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Contribution of the Council of Europe

Council of Europe/OSCE Co-operation Regarding the Fight against Terrorism September 2014-September 2015

A. Overview of the Development of Co-operation

a. Executive Summary

The common values of democracy, human rights and the rule of law are the longstanding basic guiding principles for the ongoing co-operation between the Council of Europe (CoE) and the Organization for Security and Co-operation in Europe (OSCE). Both organizations are complementary with regard to their respective mandates and methods of work, and take into consideration their differences in membership, working methods and statutory rules while continuing to fruitfully collaborate and utilise each other's comparative advantages.

The Council of Europe's mandate in the action against terrorism is based on the relevant Council of Europe conventions and the Committee of Ministers Recommendations. On 19 May 2015, the Committee of Ministers of the Council of Europe adopted a biennial (2015 – 2017) Action Plan to combat extremism and radicalization leading to terrorism. The intergovernmental steering committee on counter-terrorism measures, the Committee of Experts on Terrorism (CODEXTER), identifies priorities for intergovernmental legal co-operation, advises the Committee of Ministers and co-ordinates and conducts activities in its areas of competence.

The OSCE's role is to assist its participating States at their request in fulfilling their international obligations and the OSCE commitments in the field of combating terrorism and protecting human rights in the anti-terrorism context. Its action against terrorism is based on OSCE Ministerial Council decisions relevant to the fight against terrorism across the three dimensions of the OSCE's comprehensive approach to security. The OSCE provides a framework for multi-stakeholder dialogue, draws on its complementary executive structures

and relies on a wide presence in the field to enable exchange of good practices and capacity-building.

During the reporting period (September 2014 – September 2015) both organizations adopted new documents on topics that are of central importance to them while taking into account relevant developments at the Security Council of the United Nations. On 4-5 December 2014, the OSCE Ministerial Council adopted the Declaration on the OSCE Role in Countering the Phenomenon of Foreign Terrorist Fighters in the Context of the Implementation of UN Security Council Resolutions 2170 (2014) and 2178 (2014) and on the OSCE Role in Countering Kidnapping and Hostage-taking Committed by Terrorist Groups in the Context of the Implementation of UN Security Council Resolution 2133 (2014). On 19 May 2015, the Committee of Ministers of the Council of Europe adopted a biennial (2015 – 2017) Action Plan to combat extremism and radicalization leading to terrorism as well as an Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism.

In general, in combating terrorism, both organizations attach priority to strengthening the domestic legal frameworks and institutions, promoting legal action and international legal co-operation, suppressing the financing of terrorism, countering violent extremism and radicalization that lead to terrorism and recruitment for terrorism, preventing the use of the Internet for terrorist purposes, supporting of victims of terrorism, as well as detecting and preventing the movement of terrorists, protecting and promoting human rights and the rule of law in the context of counter-terrorism.

During the reporting period in the area of counter-terrorism for the benefit of member States and participating States, representatives of the two organizations contributed to each other's work through the participation in each other's activities, exchange of information on upcoming events and regular stock-taking and co-operation at the working level.

b. High-Level Interaction in Each Other's Activities and in Activities organized by Third Parties

In October 2014, the Co-ordination Group between the two organizations reviewed the progress made since the last meeting. The Group underlined that the common goal of security and stability enhancement throughout and beyond Europe requires common stands and actions against the challenges of the 21st century. Therefore, the Council of Europe and the OSCE will continue their co-operation and seek close collaboration in areas of mutual interest.

Both Council of Europe Secretary General Thorbjørn Jagland and OSCE Secretary General Lamberto Zannier addressed the White House Summit on Countering Violent Extremism in Washington, the United States of America, on 17 – 19 February 2015.

The OSCE Secretary General Lamberto Zannier met with H.E. Mr. Didier Reynders, Foreign Minister of Belgium and Chair of the Committee of Ministers of the Council of Europe in Vienna, Austria, on 12 March 2015 and discussed among other issues countering violent extremism and radicalization that lead to terrorism and briefed about the OSCE United in Countering Violent Extremism communication campaign.

