



Strasbourg, 24 November 2017

CODEXTER (2017) 9

COMMITTEE OF EXPERTS ON TERRORISM (CODEXTER)

ABRIDGED REPORT LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN

33rd Plenary Meeting

Strasbourg (France), 22-24 November 2017

Secretariat of the Counter-Terrorism Division
Information Society and Action against Crime Directorate, DG I

codexter@coe.int - <http://www.coe.int/terrorism>

The Committee of Experts on Terrorism (CODEXTER), meeting in Strasbourg from 22 to 24 November 2017, under the Chairmanship of Mr Alexandros STAVROPOULOS (Greece), has decided to:

1. Opening of the meeting

- Take note of the opening remarks by Mr Jan KLEIJSSSEN, Director of the Directorate of Information Society and Action against Crime, notably about the important role of the CODEXTER, as steering committee, in coordinating counter-terrorism within the framework of the Council of Europe. Noting that from January 2018 the CODEXTER will be renamed the Committee on Counter-Terrorism (CDCT), Mr KLEIJSSSEN suggested retaining the name CODEXTER together with the new acronym for recognition purposes. Mr KLEIJSSSEN informed the CODEXTER that the Committee of Ministers have formally adopted the budget and terms of reference of the CDCT for 2018-2019, but also that it cannot be excluded that budgetary pressures will not have an effect. Mr KLEIJSSSEN also informed the CODEXTER that a formal exchange of letters had taken place between the Council of Europe and several private internet companies and telecommunications services, making it possible to invite such companies to participate in meetings in order to seek an exchange of views. The Director noted that the new Council of Europe Counter-Terrorism Strategy for 2018-2022 has been accepted for inclusion into the terms of reference for the CDCT and that this will enable the Committee to expand its focus beyond legal issues into a broader range of counter-terrorism matters. Mr KLEIJSSSEN also noted that the CDCT will have an opportunity to deal with a variety of topics of contemporary importance, including the issue of returned foreign terrorist fighters, in order to collect best practices and encourage international co-operation on the issue. Finally, Mr KLEIJSSSEN thanked the Chairman, Mr Alexandros STAVROPOULOS, for his role in many recent achievements of the CODEXTER, including the updated Recommendation on Special Investigation Techniques and finalisation of the Recommendation on Terrorists Acting Alone.

2. Adoption of the agenda

- Examine and adopt the agenda.

3. Communication by the Chair and by the Secretariat

- Take note of the information provided by the Chair, Mr Alexandros STAVROPOULOS, notably about the outcome of the 10th Meeting of the Bureau, and by Mr Carlo CHIAROMONTE, Secretary to the CODEXTER, about the most recent activities of the Council of Europe relevant to the CODEXTER's work since the last Plenary meeting in May 2017;
- take note of the information provided by the Chairman, Mr Alexandros STAVROPOULOS, and the Deputy Head of the Counter-Terrorism Division, Mr Kristian BARTHOLIN, on their joint participation to the Terrorism Working Party (TWP) session, held on 18 July 2017 in the EU Council, Brussels;
- take note of the information provided Mr Carlo CHIAROMONTE concerning his participation to the United Nations Security Council Counter-Terrorism Committee Special Meeting on international judicial and law enforcement cooperation in Counter-Terrorism Matters pursuant to Security Council Resolution 2322 and other relevant Council Resolutions, held in the United Nations Headquarters, New York, on 21 June 2017;
- take note of the conclusions of the International Conference on Terrorism and Organised Crime, held in Malaga, Spain on the 21-22 September 2017;
- take note of the information provided by the Council of Europe Counter-Terrorism Coordinator, Mr Ivan KOEDJIKOV, concerning the activities of the GCTF in the area of returning foreign terrorist fighters and their families, and the possible implications for the work of the Committee.

4. Future work and activities of the CODEXTER

- Take note of the information provided by the Secretariat and Chair on the future work and activities of the Committee;
- set up a group composed of members of the Committee tasked to prepare a preliminary draft of the Council of Europe Counter-Terrorism Strategy (2018-2022) in view of submitting it to the Committee at the 1st Plenary Meeting of the CDCT (Spring 2018);
- take note that the Delegations of Bosnia and Herzegovina, Russian Federation, “the former Yugoslav Republic of Macedonia” and Spain expressed their interest in participating in the group;
- invite all interested Delegations to inform the Secretariat of their willingness to participate in the group by 10 December 2017 at the latest;
- decide that two subjects will be the main items for the 1st Plenary Meeting of the CDCT: a) the feasibility of elaborating a pan-European definition of terrorism, b) the Council of Europe Counter-Terrorism Strategy (2018-2022);
- instruct the Gender Equality Rapporteur Ms Tanja KIKEREKOVA (“the former Yugoslav Republic of Macedonia”) together with the Secretariat to prepare a document outlining the scope of the conference on the roles of women and children (which is included in the terms of reference of the Committee, tentatively scheduled for 2019) in view of the 1st Plenary Meeting of the CDCT.

