) financing activities and (3) Internet sites misused for propaganda and communication purposes are investigated.

Since 2011, both the Federal Office of Police (Fedpol) and the Federal Intelligence Service (FIS) have enhanced their capabilities to monitor and prosecute Internet jihadism. As a result, several new investigations were opened against jihadist websites and their supporters based in Switzerland.

Finally, the kidnapping of Swiss citizens in 2012 underlined the persistent jihadist threat to travellers and workers in specific regions of the world. In the last three years, the number of kidnappings involving Swiss citizens has increased.

INTERNATIONAL CO-OPERATION

Mutual legal assistance and extradition

As regards *mutual legal assistance* in the criminal law field, the procedure is governed by the Federal Law on international mutual legal assistance in the criminal law field (EIMP)³². The Federal Office of

²⁹ LEtr, SR 142.20, Art. 67; may be downloaded at: <http://www.admin.ch/opc/fr/classified-compilation/20020232/index.html>. Law under revision; cf the draft Federal Law on foreigners (LEtr), www.bfm.admin.ch

³⁰ SR 142.31, Art. 53; may be downloaded at: <http://www.admin.ch/opc/fr/classified-compilation/19995092/index.html>

³¹ Federal Office for Migration or Federal Administrative Court.

³² EIMP, SR 351.1; may be downloaded at: http://www.admin.ch/ch/fr/rs/c351_1.html; further information available at:

Justice is the authority competent for receiving and transmitting requests for international mutual assistance. In the area of terrorism, that office delegates the execution of requests for international mutual assistance to the Public Prosecutor's office of the Confederation, since it is the latter authority which is competent for the prosecution of such offences in Switzerland. The decisions of the Prosecutor's office of the Confederation may be challenged in the Federal Criminal Court, within the Federal Court, in the cases provided for in Art. 84 of the Law on the Federal Court (LTF)³³.

In recent years, Switzerland has executed several requests for mutual assistance in connection with terrorism. So far, the Federal Criminal Court and, in the last instance, the Federal Court have always confirmed requests for mutual assistance in connection with terrorism and the financing of terrorism as being admissible and ruled in favour of cooperating with foreign States making such a request.

The Swiss authority competent for *extradition* is the Federal Office of Justice. The related procedure is governed *inter alia* by the aforementioned EIMP. The decisions taken by the Office on detention and extradition may be challenged before the Federal Criminal Court and, at last instance in Switzerland, before the Federal Court if the conditions set out in Art. 84 LTF are met. The Federal Criminal Court also rules on questions relating to political offences or when prosecutions are brought for political motives; here too, an appeal before the Federal Court is then possible if the conditions of Art. 84 LTF are met. Where an asylum procedure runs parallel to an extradition procedure, the Federal Court rules, at last instance, on the granting of refugee status and the possibility of extradition.

In recent years, Switzerland has extradited several individuals suspected of acts of terrorism, particularly on the basis of the European Convention on Extradition of 13 December 1957 and its two additional protocols, as well as the European Convention on the Suppression of Terrorism of 27 January 1977, the International Convention for the Suppression of Terrorist Bombings of 15 December 1997 and the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999. Notable cases included the extradition of Mohamed Achraf to Spain in 2005 for a terrorist attack in Madrid and the extradition of Metin Aydin to Germany in 2012 for belonging to the central armed structures of the Kurdistan Workers' Party (PKK).

http://www.bj.admin.ch/bj/fr/home/themen/sicherheit/internationale_rechthilfe.html.

³³ SR 173.110 <http://www.admin.ch/opc/fr/classified-compilation/20010204/index.html>

At operational level, Switzerland has concluded a number of bilateral cooperation agreements in the area of policing. Among other things, these agreements allow exchanges of information and different forms of cooperation in the fight against terrorism. Moreover, Switzerland has concluded a cooperation agreement with the European Police Office, Europol, which entered into force on 1 March 2006 and also covers the exchange of information and cooperation in the fight against terrorism.

The international efforts of Switzerland with regard to the fight against terrorism are facilitated by the Swiss CT Coordination of the Federal Department of Foreign Affairs. The CT Coordination is responsible for developing and coordinating the Swiss foreign CT policy: it chairs the "Interdepartmental Working Group on Terrorism" and manages the commitment of the Swiss Government towards the improvement of the cooperation with foreign States and International Organisations in the fight against terrorism. It is to be underlined that this coordination function is without prejudice of the material competence of the other federal services, which are keeping the responsibility of these issues within their respective operational domain.

UN Global Strategy

Switzerland has signed, ratified and implemented the United Nations conventions on terrorism. In addition to that, it has actively contributed to the elaboration of the Convention on the Suppression of Unlawful Acts relating to International Civil Aviation (Beijing Convention) and the relevant Protocol. The ratification process of those treaties in Swiss Parliament is currently under way.

Switzerland is a strong supporter of the UN Counter-Terrorism Global Strategy (adopted by the UN General Assembly in 2006). Switzerland has launched many initiatives to promote and strengthen the four pillars of action of this Strategy and to encourage its implementation at the regional and national level: the UN Strategy serves as the political and legal framework for Switzerland's foreign policy in relation with the fight against terrorism.

Ensure respect for human rights (Pillar IV of the UN Global Strategy)

It is essential for Switzerland that counterterrorism efforts and policies are carried out within the framework of international law and particularly of human rights law, maintaining a balanced approach between prevention and repression. Moreover, in the context of armed conflict, all parties and individuals shall apply international humanitarian law without any exception.

Switzerland systematically implements the decisions of the Sanctions Committee of the United Nations Security Council and supplies financial intermediaries with the lists of names of individuals or organisations provided by other countries. Switzerland is convinced that targeted sanctions are an important tool to maintain peace and security. Targeted sanctions must be consistent with fundamental due process rights if there is to be any guarantee that they will be fully implemented by the member States of the United Nations.

