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COUNCIL OF EUROPE COMMITTEE ON COUNTER-TERRORISM (CDCT)

10th Plenary meeting

Tuesday, 23 May – Thursday, 25 May 2023

Strasbourg, Council of Europe

Palais de l'Europe, Room 9

LIST OF DECISIONS

Counter-Terrorism Secretariat

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The Council of Europe Committee on Counter-Terrorism (CDCT) at its 10th Plenary meeting held on 23 – 25 May 2023, in Strasbourg, under the Chairmanship of Ms Päivi KAIRAMO (Finland) decided to:

1. Opening of the meeting

Open the meeting.

2. Adoption of the agenda

Adopt the agenda.

3. Communication by the Chair, the delegations, and the Secretariat

Take note of information provided by its Chair, Ms Päivi KAIRAMO, on the major events that took place since the last plenary meeting, notably the adoption of the 2023 – 2027 Council of Europe Counter-Terrorism Strategy, holding of the Conference on “Countering Terrorist Communications: Terrorist Propaganda, Public Provocation, Recruitment and Radicalisation” (in January 2023), finalisation of the work on the draft Compilation of good practices with regard to deradicalisation, disengagement and social reintegration, and the third meeting of the Working Group on the use of information collected in conflict zones as evidence in criminal proceedings related to terrorist offences. She also welcomed the cooperation with the International Institute for Justice and the Rule of Law (IIJ) in the latter endeavour, and thanked the United States Department of State for their financial contribution to the realisation of this project. Ms Kairamo also reflected on completion of the previous Counter-Terrorism Strategy (2018 – 2022) and the start of the new one with a number of activities whose approval was being sought from the Plenary at this meeting.

Take note of information provided by Mr Carlo CHIAROMONTE, the Council of Europe Counter-Terrorism Coordinator, on the status of ratification of the Convention on the Prevention of Terrorism (CETS 196) and its Additional Protocol (CETS 217), namely that since the last Plenary meeting, Belgium, Finland and Luxembourg ratified the Additional Protocol, and that Azerbaijan signed the Additional Protocol. Mr Chiaromonte reflected in greater detail on the outcomes of the recent Reykjavik Summit of the Heads of State and Government, including the adoption of the Reykjavik Declaration reaffirming commitment to democracy, the rule of law and human rights, and the setting up of the Register of Damage caused by the Aggression of the Russian Federation against Ukraine. He also spoke about his upcoming participation alongside the Chair of the CDCT in the United Nations Counter-Terrorism Week, including through attendance at the High-Level Meeting, taking place on 19 – 20 June 2023, and the co-organisation of a side-event together with a number of CDCT members (Austria, Finland, UN CTED, and the OSCE) on 19 June at 13:15-14:30 EST/19:15-20:30 CET. He also informed the Plenary of the recent voluntary contribution provided by Germany (through the German Federal Foreign Office) towards the implementation of the Strategy (2023-2027), and invited other delegations to consider supporting future CDCT activities through voluntary contributions. He also thanked the United States for their support to the conflict zones activity.

Take note of the information provided by the delegation of Spain regarding the upcoming visit of the UN Under-Secretary-General to inaugurate the opening of the Madrid Office for Counter-Terrorism, on Spain's Co-Chairing of the United Nations Group of Friends of Victims of Terrorism and the potential establishment of a UN Trust Fund for the Victims of Terrorism, on the organisation of the second Global Congress for Victims of Terrorism to be held in the second half of 2024, and the forthcoming Spanish presidency of the Council of the European Union.

Take note of the information provided by the delegation of Sweden regarding the recent adoption of new counter-terrorism legislation to criminalise a range of terrorist activities, including those envisaged under Article 2 of the Additional Protocol (CETS 217).

Take note of the information provided by the delegation of Georgia in relation to its new five-year National Counter-Terrorism Strategy and accompanying Action Plan.

Take note of the information provided by the delegation of Bosnia and Herzegovina on its new Counter-Terrorism Strategy for 2021-2026.

Take note of the information provided by the delegation of Romania on the recent visit of the European Union Counter-terrorism Coordinator, Mr Ilkka SALMI, to Bucharest on 27 April 2023 and the outcomes of the meeting with the Minister of Justice, Mr Cătălin PREDOIU.

