Council of Europe Convention on the Prevention of Terrorism (CETS No 196)

2017/0265(NLE) - 04/06/2018 - Final act

PURPOSE: to approve, on behalf of the Union, the conclusion of the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196).

NON-LEGISLATIVE ACT: Council Decision (EU) 2018/889 on the conclusion, on behalf of the European Union, of the Council of Europe Convention on the Prevention of Terrorism.

CONTENT: the Council decided to approve, on behalf of the Union, Council of Europe Convention No 196 on the prevention of terrorism, as regards matters within the competence of the Union. The Convention was signed on 22 October 2015, subject to its conclusion.

Directive (EU) 2017/541 of the European Parliament and of the Council establishes common Union rules on combatting terrorism. Consequently, the Union has already adopted measures in different areas covered by the Convention.

The Convention should therefore be approved on behalf of the Union as regards matters falling within the competence of the Union in so far as the Convention may affect those common rules or alter their scope. Member States retain their competence in so far as the Convention does not affect common rules or alter the scope thereof.

The purpose of Convention No. 196 is to **enhance the efforts of the parties in preventing terrorism and its negative effects** on the full enjoyment of human rights, in particular the right to life, both by measures taken at national level and through international co-operation.

It thus **criminalises** the following acts when committed intentionally:

- public provocation to commit a terrorist offence;
- recruitment for terrorism;
- training for terrorism;
- aiding and abetting, inciting and attempting the aforementioned offences.

Each Party shall:

- endeavour to take the necessary measures to **improve and develop cooperation** between national authorities with a view to preventing terrorist offences and their negative effects, in particular by: (i) exchanging information; (ii) strengthening the physical protection of persons and facilities; (iii) improving training and coordination plans for civil emergencies;
- **promote tolerance** by encouraging inter-religious and cross-cultural dialogue, involving, where appropriate, non-governmental organisations and other civil society actors;
- **endeavour to increase public awareness** of the existence, causes, gravity and threat posed by terrorist offences and offences under the Convention.

In addition, the Convention:

- contains provisions establishing the liability of legal entities for the aforementioned offences and setting out conditions for sanctions and penalties;

- establishes jurisdictional rules for its offences;
- establishes an obligation to investigate and to prosecute or extradite;
- contains provisions on the protection, compensation and support for victims of terrorism; national prevention policies and international co-operation on prevention.

Ireland is taking part in the adoption of this Decision. The United Kingdom and Denmark do not participate.

ENTRY INTO FORCE: 4.6.2018.