Switzerland, together with the Group of Like-Minded States on Targeted Sanctions, plays a crucial role in the improvement of procedural safeguards relating to the sanctions regime of the UN Security Council, leading to the creation of an the office of the Ombudsperson in 2009. Switzerland and the Group of Like-Minded States continue to advocate for further improvements.

Conditions conducive to the spread of terrorism (Pillar I of the UN Global Strategy)

Switzerland considers that international security cannot be ensured on a lasting basis unless states strengthen their co-operation with a view to eradicating poverty, preventing and resolving conflicts and effectively promoting human rights and the rule of law. Without improvements being made in peoples' living conditions and without universal respect for fundamental freedoms, the long-term effectiveness of measures adopted against terrorism cannot be guaranteed. Dialogue and mutual understanding between cultures and religions will inevitably help to prevent conflicts and terrorist acts.

Violent extremism needs to be countered at the grassroots level, together with local actors and communities, where radicalization and recruitment are occurring. With this view, Switzerland has actively participated in the creation of the Global Fund for Community Engagement and Resilience (GFCR), and supports and welcomes its foundation in Geneva.

Council of Europe

Switzerland is actively participating in the Committee of Experts on Terrorism (CODEXTER) of the Council of Europe, and held its chairmanship from 2010 to 2011. In May 2013, Switzerland has supported a Conference on Special Investigation techniques co-organised by the Council of Europe, the UN CTED the OSCE and the Arab League, and taking place in the framework of the CODEXTER meeting.

Switzerland signed the Council of Europe Convention of 16 May 2005 on the Prevention of Terrorism on 11 September 2012. This convention places the signatory States under the obligation to criminalise

acts that do not in themselves constitute acts of terrorism but may lead to such offences being committed. This relates in particular to public incitement to commit a terrorist offence and recruitment and training for terrorism.

Financial Action Task Force (FATF)

Switzerland is a member of the Financial Action Task Force (FATF) and supports the work of that organisation in the areas of money laundering and the financing of terrorism.

In addition, the Money Laundering Reporting Office is a member of the Egmont Group. Within this framework, it exchanges information with all foreign counterparts. Swiss law does not limit the type of information that the Office can communicate. It can be financial information, as well as police or judicial information.

Global Counterterrorism Forum (GCTF)

Switzerland is a founding member of the Global Counterterrorism Forum, officially launched in New York at the Foreign Ministers level on 22 September 2011. Since then, the Forum has demonstrated some very valuable action-oriented capabilities and has become a global player in that matter. Many political instruments have been adopted within the framework of the GCTF: the Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists, the Madrid Memorandum on Victims of Terrorism, the Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector, the Rome Memorandum on Good Practices for Rehabilitation and Reintegration of Violent Extremist Offenders, and the Cairo Declaration on Counterterrorism and the Rule of Law. Therefore, Switzerland is actively supporting the activities and the development of the GCTF. Moreover, with the view of optimising counterterrorism coordination between the GCTF, the UN and other international and regional organisations, Switzerland hosted an international conference in Interlaken in 2012, with the aim of coordinating the activities of the various actors in the fight against terrorism and emphasizing the key role played by the UN.

International events under Swiss Sponsorship

In 2013, two global events relating to the fight against terrorism took place in Switzerland, both in Geneva, with the participation of the Swiss Government: in June, the Swiss CT Coordination organised in partnership with the UN Counter-Terrorism Implementation Task Force Office (CTITF) an " International Counter-Terrorism Focal Points Conference on Addressing Conditions Conducive to the Spread of Terrorism and Promoting Regional

Cooperation”, and in October, a “Launch meeting of the joint CTED/UNODC initiative on “Effective counter-terrorism investigations and prosecutions while respecting human rights and the rule of law”” was jointly organised by the UN Counter-Terrorism Committee Executive Directorate (CTED) and the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC/TPB), in coordination with relevant entities of the CTITF and under Swiss sponsorship.

In 2014, Switzerland having the Chairmanship of the OSCE, an international counterterrorism conference was organised in Interlaken in April, focusing on the issues of Kidnapping for Ransom, Foreign Fighters and legality and transparency (Human rights). An OSCE Workshop on Kidnapping for ransom, under Swiss sponsorship, shall take place mid-September, together with the Mediterranean Partners of the Organisation.

Relevant Conventions of the Council of Europe - Switzerland	Signed	Ratified
European Convention on the Suppression of Terrorism (ETS 90)	27/01/1977	19/05/1983
Amending Protocol (ETS 190)	15/05/2003	07/09/2006
European Convention on Extradition (ETS 24)	29/11/1965	20/12/1966
First Additional Protocol (ETS 86)	17/11/1981	11/03/1985
Second Additional Protocol (ETS 98)	17/11/1981	11/03/1985
European Convention on Mutual Assistance in Criminal Matters (ETS 30)	29/11/1965	20/12/1966
First Additional Protocol (ETS 99)	17/11/1981	-
Second Additional Protocol (ETS 182)	15/02/2002	04/10/2004
European Convention on the Transfer of Proceedings in Criminal Matters (ETS 73)	-	-
European Convention on the Compensation of Victims of Violent Crimes (ETS 116)	15/05/1990	07/09/1992
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ETS 141)	23/08/1991	11/05/1993
Convention on Cybercrime (ETS 185)	23/11/2001	21/09/2011
Additional Protocol concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS 189)	09/10/2003	-
Council of Europe Convention on the Prevention of Terrorism (ETS 196)	11/09/2012	-
Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (ETS 198)	-	-