



Strasbourg, 18 November 2015

CODEXTER (2015) 9

COMMITTEE OF EXPERTS ON TERRORISM (CODEXTER)



ABRIDGED REPORT LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN

29th Plenary Meeting

Strasbourg (France), 17 – 18 November 2015



Secretariat of the 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 17 and 18 November 2015 under the Chairmanship of Mr Nicola PIACENTE (Italy) decided to:

1. Opening of the meeting

- hold a minute of silence for the victims of the unprecedented terrorist attacks that took place on 13 November 2015 in Paris and express its respects and support to the French population and authorities;
- express also its condolences to victims of terrorism in Turkey and the Russian Federation;
- take note of the opening remarks of Director Jan KLEIJSEN, Information Society and Action against Crime Directorate, in particular referring to recent terrorist attacks claiming so many innocent lives notably in Turkey, the Sinai Peninsula, and in France. Following the latest events mentioned above in Paris, he invited CODEXTER to use the acronym “Daesh” in its documents instead of the so-called “Islamic State” in order not to confer any legitimacy on this terrorist organisation. He underlined the importance of the future work of the CODEXTER on the issue of “terrorism and Internet” where the Council of Europe, through its various competent committees, is in a unique position to facilitate international cooperation and prevent the use of the Internet by terrorists to spread their message of hatred and terror. He also recalled the valuable action of the CODEXTER in preparing promptly the new important Additional Protocol on foreign terrorist fighters which was recently signed in Riga by 17 States and the European Union, and is hugely relevant in today’s context. He thanked the Chairmanship of Bosnia-Herzegovina of the Committee of Ministers for co-organising and Latvia for hosting the Conference for the opening for signature and called on all Member States, that have not done so, to sign and ratify both the Convention and the Additional Protocol as soon as possible;

2. Adoption of the agenda

- adopt the agenda and the order of business;

3. Communication by the Chair and by the Secretariat

- take note of the information provided by the Chair, Mr Nicola PIACENTE, and the Secretariat about recent developments in the counter-terrorism field, in particular the adoption by the Committee of Ministers of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (CETS No. 217) in Brussels, Belgium, on 19 May and its subsequent opening for signature in Riga, Latvia, on 22 October 2015 which has now been signed by 19 States and the European Union (EU);
- take note that Malta on 08 July 2015 and Portugal on 19 August 2015 have ratified the Convention. The Convention now has 34 ratifications. The Convention entered into force for Malta on 11 November 2015 and will do so on 01 December 2015 in Portugal. On 22 October 2015, the Convention was signed by the EU;

- take note of the information provided by Albania concerning its imminent signature of the Additional Protocol;
- take note of the information about the 6th meeting of the Bureau, the discussions held and of the decisions taken;

4. Future work and activities of the CODEXTER

- examine and discuss the document on “proposals for priority areas of the work of the CODEXTER” (doc. CODEXTER (2015) 6), and address the following priorities for the Committee for 2016 and 2017, in the order below:
 - (i) Terrorism and the Internet;
 - (ii) Assessment of possible gaps in the legal framework provided by the Council of Europe international legal instruments in the area of the prevention and suppression of terrorism, including with respect to International Humanitarian Law and terrorism and also in relation to the absence of a common definition of “terrorism” in International Law;
 - (iii) Links between terrorism and organised crime (to be addressed in cooperation with the CDPC);
- instruct the Secretariat to liaise via email with members of the CODEXTER to seek their interest in joining specific working groups to address these priorities;

5. Examination and discussion of the document on terrorists acting alone

- take note of the information provided by the Coordinator of the Sub-Group on Terrorist Acting Alone, Mr Alexandros STAVROPOULOS (Greece), on the “Discussion Paper on Terrorists Acting Alone” (doc. CODEXTER (2015) 7, examine it and hold an exchange thereon.
- agree with the recommendations of the Sub-Group on Terrorists Acting Alone contained in chapter 5 of the aforesaid Discussion Paper and propose to the Committee of Ministers the establishment of an ad-hoc committee to draft a Recommendation on “Terrorists Acting Alone” providing guidelines to member States on how to efficiently prevent and suppress this particular form of terrorism;
- instruct the Secretariat to prepare draft terms of reference of an ad-hoc committee to draft a Recommendation on “Terrorists Acting Alone” ” and submit it to the CODEXTER Bureau for its approval at its next meeting in view of its subsequent adoption at its next plenary;
- take note of the presentation made by Mr Petr HOLY (CZECH REPUBLIC) on the perspective and experience of the Czech Republic with respect to terrorists acting alone;

6. Amendments to the Recommendation on special investigation techniques

- take note of the information provided by the Secretariat on the state of play and next steps regarding the work on amending Recommendation (2005) 10 on special investigation techniques which will start at the beginning of 2016;

