



Rome, 23 October 2023

CDCT-BU(2023)03

COUNCIL OF EUROPE COMMITTEE ON COUNTER-TERRORISM (CDCT)

BUREAU

Monday, 23 October 2023
Rome, Italy, Ministry of Justice (Sala Livatino), Via Arenula 70

9:30 am - 5:30 pm

List of Decisions

The CDCT Bureau, having met on 23 October 2023 in Rome, under the Chairmanship of Ms Päivi KAIRAMO (Finland), decided to:

1. Opening of the meeting

Open the meeting.

Take note of the opening remarks of the Undersecretary of the Minister of Justice Mr. DELMASTRO DELLE VEDOVE, who kindly welcomed the Bureau to the Ministry of Justice. He expressed Italy's support for Council of Europe action in the field of counter-terrorism, highlighting the importance of sharing experience, practices and tools in this area.

2. Adoption of the agenda

Adopt the agenda.

3. Communication by the Chair, other members of the Bureau and the Secretariat

Take note of the information provided by the Chair, Ms Päivi KAIRAMO, who expressed her sincere condolences to the victims of recent terrorist attacks in France and Belgium, as well as the ongoing situation in the Middle East. The Chair also informed the Bureau on developments since the last CDCT Plenary meeting, particularly the participation of a delegation from the Council of Europe, including Mr Carlo CHIAROMONTE, Council of Europe Counter-terrorism Coordinator and Ms Päivi KAIRAMO, as Chair of the CDCT, in the UN Counter-Terrorism week in New York. She informed the Bureau of the highly positive input provided by the Council of Europe during the UN High-level Conference of Heads of Counter-Terrorism Agencies of Member States on 19 June 2023, as well as the successful side event organised by the CDCT, together with UN CTED, OSCE, UNODC, Austria and Finland, on “Good practices for managing violent extremist prisoners: preventing radicalisation to violence while promoting disengagement and rehabilitation”, opened by high ranking representatives of the organisations in question. She also informed the Bureau of several bilateral meetings held in this context, notably with the Executive Director of CTED, the Deputy Coordinator of the United States State Department Bureau of Counterterrorism, and (former) Executive Director of the Soufan Centre.

Take note of the supplementary information provided by Mr Carlo CHIAROMONTE, Council of Europe Counter-Terrorism Coordinator, regarding the new Terms of Reference of the CDCT, being discussed as part of the overall Council of Europe Programme and Budget discussions, which is expected to be adopted by the Committee of Ministers third week of November.

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

Take note of the information provided by the Secretariat on the current state of implementation of the first activities launched under the 2023 – 2027 Counter-Terrorism Strategy, namely the progress achieved regarding Activities 1.5 (Conference on the abuse of livestreaming, gaming and virtual reality services and platforms by terrorist actors), 2.1 (Comparative practices on the effective use of information collected in conflict zones as evidence for the purpose of criminal prosecution of terrorist offences) and 3.6 (Guidance for public and private sector authorities on preparedness and emergency responses to the immediate aftermath of terrorist attacks) of the Strategy, and next steps to be taken regarding Activities 1.4 (Analysis of emerging patterns of misuse of technology by terrorist actors), 2.3 (Conference on prosecuting terrorists for serious crimes committed during armed conflict), 2.5 (Guidance on

strategies for the prosecution of violent extremism conducive to terrorism) and 2.7 (Analysis of the status and developments regarding foreign terrorist fighters) of the Strategy.

Propose to the Plenary that the Activity 1.8 on analysis of the need to revise or supplement terrorist offences under the Convention on the Prevention of Terrorism (CETS No. 196) and its Additional Protocol (CETS No. 217) to cover the changed terrorist *modus operandi*, which had an original deadline of December 2024, is to be postponed until there is clarity on the developments concerning the definition of terrorism.

5. Definition of Terrorism

Discuss developments that have taken place since the 10th Plenary meeting and possible approaches to continuation of negotiations at the 11th Plenary meeting, in view of the analysis of the impact of the proposed draft definition on CETS Nos. 196 and 217 and comments received from CDCT members.

Invite the Secretariat to present at the Plenary the implications of the proposed definition *vis-à-vis* the implementation of the Convention and Additional Protocol.

Propose to the Plenary that the discussions focus on the text of the possible draft definition, before other matters, in view of possibly reaching a close to final agreement on this matter.