5. Terrorists acting alone

- Take note of the information provided by the Chair of the TAA drafting committee, Mr Nicola PIACENTE, with regards to the draft Recommendation and its draft Explanatory Memorandum. Mr PIACENTE informed the CODEXTER that the drafting committee began its work on the new recommendation on “Terrorists Acting Alone” on 3-4 November 2016, with two other meetings taking place in March and June 2017, and that the drafting committee completed its work on 17-19 October 2017;
- examine in detail the draft Recommendation on “Terrorists Acting Alone” (paragraph by paragraph) and its Explanatory Memorandum (section by section);
- approve the draft Recommendation and instruct the Secretariat to submit the draft Recommendation for formal adoption to the Committee of Ministers;
- approve the draft Explanatory Memorandum to the Recommendation on “Terrorists Acting Alone” and instruct the Secretariat to submit it to the Committee of Ministers for information.

6. Definition of Terrorism

- Take note of the discussion paper (doc. CODEXTER BU (2017) 5rev) prepared by the Secretariat on the definition of terrorism;
- take note of the information provided by the Chair and Secretariat concerning the issue of the definition of terrorism in relation to, inter alia, mutual legal assistance in criminal matters, extradition, and other forms of international co-operation relating to terrorism offences;
- hold an exchange of views concerning the proposals contained in the discussion paper;
- instruct the Bureau to update the discussion paper, in particular as regards the potential added value of a pan-European definition of terrorism, in view of the 1st Plenary Meeting of the CDCT (Spring 2018);
- invite Delegations to provide their formal positions on the establishment of a subgroup of the CDCT to examine the feasibility of elaborating a pan-European definition of terrorism for the purposes of the 2005 Warsaw Convention on the Prevention of Terrorism (CETS No. 196) at the 1st Plenary Meeting of the CDCT.

7. Links between terrorism and organised crime

- Take note that both the Bureau of the CODEXTER and the Bureau of the CDPC agreed on the setting-up of a joint working group of experts (CDPC-CODEXTER) aimed at discussing future common topics and actions for both committees to ensure a valuable follow-up to the Malaga Conference;
- instruct the Secretariat to start planning the organisation of the first meeting of the working group as soon as possible in 2018.

8. Terrorism and the Internet

- Take note of the information provided by the Secretariat on the most recent developments on this issue and in particular that an exchange of letters between the Council of Europe and the leading technologies companies has taken place on 8 November 2017;
- welcome this exchange of letters;
- keep this item high on the agenda of the CDCT meetings and further examine the necessary follow-up to this matter, including the strengthening of cooperation between the competent committees of the Council of Europe.

9. The Council of Europe Convention on the Prevention of Terrorism (CETS No. 196) and its Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (CETS No. 217)

- Take note of the information provided by the Secretariat on the status of signatures and ratifications of the Council of Europe instruments related to Counter-Terrorism, notably that the Czech Republic has ratified the Convention on 21 September 2017 (entry into force 1 January 2018) bringing the total number of ratifications to 39. Moreover, there have been four new ratifications of the Additional Protocol by the Czech Republic, France, Latvia and Montenegro and two new signatures by Croatia and the Russian Federation. The total number of ratifications for the Additional Protocol is currently 10 and 28 member States and the European Union have signed but not yet ratified the Protocol;
- take note that the Additional Protocol entered into force on 1 July 2017.

10. Council of Europe 24/7 Foreign Terrorist Fighters Network of Contact Points

- Take note of the information by the Secretariat concerning the most recent developments on the Council of Europe 24/7 Foreign Terrorist Fighters Network of Contact Points, including the recently conducted "ping test", and note that the next meeting of the Contact Points will take place in early 2018.

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

- Examine and approve for publication on the website of the CODEXTER the updated country profiles provided by Armenia and Italy respectively;
- take note that the Delegations of Azerbaijan and of the Republic of Moldova intend to submit updated country profiles at the 1st Plenary Meeting of the CDCT;
- take note that the Delegation of Finland has presented their national plan of action to counter violent extremism and radicalisation, and invite other countries to do the same;
- take note of the information provided by the Delegation of Spain concerning recent activities to counter hate speech and radicalisation;
- call on all member States, which have not yet done so, to present or update their country profiles and to inform the Secretariat if they intend to submit new/updated country profiles as soon as possible.

12. Elections

- Elect Mr Mario JANECEK (Bosnia and Herzegovina) as Chairman of the CDCT;
- elect Ms Ileana VISOIU (Romania) as Vice-Chair of the CDCT;
- elect Ms María-Eugenia HERNÁNDEZ FERNÁNDEZ (Spain) as Member of the Bureau;
- elect Mr Antonis PAPAMATTHAIYOU (Greece) as Member of the Bureau;
- elect Mr Gábor HORVÁTH (Hungary) as Member of the Bureau;
- thank Mr Alexandros STAVROPOULOS (Greece) for his excellent stewardship of the Committee over the last two years and commend him on the achievements made during his tenure.

13. Items for information

- Take note of the information provided by the Secretariat concerning the Council of Europe Convention on Offences related to Cultural Property (CETS. No. 221);
- take note of the information provided by the Secretariat concerning the European Committee on Crime Problems (CDPC) and its activities of relevance to the CODEXTER/CDCT.

14. Date and place of the 1st Meeting of the CDCT

- Hold the 1st Plenary Meeting of the Committee in Strasbourg on 16-18 May 2018.

15. Adoption of the Abridged Report and List of Items discussed and Decisions taken

- Adopt the Abridged Report and List of Items discussed and Decisions taken.