

Strasbourg, 23/11/11

GOP (2011) 9

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

LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN

2nd meeting

Strasbourg, 23 November 2011

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

Background

The meetings of 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”) are 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).

The first meeting of the Group of Parties was held in San Sebastian, Spain on 13th June 2011.

The Group of Parties held its 2nd meeting in Strasbourg, France on 23rd November 2011.

1. Opening of the meeting and adoption of the agenda

1. The second meeting was opened by Mr Vladimir Salov (Russian Federation), Chair of the Group of Parties. Mr Salov welcomed the participants to the second meeting of the Group of Parties. The list of participants appears in **Appendix I** to the present document.

2. The Group of Parties adopted the draft agenda (document GOP (2011) OJ 2) and authorised its publication. The agenda appears in **Appendix II** to the present document.

3. Mr Lezertua, Jurisconsult, Director of Legal Advice and Public International Law, informed the Group of Parties on latest legal and political developments in the Council of Europe including the administrative reorganisation in virtue of the reform of the Council of Europe structures. According to this reorganisation, as from 1st January 2012, the Group of Parties, the Council of Europe Committee of Experts on Terrorism (CODEXTER) and other counter-terrorism activities, will be under the responsibility of Directorate General of Human Rights and Rule of Law (DG I), Directorate of Information Society and Action against Crime, Action against Crime Department.

2. Information on the state of signatures and ratifications of the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196]

4. The Group of Parties took note that since its first meeting the Convention entered into force for Hungary and Germany, respectively on 1 July 2011 and 1st October 2011. The Group welcomed the representatives of these States at the second meeting of the Group of Parties.

3. Adoption of the Draft Rules of Procedure of the Group of Parties to the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196]

5. The Group of Parties recalled its preliminary discussion and relevant decisions adopted at the first meeting of the Group of Parties. It recalled in particular that during its first meeting the Group agreed on the procedure to be followed for the adoption of its Rules of Procedure.

6. Following the instructions of the Group of Parties, the Secretariat prepared a revised version of the preliminary draft Rules of Procedure – as discussed and provisionally agreed in the first meeting – and sent it out via email to the members of the Group of Parties on 1st July 2011 (document GOP (2011) 1 prov).

7. Members of the Group were invited to send to the Secretariat written comments containing, as far as possible, alternative wording, by 30 September 2011 at the latest. The Secretariat received comments from Cyprus, France, Germany and Romania (document GOP (2011) 4 bil).

8. As agreed during the first meeting of the Group of Parties, the Chair assisted by the Secretariat prepared a Revised consolidated version of the Draft Rules of Procedure including as far as possible those written comments. This Revised consolidated version (document GOP (2011) 5 prov) was sent to all members of the Group of Parties on 3 November 2011 for adoption by silent procedure.

9. Taking into account that one delegation objected to the adoption by silent procedure, the Group of Parties proceeded with a discussion on the revised consolidated version in light of the comments on this Revised consolidated version made by France, Germany, Russian Federation and Spain (document GOP (2011) 8 prov).

10. Following this discussion, and taking into account the comments made by the delegations, the Group of Parties adopted provisionally the Rules of Procedure of the Group of Parties to the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196]. The Group of Parties instructed the Secretariat to send these provisionally adopted Rules of Procedure to the Parties by 1 December 2011 for adoption by silent procedure. If there are no objections by 2 January 2012, the provisionally adopted Rules of Procedure will be considered as finally adopted.

4. Exchange of views and preliminary discussions on targeted provisions of the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196]

11. Due to time restrictions, the Group of Parties could not proceed with an exchange of views and preliminary discussions on targeted provisions of the Convention. The Group of Parties agreed to examine this item at its next meeting and entrusted the Secretariat to prepare a working paper in consultation with the Chair of the Group of Parties, which will be used as a basis for its discussions.

5. Any other business

12. Regarding the subjects relevant to the evaluation of the Council of Europe Convention on the Prevention of Terrorism [CETS No. 196], the Group of Parties took note of the Council of Europe publication containing the Proceedings of the Council of Europe Conference on “Prevention of Terrorism: Prevention Tools, Legal Instruments and their Implementation”, Istanbul, Turkey, 16 -17 December 2010.

13. The Group of Parties also took note of the publication containing the Proceedings of the International Conference on “Victims of Terrorism” co-organised by the Organisation of American States (OAS) and the Council of Europe, San Sebastian, Spain, 16 -17 June 2011.

14. Parties were invited to consider the two above mentioned Proceedings documents in their deliberation on the themes of the Convention to be examined in the next rounds of the evaluation.

6. Date of the next meeting

15. 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 **11 April 2012**, a day prior to the 22nd meeting of the CODEXTER (12-13 April 2012).

16. The Secretariat has been instructed to prepare, in agreement with the Chair and the Vice-Chair, the provisional draft agenda for the 3rd meeting of the Group of Parties.

17. 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