7. Radicalisation in prisons

- take note of the information provided by the Secretariat concerning the work of the PC-CP on drafting “Guidelines for prison and probation services regarding radicalisation and violent extremism” (doc. PC-CP (2015) 2 rev3);
- examine the “Draft Opinion by CODEXTER on the Draft Guidelines for prison and probation services regarding radicalisation and violent extremism” (doc. CODEXTER (2015) 7prov), prepared by the Bureau and adopt it as amended;
- instruct the Secretariat to transmit the Opinion to the PC-CP during its plenary meeting on 17 November 2015 to obtain their feedback;
- invite the Chair of the PC-CP, Mr Mauro PALMA (Italy), to discuss the Opinion;
- take note of the information provided by Mr PALMA;

8. Prevention of radicalisation: Presentation by Spain

- take note of the presentations by the members of the Spanish delegation, Ms Maria-Eugenia HERNANDEZ FERNANDEZ, Prosecutor, Advisor, Directorate General of International Legal Co-operation and Religious Affairs, Ministry of Justice and Mr Fernando ROJO ESTEBAN, Center for Intelligence against Terrorism and Organised Crime, Ministry of Interior in Spain; take note, notably, of the information provided on the Spanish Center of Intelligence Against Terrorism and Organised Crime (CITCO) and the national strategic plan to fight violent radicalisation (PEN-LCRV) which tackle violent extremism and radicalisation through comprehensive and coordinated action starting at the local level or with the affected vulnerable group or one of its members;

9. Terrorism and organised crime: Follow-up

- take note of the information provided by the Secretariat concerning the follow-up to be given to the 2014 Malaga Conference on terrorism and organised crime;
- endorse the proposal of the Bureau to instruct the Secretariat to commission a study to map out links between terrorism and organised crime and propose a catalogue of counter-measures which could be taken by States;

10. 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 to the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196) (GoP), Ms Lucia LING KET ON, concerning the last meeting of the GoP (16 November 2015);

- take note that Mr Tobias KAPPELMANN (Germany) was elected as Chair of the Group of Parties for one year (renewable once) and Ms Tanja KIKEREKOVA (“the former Yugoslav Republic of Macedonia”) as Vice-Chair for one year (renewable once).
- take note that the GoP, in its next monitoring round, will assess the implementation of Article 13 of the Convention concerning the protection, compensation and support for victims of terrorism. The GoP will also consider Articles 17, 18 and 19 as well as the general issue of gender mainstreaming as future subjects for thematic assessments;
- take note of the Summary of the Thematic Assessment Report on the implementation of Article 5 “Public Provocation to commit a terrorist offence” of the Council of Europe Convention on the Prevention of Terrorism which was adopted by the GoP on 16 November 2015;

11. Elections

- thank Mr Nicola PIACENTE (Italy) for his work as Chairman;
- elect Mr Alexandros STAVROPOULOS (Greece) as Chairman for one year (renewable);
- elect Mr Mats BENESTAD (Norway) as Vice-Chairman for one year (renewable);
- elect Mr Nicola PIACENTE (Italy), Ms Lucia LING KET ON (the Netherlands), Ms Ileana VISOIU (Romania) as members of the Bureau for two years (renewable);

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

- take note of the updated country profile on counter-terrorism capacity as submitted by the Delegation of France (doc. Profiles (2015) France). A revised version of the country profile will be submitted by France for the next meeting;
- take note of the presentation of Mr Shingo MIYAMOTO, Director of the International Safety and Security Cooperation Division, Ministry of Foreign Affairs, on recent measures taken in Japan to counter terrorism which the country had to address following large scale chemical terrorist attacks. Mr MIYAMOTO presented developments in this respect in the framework of Japan’s “Action Plan to prevent terrorism” which targets mainly the control of materials that can be used in terrorist attacks, control of borders and legislative actions to freeze terrorist assets. In addition, the importance of the close relationship between the police and the community (“Koban”) was highlighted as a strong preventive measure in Japan which can inspire other countries;
- take note of the information provided by Italy and Croatia that they intend to submit updated country profiles at the next meeting and invite all Member States to submit updated country profiles on a regular basis;

13. Information by the Gender Equality Rapporteur of CODEXTER

- take note of the information provided by the Gender Equality Rapporteur, Ms Tanja KIKEREKOVA (“the former Yugoslav Republic of Macedonia”), in particular as regards

the UNSCR 2242 of 13 October 2015 on “Women and Peace and Security” which also deals with the role played by women in counter-terrorism and countering violent extremism which can be conducive to terrorism;

14. Date and place of the 30th Plenary Meeting of CODEXTER

- hold its next meeting in Strasbourg on 19-20 May 2016;
- instruct the Secretariat to inform the Group of Parties of the decided date to plan their meeting back to back on 18 May 2016;

15. Adoption of the Summary Report and List of Items Discussed and Decisions Taken

- adopt the Summary Report and List of Items Discussed and Decisions Taken.