Mr. Childerik Schaapveld, Head of the Council of Europe Vienna Office, attended the OSCE-GCTF International Workshop on Advancing Women's Roles in Countering Violent Extremism and Radicalization that Lead to Terrorism in Vienna, Austria, on 21 – 22 October 2014.

Mr. Thomas Wuchte, Head on Anti-Terrorism Issues of the OSCE Secretariat's Transnational Threats Department/Action against Terrorism Unit (TNTD/ATU), was invited to the 21st Meeting of the Co-ordination Group between the Council of Europe and the OSCE on 17 April 2015 in Strasbourg, where participants, *inter alia*, exchanged views on the current state and prospects for co-operation in relation to the fight against violent extremism and radicalization that lead to terrorism.

Mr. Schaapveld together with Mr. Zoltan Taubner, Director of the Directorate of External Relations, Council of Europe, attended the OSCE Security Days on Building Bridges: Promoting Dialogue to prevent Radicalization and Violent Extremism in Vienna, Austria, on 21 – 22 May 2015.

Mr. Jan Kleijssen, Director of Information Society and Action against Crime Directorate, Council of Europe, Mr. Jan Haukaas, Special Adviser/ ODIHR Director's Representative in Vienna, Mr. Alexey Lyzhenkov, Director of the OSCE Secretariat's Transnational Threats Department and Mr. Thomas Wuchte, TNTD/ATU Head on Anti-Terrorism Issues, attended the European Conference on Countering Violent Extremism in Oslo, Norway, on 5 June 2015.

After Bosnia and Herzegovina took over the Chairmanship of the Council of Europe Committee of Ministers, H.E. Mr. Crnadak, Foreign Minister of Bosnia and Herzegovina, addressed the OSCE Permanent Council on 9 June 2015. H.E. Mr. Crnadak noted that Bosnia and Herzegovina was taking over the Chairmanship at a time of, *inter alia*, the crisis in and around Ukraine, the fight against terrorism and the Foreign Terrorist Fighter phenomenon (FTF) and that those challenges highlighted the need for enhanced co-operation between the Council of Europe and the OSCE.

Mr. Schaapveld together with Mr. Patrick Penninckx, Head of Information Society Department, Council of Europe, attended the meeting of the OSCE Human Dimension Committee on Freedom of Media and Expression in Vienna, Austria, on 10 June 2015.

On 23–25 June 2015, Mr. Schaapveld attended the OSCE Annual Security Review Conference in Vienna, Austria, where he presented the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism and the Council of Europe action Plan to combat extremism and radicalization leading to terrorism (2015 – 2017).

On 3-4 September 2015, ODIHR First Deputy Director, Ms. Beatriz Balbin, Mr. Tim Cartwright, Head of the Council of Europe Office in Belgrade as well as representatives of ODIHR and OSCE TNTD/ATU attended the OSCE Chairmanship conference on Working with Youth for Youth: Protection against Radicalization held in Belgrade, Serbia.

c. Exchange of Information and Participation in Each Other's Activities

On 24 September 2014, a representative of the Council of Europe delivered a statement on Council of Europe priorities in the area of the protection of human rights in the fight against terrorism, prevention of torture and death penalty during the 2014 OSCE Human Dimension Implementation Meeting that took place in Warsaw, Poland over the period 22 September-3 October 2014.

A representative of the OSCE participated in the International Conference on Terrorism and Organized Crime organized by the Council of Europe, the University of Malaga and the City Hall of Malaga which took place in Malaga, Spain, on 25 – 26 September 2014.

A representative of the Council of Europe took part in the regional Conference on Building Effective Central Authorities for International Judicial Co-operation in Terrorism Cases that took place on 25-27 November 2014 in Vilnius, Lithuania and was organized by OSCE TNTD/ATU with substantive support of UNCTED and UNODC.

Representatives of the OSCE TNTD/ATU and ODIHR attended the 27th Plenary Meeting of the CODEXTER in Strasbourg, France, on 13 – 14 November 2014; a representative of the OSCE TNTD/ATU also attended the 28th Plenary Meeting of the CODEXTER in Strasbourg, France, on 8 – 10 April 2015.

