

The Council of Europe and terrorism: scene and conventions

The Council of Europe has been dedicated since 1949 to upholding human rights, the rule of law and pluralist democracy, and is determined to combat terrorism which repudiates these three fundamental values. The Council of Europe has worked in this field since the 1970s but its efforts were stepped up in 2001 following the unprecedented terrorist attacks in the United States.

The Council of Europe's activities in the fight against terrorism are built on three cornerstones:

- strengthening legal action against terrorism
- safeguarding fundamental values;
- addressing the causes of terrorism

They are based on the fundamental principle that it is possible and necessary to fight terrorism while respecting human rights, fundamental freedoms and the rule of law.

The Council of Europe set up two intergovernmental committees of experts: the Multidisciplinary Group on International Action against Terrorism (**GMT**), set up in 2001, and the Committee of Experts on Terrorism (**CODEXTER**) which replaced the GMT in 2003 and is still active and coordinates the implementation of activities in the **priority areas**. This work has resulted in several **international instruments and publications**.

Relevant Council of Europe instruments and documents

Conventions

European Convention on the Suppression of Terrorism [[ETS No. 90](#)] and Amending Protocol [[ETS No. 190](#)]

European Convention on Extradition [[ETS No. 24](#)] and first and second Additional Protocols [[ETS No. 86](#) and [ETS No. 98](#)]

European Convention on Mutual Assistance in Criminal Matters [[ETS No. 30](#)] and first and second Additional Protocols [[ETS No. 99](#) and [ETS No. 182](#)]

European Convention on the Transfer of Proceedings in Criminal Matters [[ETS No. 73](#)]

European Convention on the Compensation of Victims of Violent Crimes [[ETS No. 116](#)]

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime [ETS No. 141]

Convention on Cybercrime [ETS No. 185] and Additional Protocol concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems [ETS No. 189]

Council of Europe Convention on the Prevention of Terrorism [CETS No. 196]

Council of Europe Convention on laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism [CETS No. 198]

Committee of Ministers

Resolution (74) 3 on International terrorism

Declaration on Terrorism (1978)

Recommendation R (82) 1 concerning International Co-operation in the Prosecution and Punishment of Acts of Terrorism

Tripartite Declaration on Terrorist Acts (1986)

Recommendation (2001) 11 concerning Guiding Principles on the Fight against Organised Crime

Declaration on the Fight against International Terrorism (2001)

Guidelines on Human Rights and the Fight against Terrorism (2002) and the Guidelines on the Protection of Victims of Terrorist Acts (2005)

Declaration on freedom of expression and information in the media in the context of the fight against terrorism (2005)

Recommendation Rec(2005)7 of the Committee of Ministers to member states concerning identity and travel documents and the fight against terrorism

Recommendation Rec(2005)9 of the Committee of Ministers to member states on the protection of witnesses and collaborators of justice

Recommendation Rec(2005)10 of the Committee of Ministers to member states on “special investigation techniques” in relation to serious crimes including acts of terrorism

Recommendation Rec(2006)8 of the Committee of Ministers to member states on assistance to crime victims

Recommendation Rec(2007)1 of the Committee of Ministers to member states regarding co-operation against terrorism between the Council of Europe and its member states, and the International Criminal Police Organization (ICPO – Interpol)

Guidelines on protecting freedom of expression and information in times of crisis (2008)

Parliamentary Assembly Recommendations and Resolutions

Recommendation No. 684 (1972) and 703 (1973) on International Terrorism

Recommendation No. 852 (1979) on Terrorism in Europe

Recommendation No. 916 (1981) on the Conference on the Defence of Democracy against Terrorism in Europe – Tasks and Problems

Recommendation No. 941 (1982) and 982 (1984) on the Defence of Democracy against Terrorism in Europe

Recommendation No. 1024 (1986) and Resolution No. 863 (1986) on the European Response to International Terrorism

Recommendation No. 1170 (1991) on strengthening the European Convention on the Suppression of Terrorism

Recommendation No. 1199 (1992) on the Fight against International Terrorism in Europe

Resolution No. 1132 (1997) on the Organisation of a Parliamentary Conference to reinforce Democratic Systems in Europe and Co-operation in the Fight against Terrorism

Recommendation No. 1426 (1999) and Order 555 (1999) on European Democracies facing up to Terrorism

Recommendation No. 1534 (2001) and Resolution No. 1258 (2001) on Democracies facing Terrorism

Recommendation No. 1550 (2002) and Resolution No. 1271 (2002) on Combating Terrorism and Respect for Human Rights

Recommendation No. 1549 (2002) on Air Transport and Terrorism: how to enhance security

Recommendation No. 1584 (2002) on the Need for Intensified International Co-operation to Neutralise Funds for Terrorist Purposes

Recommendation No. 1644 (2004) on Terrorism: a threat to democracies

Resolution 1367 (2004) on Bioterrorism: a serious threat for citizens' health

Resolution 1400 (2004) on the Challenge of terrorism in Council of Europe member states

Recommendation 1677 (2004) on the Challenge of terrorism in Council of Europe member states

Recommendation 1687 (2004) on Combating terrorism through culture

Recommendation 1706 (2005) on Media and Terrorism

Recommendation 1713 (2005) on the Democratic oversight of the security sector in member states

Resolution 1507 (2006) and Recommendation 1754 (2006) on Alleged secret detentions and unlawful inter-state transfers of detainees involving Council of Europe member States

European Ministers of Justice

24th Conference, Moscow, 4-5 October 2001: Resolution No 1 on combating international terrorism

25th Conference, Sofia, 9-10 October 2003: Resolution No. 1 on combating terrorism

26th Conference, Helsinki, 7-8 April 2005: Resolution No. 3 on combating terrorism

European Ministers responsible for Cultural Affairs

Declaration on Intercultural Dialogue and Conflict Prevention Opatija (Croatia), 22 October 2003

High-level meetings of Ministries of the Interior

Third High-level multilateral meeting of the Ministries of the Interior Warsaw (Poland), 17 -18 March 2005 Resolution

Congress of Local and Regional Authorities

Recommendation 134 (2003) and Resolution 159 (2003) on Tackling Terrorism - the role and responsibilities of Local Authorities

European Commission against Racism and Intolerance (ECRI)

European Commission against Racism and Intolerance (ECRI) General Policy Recommendation N°8 on combating racism while fighting terrorism (2004)

European Commission against Racism and Intolerance (ECRI) General Policy Recommendation N° 11 on combating racism and racial discrimination in policing (2007)

Consultative Council of European Judges (CCJE)

[Opinion no 8 prov. \(2006\)](#) of the Consultative Council of European Judges (CCJE) for the attention of the Committee of Ministers of the Council of Europe on “the role of judges in the protection of the rule of law and human rights in the context of terrorism”

The CODEXTER is an inter-governmental committee of experts. In 2003 it replaced the Multidisciplinary Group on International Action against terrorism ([GMT](#)) to coordinate the implementation of the Council of Europe's action against terrorism. (see the [CODEXTER's Specific Terms of Reference](#)).

The CODEXTER is currently focusing on:

- the preparation of [country profiles](#) on counter-terrorism capacity;
- exchanges of information and best practice on compensation and insurance schemes for the victims of terrorism;
- identifying gaps in international law and action against terrorism with a view to proposing ways and means to fill them; and
- monitoring the signatures and ratifications and promoting the effective implementation of the Council of Europe conventions applicable to the fight against terrorism, in particular the Council of Europe Convention on the Prevention of Terrorism ([CETS No.196](#))