



San Sebastian, 13 June 2011

GOP (2011) 3

GROUP OF PARTIES TO THE COUNCIL OF EUROPE CONVENTION ON THE PREVENTION OF TERRORISM [CETS NO. 196]

LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN

1st meeting

San Sebastian, Spain 13 June 2011

Secretariat of the Counter-Terrorism Task Force
Public International Law and Anti-Terrorism Division

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Background

1. The Group of Parties to the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196] (hereinafter referred to as “the Group of Parties”) held its 1st meeting in San Sebastian, Spain on 13th June 2011.

This meeting had been convened by virtue of Article 30 of the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196] (hereinafter referred to as “the Convention”) and on the basis of decisions pertinent to the monitoring of the Convention, namely:

- decisions and outcome of the first Consultation of the Parties to the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196] (Madrid, 12 May 2009);
- decision of the Ministers’ Deputies on 1 July 2009, by which the Council of Europe Committee of Experts on Terrorism (CODEXTER) has been instructed to “*regularly monitor the effective use and implementation of the Convention on the Prevention of Terrorism [CETS No. 196] between Consultations of the Parties to the Council of Europe Convention on the Prevention of Terrorism*”;
- outcome of the 18th meeting of the CODEXTER (7-8 April 2010), namely the adoption of the follow-up mechanism for the Convention and the establishment of the Group of the Parties as a first stage of the follow-up mechanism;
- subsequent decision of the Ministers’ Deputies on 7 July 2010 taking into account the outcome of the 18th meeting of the CODEXTER (7-8 April 2010).

Opening of the meeting and adoption of the agenda

2. The meeting was opened by Mr Manuel Lezertua, Jurisconsult, Director of Legal Advice and Public International Law, who chaired the meeting pending the election of the Chair. Mr Lezertua welcomed the participants to the first meeting of the Group of Parties. The list of participants appears in **Appendix I** to the present document.

3. Mr Lezertua underlined the importance of the Group of Parties as the first stage of the Convention’s monitoring mechanism. He further emphasised that the work of the Group of Parties - through exchanges of good practices and development of tools for more efficient implementation of the Convention - would foster efficient implementation of the Convention by each Party.

4. The Group of Parties adopted the draft agenda (document GOP (2011) OJ 1) and authorised its publication. The agenda appears in **Appendix II** to the present document.

Preliminary adoption of the Rules of Procedure of the Group of Parties

5. The Group of Parties held a preliminary discussion on its Draft Rules of Procedure (document GOP (2011) 1 prov).

6. The Group of Parties agreed on the procedure to be followed for adopting its Rules of Procedure. The Group instructed the Secretariat to prepare a revised version of the current preliminary draft containing the amendments provisionally agreed and to send it to all members of the Group of Parties by the 1st July 2011 at the latest. Members of the Group of Parties could send to the Secretariat written comments containing, as far as possible, alternative wording, by 30 September 2011 at the latest. The Chair assisted by the Secretariat will prepare a revised version of the Draft Rules of Procedure including as far as possible those written comments. This revised version will be sent to all members of the Group of Parties by end October 2011 for adoption by silent procedure. If there are objections, the new revised version will be discussed in view of its adoption at the second meeting of the Group of Parties.

Election of the Chair and the Vice-Chair

7. In order to proceed to the election of its Chair and Vice-Chair, the Group of Parties agreed to adopt Rule 3 of its Draft Rules of Procedure. In conformity with this Rule, the Group of Parties elected Mr Vladimir SALOV (Russian Federation) as the Chair and Mr Iñigo FEBREL BENLLOCH (Spain) as the Vice-Chair of the Group of Parties to the Council of Europe Convention on the Prevention of Terrorism [CETS No.196], respectively, for one year as from 13 June 2011.

Overview on the implementation of the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196] by the Parties

8. Due to a lack of time, the Group of Parties did not proceed with a *'tour de table'* on the implementation by Parties of the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196].

9. The Group of Parties recalled previous work carried out by the CODEXTER in this domain. In particular, the Group of Parties took note of the CODEXTER compilation of States' contributions on regular follow-up of the effective use and implementation of the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196] (document CODEXTER (2010) 1 rev) and a number of documents on the issues of "*Apologie du terrorisme*" / "Incitement to Terrorism" and "Recruitment to Terrorism" (documents CODEXTER (2004) 19; CODEXTER (2008) 28, 29, 30; CODEXTER (2009) 6 prov).

Exchange of views and preliminary discussions on the update of the list of treaties in the Appendix to the Council of Europe Convention on the Prevention of Terrorism (Article 28 of the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196])

10. The Group of Parties took note of the possible future update of the list of treaties in the Appendix to the Council of Europe Convention on the Prevention of Terrorism (Article 28 of the Convention).

11. This issue has been considered in light of the fact that on 10 September 2010 in Beijing (China), an International Civil Aviation Organization (ICAO) Diplomatic Conference adopted two new counter-terrorism treaties devoted to improving aviation security and criminalizing the 9/11 offenses:

- The *Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation* (hereinafter the "Beijing Convention");
- The *Supplementary Protocol to the Convention for the Suppression of Unlawful Seizure of Aircraft* (hereinafter the "Beijing Protocol").

12. However, as of 13 June 2011, neither the Beijing Convention nor the Beijing Protocol have entered into force, the Group of Parties asked the Secretariat to keep the Group regularly updated of the state of signatures and ratifications of the Beijing instruments.

Exchange of views and preliminary discussions on targeted provisions of the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196] to be examined by the Group of Parties in future

13. Due to a lack of time to discuss this issue during its meeting, the Group of Parties agreed to hold a discussion during its second meeting on targeted provisions of the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196] to be examined by the Group of Parties in future. To this end, the Group of Parties requested its members to send their proposals to the Secretariat by 30 September 2011.

Date of the next meeting

14. Before the closing of the meeting, the Group of Parties discussed the date of its next meeting. In accordance with the principles of sound management and within the resources available, it considered – as the most appropriate option – to hold its next meeting in conjunction

with the next meeting of the CODEXTER. Therefore, the Group of Parties agreed that its next meeting will take place in Strasbourg on the day prior to the 21st meeting of the CODEXTER on 23 November 2011.

15. The Secretariat has been instructed to prepare, in agreement with the Chair and the Vice-Chair, the provisional draft agenda for the 2nd meeting of the Group of Parties.

16. The Group adopted this list of items discussed and decisions taken and agreed to make it public.

APPENDICES

Please contact the Secretariat : taskforce.terrorism@coe.int