On 4-5 December 2014, the OSCE Ministerial Council adopted the Declaration on the OSCE Role in Countering the Phenomenon of Foreign Terrorist Fighters in the Context of the Implementation of UN Security Council Resolutions 2170 (2014) and 2178 (2014) and on the OSCE Role in Countering Kidnapping and Hostage-taking Committed by Terrorist Groups in the Context of the Implementation of UN Security Council Resolution 2133 (2014) – in which the Council calls upon the OSCE executive structures, to *inter alia*, facilitate, in close co-ordination with partner organizations a coherent approach and tailored national assistance, upon request, in order to assist interested participating States with the practical implementation of the United Nations counter-terrorism legal and policy framework and to complement the work of the relevant United Nations counter-terrorism entities in these areas.

A representative of the OSCE TNTD/ATU attended meetings as observer of the Council of Europe's Committee on Foreign Terrorist Fighters and Related Issues (COD-CTE) which met regularly in Strasbourg from end-February to end-March 2015 in order to negotiate a draft Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism.

On 19 May 2015, the Committee of Ministers of the Council of Europe adopted an Action Plan to combat extremism and radicalization leading to terrorism (2015 – 2017). The Action Plan constitutes a strong contribution to the fight against violent extremism and radicalization leading to terrorism on the firm basis of respect for human rights, the rule of law and democracy. It aims at reinforcing the legal framework against terrorism and violent

extremism and at preventing and fighting radicalization through concrete measures in the public sector, in particular in schools and prisons, and on the Internet.

On the same day, the Committee of Ministers also adopted the aforesaid Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism. The Additional Protocol aims at providing an efficient legal framework for the implementation of the criminal law aspects of UN Security Council Resolutions 2178 (2014), on threats to international peace and security caused by terrorist acts. It provides, *inter alia*, for the criminalization of the act of travelling abroad for the purpose of terrorism, and the act of receiving training for terrorism. It furthermore obliges Parties to establish a 24/7 network for the exchange of police information concerning Foreign Terrorist Fighters.

Representatives of the Council of Europe participated in the 2015 OSCE-wide Counter-Terrorism Expert Conference on Countering the Incitement and Recruitment of Foreign Terrorist Fighters in Vienna, Austria, on 30 June – 1 July 2015. The main objective of this event was to contribute to further high-level discussions on Countering Violent Extremism in the margins of the UN General Assembly in September 2015.

Representatives of the Council of Europe participated at the Regional Workshop on Supporting the Prevention of Abuse of Non-Profit Organizations for Financing of Terrorism for OSCE participating States of South Eastern Europe in Sarajevo, Bosnia and Herzegovina, on 14 – 16 July 2015.

Recognizing that the exchange of information among counter-terrorism practitioners is vital for the fight against terrorism, the Council of Europe remained an active contributor to the OSCE Counter Terrorism Network (CTN) Newsletter, and has contributed to all CTN issues in the reporting period. The bi-monthly CTN Newsletter informs contact points in delegations, capitals and international organizations about the latest counter-terrorism developments in the OSCE region, and draws attention to pertinent activities of OSCE executive structures as well as other international/regional organizations operating in the OSCE region.

d. Participation by OSCE and CoE in Activities organized by Third Parties

Representatives of the OSCE TNTD/ATU, ODIHR and the Council of Europe participated in the seminar on Challenges in Prosecutions Related to Foreign Terrorist Fighters organized in Malta on 15-17 December 2014. This was the sixth seminar held by the UN Counter-Terrorism Committee on the topic of Bringing Terrorists to Justice and was organized in co-operation with the International Institute for Justice and the Rule of Law (IJ).

OSCE TNTD/ATU and the Council of Europe were both represented at the inaugural plenary meeting of the Global Counterterrorism Forum (GCTF) FTF Working Group in Marrakech, Morocco, on 15 – 16 December 2014. This GCTF working group is dedicated to effectively addressing the threats posed by foreign terrorist fighters, focusing on the Hague-Marrakech Memorandum on Good Practices for a More Effective Response to the FTF Phenomenon.