Take note of the information provided by the delegation of Finland on its updated National Counter-Terrorism Strategy for 2022-2025, which guides counter-terrorism activities both nationally and internationally.

4. Council of Europe Counter-Terrorism Strategy (2018 – 2022): Completed and ongoing activities

Take note of the completion of the Council of Europe 2018 – 2022 Counter-Terrorism Strategy.

Adopt the Evaluation Report on the implementation of the Strategy and instruct the Secretariat to transmit it to the Committee of Ministers of the Council of Europe for information.

5. Council of Europe Counter-Terrorism Strategy (2023 – 2027)

Take note of the information provided by the Secretariat on the potential modalities for supporting the implementation of the Counter-Terrorism Strategy (2023 – 2027) through voluntary contributions, and a call to CDCT members who may be willing and able to provide funding to contact the Secretariat for further information.

Concerning implementation of the first activities under the Counter-Terrorism Strategy (2023 – 2027):

- Approve the completion of Activities 1.5 (Organisation of an International Conference on the abuse of livestreaming, gaming and virtual reality services and platforms by terrorist

actors) and 3.6 (Development of guidance for public and private sector authorities on preparedness and emergency responses to the immediate aftermath of terrorist attacks) by the end of 2023.

- Approve the initiation of Activities 1.4 (Analysis of emerging patterns of misuse of technology by terrorist actors) and 2.7 (Analysis of the status and developments regarding foreign terrorist fighters) in 2023, and instruct the Secretariat to proceed with identifying experts who could support the CDCT in producing the two analyses.
- Approve the continuation of work under Activity 2.1 (Preparation of comparative practices on the effective use of information collected in conflict zones as evidence for the purpose of criminal prosecution of terrorist offences) in 2023, bearing in mind the progress of work done in this area in the second half of 2022.
- Approve the establishment of the working group related to Activity 2.5 (Production of guidance on strategies for the prosecution of violent extremism conducive to terrorism) in order to ensure the finalisation of the work in line with the deadlines envisaged under the Strategy.
- Approve the initiation of preparations for Activity 2.3 (International Conference on investigating and prosecuting terrorist offences committed in the context of armed conflicts), which is tentatively scheduled to take place in the beginning of 2024.

6. Definition of Terrorism

Take note of the information provided by the Chair of the CDCT, Ms Kairamo, on the history of the work on developing a pan-European definition of terrorism under the auspices of the CDCT and its main milestones, including the key finding and recommendation of the CDCT-DEF Working Group:

- 1) “the current wording of Article 1 of the Convention does not encompass all forms of terrorism currently prevalent in Europe and globally. Merely updating the Appendix containing the list of relevant UN counter-terrorism treaties will not remedy this deficiency, in particular because of the sectorial nature of the UN treaties listed in the Appendix”, and
- 2) “it is feasible to elaborate a common European legal definition of terrorism”;

and the decision of the CDCT on the feasibility of such definition and the opening of formal negotiations on the text of the definition of terrorism at its next plenary meeting reached in December 2022, during the 9th CDCT Plenary session.

Take note of the proposal of the European Commission, on behalf of the European Union, for the possible draft text of the pan-European definition of terrorism, which builds upon the previous work done by the CDCT-DEF.

Agree to proceed with negotiations based on this draft text, subject to further consultations on the feasibility of this approach by non-EU member States.

Invite members to submit written comments on the proposed draft text to the CDCT Secretariat by 30 September.

Instruct the Secretariat, in cooperation with the Public International Law Division Treaty Office, to provide an analysis of the potential implications of the proposed draft text of the pan-European definition of terrorism on other articles of the Council of Europe Convention on the Prevention of Terrorism (CETS 196) in advance of the 11th CDCT Plenary, and present the draft of this analysis to the Bureau for their consideration and comments.

Take note of the information provided by Ms Ana GOMEZ, Public International Law Division and Treaty Office, on the potential procedural modalities for incorporating the new definition of terrorism into the existing Council of Europe legal framework on counter-terrorism, contingent on the extent of substantive changes implied by the proposed draft text, namely through one of the following options:

- 1) Amending Protocol; or
- 2) Revised convention.

7. Compilation of Best Practices with regards to Deradicalisation, Disengagement and Social Reintegration (Activity 3.1 of the 2018 – 2022 Strategy)

Take note of the information provided by the Chair of the Working Group, Mr Mario JANEČEK, and the expert, Dr Ioan DURNEȘCU, on the content of the draft Compilation.