Examine written comments provided by several CDCT members on the draft text of the definition and invite the members in question to present their comments at the 11th Plenary meeting before opening the floor for discussions.

6. 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)

Take note of the information provided by the Secretariat on the organisation of the International Conference on the abuse of livestreaming, gaming and virtual reality services and platforms by terrorist actors, taking place in Strasbourg on 6-7 November 2023. According to the last information, the Conference will host 24 speakers, three ambassadors who will serve as moderators, and 125 participants, who will discuss the latest developments in the field during the two days.

Welcome the organisational aspects of the Conference, in particular with regards to the high-level of speakers and moderators.

7. 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 Chair of the Working Group on Preparedness and Emergency Response (CDCT-PER), Ms Ileana VIȘOU, on the outcomes of the 1st meeting of the Working Group, held online on 20 June 2023, as well as on the overall progress with this activity which is scheduled to be completed before the end of 2023.

Welcome the text of the preliminary draft Guidelines, prepared by the Independent Expert, Dr Hugh DEEMING, and the comments received from members of the Working Group, and look forward to the presentation of the final version of the Guidelines to the CDCT Plenary in December 2023.

8. Comparative practices 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 the information provided by the Chair of the CDCT-CZ Working Group, Ms Päivi KAIRAMO, on the progress made so far with this activity, as well as on the work ahead, in particular the 4th meeting of the Working Group, to be held on 24 October 2023.

Express their appreciation for the first draft of the text of the draft comparative practices, prepared by the IIJ and the CDCT Secretariat, and note with approval that the document provides an excellent overview of various approaches taken by a variety of States towards this issue.

9. Analysis of emerging patterns of misuse of technology by terrorist actors (Activity 1.4 of the 2023 – 2027 Strategy)

Take note of the information provided by the Secretariat on the key themes and areas of focus of the analysis and the process of identifying suitably qualified consultants to carry out this activity.

Examine and provide input on the draft concept note for the production of the analysis, noting in particular the relevance of contemporary challenges relating to terrorist use of technology in areas such as artificial intelligence, financial technologies, and the use of drones.

10. International conference on prosecuting terrorists for serious crimes committed during armed conflict (Activity 2.3 of the 2023 – 2027 Strategy)

Take note of the information provided by the Secretariat on the draft concept note for this Conference and the main themes and topics identified within, including the issue of hybrid armed groups under counter-terrorism law and the law of armed conflict, acts of terrorism and serious crimes committed during armed conflict, and cumulative prosecutions under both regimes.

Examine and provide input on the proposed concept note and draft agenda for this Conference, particularly in relation to issues such as the qualification of terrorist offences committed in the context of armed conflict and the impact of designations on charging decisions.

11. Guidance on strategies for the prosecution of violent extremism conducive to terrorism (Activity 2.5 of the 2023 – 2027 Strategy)

Hold an exchange of views on the profile of experts to be appointed in the future working group which will be tasked with producing the guidelines on strategies to prosecute violent extremism conducive to terrorism.

Instruct the Secretariat to issue a call for nominations to the working group, primarily composed of national representatives with experience in prosecuting such cases, but also with the potential participation from those with experience supporting prosecutors in this regard, such as investigators, researchers or analytical experts.

12. Analysis of the status and developments regarding foreign terrorist fighters (Activity 2.7 of the 2023 – 2027 Strategy)

Discuss the approach to be taken in producing the report on the status and developments regarding foreign terrorist fighters.

Propose to the Plenary that this activity is postponed until the later stages of the current Strategy, or when it is considered that there are further important developments in this area.

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

Take note of the information provided by the Secretariat on the outcomes of the Network's study visit to Madrid, Spain, which took place in June 2023, and future planned activities.

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

Take note of the information provided by the Secretariat on the future activities of this Network.

15. Elections

Discuss the information provided in the Memorandum on Elections document and agree on how to proceed with soliciting nomination in view of the end of mandate of the current Chair and Vice-Chair, as well as one member of the Bureau.

16. Any other business

N/A

17. Preparation of the 11th Plenary Meeting of the CDCT

Discuss the preparation of the next CDCT Plenary meeting which will take place on 11 – 13 December 2023, in Helsinki, Finland.

18. Adoption of the List of Decisions

Adopt the List of Decisions.