Representatives of both organizations participated in the Seventh Meeting of the GCTF Coordinating Committee in Doha, Qatar, on 6 – 7 May 2015. The purpose of the meeting

was to take stock of the activities undertaken in the framework of the thematic and geographical working groups of the GCTF and decide on future priorities.

The OSCE Secretariat's Border Security and Management Unit (BSMU) and the Council of Europe were also represented at the 43rd ICPO-INTERPOL European Regional Conference, Bucharest, Romania, 19 – 21 May 2015, which, *inter alia*, discussed emerging security threats in Europe, including terrorism.

Representatives of ODIHR and the Council of Europe took part in the European Commission Informal Stakeholders Consultation on draft Operational Human Rights Guidance for EU external co-operation actions on Counter-Terrorism, Organized Crime, Cybercrime and Cybersecurity held in Brussels, Belgium, on 4 June 2015. The event served as a platform to review the draft and discuss its implementation in practice.

Likewise, representatives of OSCE TNTD/ATU and the Council of Europe participated in the Conference on the FTF Phenomenon organized by the GCTF FTF Working Group, which took place in The Hague, The Netherlands, on 8 June 2015. The meeting provided participants with the opportunity to discuss trends and dynamics of the foreign terrorist fighters phenomenon.

Both OSCE TNTD/ATU and the Council of Europe made presentations at the preparatory technical sessions preceding the Special Meeting of the Counter-Terrorism Committee of the Security Council of the United Nations on Stemming the Flow of Foreign Terrorist Fighters, which took place on 27 – 29 July 2015 in Madrid, Spain.

B. Future Co-operation

Following the common goal of security and stability enhancement throughout and beyond Europe, that requires common stands and actions against the challenges of the 21st century, the Council of Europe and the OSCE will continue their co-operation and seek close collaboration in areas of mutual interest.

The Council of Europe will continue involving the OSCE in its work related to suppressing and preventing terrorism, including in the framework of its Action Plan to combat extremism and radicalization leading to terrorism (2015 – 2017), and in particular through its steering committee on counter-terrorism related matters, the CODEXTER. As in previous years, OSCE TNTD/ATU and ODIHR will further participate and contribute to the meetings of the CODEXTER, including in the 29th meeting of the CODEXTER to be held during the week of 17-18 November 2015 in Strasbourg. This meeting will adopt a set of priorities for the biennial period of 2016 and 2017, which is expected to include work on terrorists acting alone, and the assessment of possible gaps in the legal framework provided by the Council of Europe international legal instruments in the area of the prevention and suppression of terrorism.

The OSCE invites the Council of Europe to join the “OSCE United in Countering Violent Extremism” communication campaign, which was launched in spring 2015 by the OSCE Secretary General and Serbian OSCE Chairmanship to reinforce the global consensus

against violent extremism that leads to terrorism. The campaign aims at strengthening a counter-narrative to violent extremism, as it addresses human rights, freedom of media, tolerance, and democratic participation. The OSCE suggests exploring how the campaign and the Council of Europe's "No Hate Speech" movement can be interlinked and promoted in a mutually beneficial way on-line and off-line.

TNTD/ATU will continue involving the Council of Europe in the OSCE focus area of Countering the Use of the Internet for Terrorist Purposes. In the immediate future, Council of Europe representatives will participate in the Expert Workshop on Media Freedom and Responsibilities in the Context of Counter-Terrorism Policies that will take place on 7-8 October in Bucharest, Romania. The expert workshop is a response to the increasing demand for a better understanding and discussion about the inter-play between media and its responsibilities, human rights, and security and law enforcement in the context of counter-terrorism policies.

ODIHR will keep abreast and continue to involve the Council of Europe in its activities in the field of human rights and anti-terrorism, as relevant. Similarly, the OSCE and MONEYVAL will continue their co-operation in the anti-money laundering and combating terrorism sphere by participating in one another's meetings, seminars and by organizing joint events, particularly in the fields of anti-corruption and preparing participating States for MONEYVAL country evaluations. The OSCE is an observer to MONEYVAL and regularly participates in MONEYVAL meetings.