Examine and adopt the text of the draft Compilation of Good Practices and instruct the Secretariat to, before publication, update the information regarding one member State in accordance with the suggestion previously received and submit the compilation to the Committee of Ministers for their information.

8. International Conference on the abuse of livestreaming, gaming and virtual reality services and platforms by terrorist actors (Activity 1.5 of the 2023 – 2027 Strategy)

Examine and approve the concept note for this International Conference, and to tentatively organise the event in a hybrid format on 6 – 7 November 2023 at the Council of Europe premises in Strasbourg.

9. Development of guidance for public and private sector authorities on preparedness and emergency responses to the immediate aftermath of terrorist attacks (Activity 3.6 of the 2023 – 2027 Strategy)

Take note of the information provided by the Secretariat on the first steps towards the implementation of this activity, namely the nomination of 17 experts to the Working Group on Preparedness and Emergency Response (CDCT-PER) and the organisation of its first meeting

scheduled to take place online on 20 June 2023 which will focus on the potential scope of the Guidelines.

10. Bioterrorism

Take note of the presentations and hold an exchange of views on efforts to address the threat from bioterrorism nationally and internationally with:

- Ms Maria Eugenia de los Angeles RETTORI, Head, Countering Terrorist Use of Weapons Unit, United Nations Counter-Terrorism Centre;
- Ms Verena BAUER, Senior Public Prosecutor at the German Federal Prosecutor's Office;
- Dr. phil. Maximilian BRACKMANN, Spiez Laboratory, Switzerland.

Take note of the Armenian proposal to expand the scope of this agenda item in future to cover not just bioterrorism, but also other forms of terrorism involving chemical, biological, radiological and nuclear (CBRN) means.

11. Draft Guidelines on the effective use of information collected in conflict zones as evidence for the purpose of criminal prosecution of terrorist offences (Activity 2.1 of the 2023 – 2027 Strategy)

Take note of information provided by the Chair, Ms Päivi Kairamo, and the Secretariat regarding the outcomes of the third meeting of the Working Group assigned to follow-up to the Recommendation on the use of information collected in conflict zones as evidence in criminal proceedings related to terrorist offences, namely the decision to proceed with producing a compilation of Good/Comparative practices regarding the use of such information, as opposed to draft guidelines, and other decisions made by the Working Group regarding the main substantive aspects that the compilation is expected to cover.

Approve the additional questions to be sent to CDCT members regarding practices relating to the use of information collected in conflict zones in national criminal proceedings.

12. Countering Terrorist Communications, Recruitment and Training (Activities 1.1, 1.2, and 2.2 of the 2018 – 2022 Strategy)

Take note of the information provided by the Chair, Ms Päivi Kairamo, and the Secretariat regarding the outcomes of this Conference, which took place on 31 January and 1 February 2023, and the Summary of Proceedings which is available on the CDCT [website](#).

13. Network of Single Contact Points for the exchange of procedural information regarding the legal standing of victims of terrorism

Take note of the information provided by the Secretariat on the outcomes of the 5th meeting of the Network, which took place on 21 February 2023, and the forthcoming study visit to Spain scheduled for 5 – 6 June 2023, and organised under the auspices of the Victims' Network.

Take note of the information provided by the Spanish delegate that the visit is being implemented in collaboration with the Ministry of Interior of Spain and will include a presentation by the Spanish Memorial Center for Victims of Terrorism located in Vitoria in the Basque Country.

14. 24/7 Network of Contact Points on Foreign Terrorist Fighters

Take note of the information provided by the Secretariat on the outcomes of the 5th meeting of the Network, which took place on 22 February 2023, as well as on the planned visit of the Network to Europol in the Hague for its sixth meeting scheduled for November 2023.

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

Approve the following country profiles on national counter-terrorism capacities:

- Denmark
- Spain
- Ukraine

Take note of the information provided by the delegations of San Marino and Georgia that they are preparing to provide their country profile at the next CDCT Plenary meeting.

16. Any other business

17. Date and place of the 11th Plenary Meeting of the CDCT

Hold its 11th Plenary meeting on 11 - 13 December 2023, in Helsinki, Finland.

18. Adoption of the List of Decisions

Adopt the List of Decisions taken.