C. Summary of the Past, Current and Planned Activities Related to the Fight against Terrorism¹

| OSCE | Council of Europe |
|--|---|
| Past and Current Activities | |
| <i>2014 OSCE Human Dimension Implementation Meeting (Warsaw, 22 September -3 October 2014)</i> | |
| | <i>International Conference on Terrorism and Organized Crime (Malaga, 25 – 26 September 2014)</i> |
| <i>OSCE-GCTF International Workshop on Advancing Women's Roles in Countering Violent Extremism and Radicalization that</i> | |

¹ This list is intended to be illustrative and may not be all-inclusive

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| <i>Lead to Terrorism</i> (Vienna, 21 – 22 October 2014) | |
| <i>Meeting of the Joint OSCE-Council of Europe Group</i> (Vienna, 31 October 2014) | <i>Meeting of the Joint OSCE-Council of Europe Group</i> (Vienna, 31 October 2014) |
| | <i>27th CODEXTER Plenary Meeting</i> (Strasbourg, 13 – 14 November 2014) |
| <i>Regional Conference on Building Effective Central Authorities for International Judicial Co-operation in Terrorism Cases</i> (Vilnius, 25-27 November 2014) | |
| | <i>1st Meeting of the Committee on Foreign Terrorist Fighters and Related Issues (COD-CTE)</i> (Strasbourg, 23 – 26 February 2015) |
| | <i>2nd Meeting of the Committee on Foreign Terrorist Fighters and Related Issues (COD-CTE)</i> (Strasbourg, 9 – 12 March 2015) |
| | <i>3rd Meeting of the Committee on Foreign Terrorist Fighters and Related Issues (COD-CTE)</i> (Strasbourg, 23 – 26 March 2015) |
| | <i>28th CODEXTER Plenary Meeting</i> (Strasbourg, 8 – 10 April 2015) |
| | <i>47th MONEYVAL Plenary Meeting</i> (Strasbourg, 14 – 17 April 2015) |
| <i>OSCE Security Days on Building Bridges: Promoting Dialogue to prevent Radicalization and Violent Extremism</i> (Vienna, 21 – 22 May 2015) | |
| <i>2015 OSCE Annual Security Review Conference</i> (Vienna, 23 – 25 June 2015) | |
| <i>2015 OSCE-wide Counter-Terrorism Expert Conference on Countering the Incitement and Recruitment of Foreign Terrorist Fighters</i> (Vienna, 30 June – 1 July 2015) | |
| <i>Regional Workshop on Supporting the Prevention of Abuse of Non-Profit Organizations for Financing of Terrorism for OSCE participating States of South Eastern Europe</i> (Sarajevo, 14 – 16 July 2015) | |
| | <i>48th MONEYVAL Plenary Meeting</i> (Strasbourg, 14 – 18 September 2015) |
| <i>Chairmanship conference on Working with Youth for Youth: Protection against Radicalization</i> (Belgrade, 3-4 September 2015) | |

| OSCE | Council of Europe |
|--|--|
| Planned Activities | |
| <i>2015 OSCE Human Dimension Implementation Meeting</i> (Warsaw, 21 September-2 October 2015) | |
| <i>Foreign Terrorist Fighters – Challenges For South Eastern Europe</i> (Sarajevo, 6-8 October 2015) | |
| <i>Expert Workshop on Media Freedom and Responsibilities in the Context of Counter-Terrorism Policies</i> (Bucharest, 7-8 October 2015) | |
| | <i>29th CODEXTER Plenary Meeting</i> (Strasbourg, 17-18 November 2015) |
| | <i>49th MONEYVAL Plenary Meeting</i> (Strasbourg, 7-11 December 2015) |
| | <i>30th CODEXTER Plenary Meeting</i> (Strasbourg, April/May 2016) |
| <i>2016 OSCE-wide Counter-Terrorism Expert Conference</i> (Place TBD, 31.5-2.6.2016) | |