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Foreign fighters in Syria and Iraq

Reply to Recommendation¹: Recommendation 2084 (2016)
Committee of Ministers

1. The Committee of Ministers welcomes Parliamentary Assembly Recommendation 2084 (2016) on “Foreign fighters in Syria and Iraq”, which it has studied with interest and communicated to the relevant steering and expert committees for comments. The Committee of Ministers shares the view of the Assembly, that the Council of Europe has an important contribution to make to the efforts of the global community against terrorism.

2. At its 126th Session held in Sofia (Bulgaria) on 18 May 2016, the Committee of Ministers welcomed the progress made in the implementation of the Council of Europe Action Plan on the fight against violent extremism and radicalisation leading to terrorism, adopted at its previous Session. The Committee of Ministers called for the swift signature and ratification of the Council of Europe’s conventions in the field of terrorism and their protocols by those member States which have not yet done so and by the European Union. It also called for the expeditious designation of the 24/7 contact points to facilitate the timely exchange of police information, as provided for by the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (CETS No. 217), pending its entry into force. Furthermore, it adopted decisions concerning the Reference Framework of Competences for Democratic Culture, the Guidelines on the protection and promotion of human rights in culturally diverse societies and the Guidelines for prison and probation services regarding radicalisation and violent extremism, the General Policy Recommendation No. 15 of the European Commission against Racism and Intolerance (ECRI) on combating hate speech, and the necessity to reinforce the protection of victims of terrorist acts.

3. The Council of Europe is taking a leading role in the efforts at European level to stem the flow of persons travelling abroad for the purpose of terrorism, by the adoption and the opening for signature of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (Riga Protocol, CETS No. 217) in 2015. The Additional Protocol targets specifically a series of criminal activities related to the phenomenon of “foreign terrorist fighters” without any geographical qualifications. In this context, the Committee of Ministers would like to underline that persons travelling abroad for terrorist purposes should be termed “foreign terrorist fighters” to distinguish them from other categories of “fighters”. It notes that also the United Nations Security Council in its Resolution 2178 (2014) uses the term “foreign terrorist fighters” to describe the phenomenon of persons travelling abroad for the purpose of terrorism.

4. Furthermore, the Committee of Ministers wishes to inform the Assembly that the Committee of Experts on Terrorism (CODEXTER) is currently working on a draft Recommendation on “Terrorists acting alone”, which is also expected to touch on possible threats posed by returning “foreign terrorist fighters” and on how to prevent such threats (paragraph 4.3 of the Assembly Recommendation).

5. The Committee of Ministers agrees with the Parliamentary Assembly that the lack of a comprehensive legal definition of terrorism in international law poses difficulties to the efforts of States to bring terrorists to justice, in particular as regards the extradition of suspects and the provision of mutual legal assistance in

1. Adopted at the 1262nd meeting of the Ministers’ Deputies (6 July 2016).



terrorism cases. In this respect, it notes that in 2016-2017, the CODEXTER will examine the legal issues involved in providing for a comprehensive legal definition of terrorism at international (European) level (paragraph 5 of the Assembly recommendation).

6. In line with the Assembly's recommendation, the Committee of Ministers has taken action for the swift implementation of the measures contained in the above-mentioned Action Plan to prevent and fight radicalisation (paragraph 4.2 of the Assembly's recommendation). It is of the opinion that the current upsurge of violent extremism has again shown the need to strengthen the democratic mission of education. The preparation for lifelong active democratic citizenship of all learners should be a hallmark of European education systems and an essential part of the response to the challenges Europe is facing.

7. The Committee of Ministers notes that the Council of Europe Standing Conference of Ministers of Education held in Brussels on 11 and 12 April 2016 on the theme: "Securing democracy through education", reaffirmed the importance of education in promoting democracy, intercultural understanding and tolerance, and in the fight against radicalisation, discrimination and extremist violence based on ideological, religious and racist pretexts. The Ministers of Education also endorsed a new Reference Framework of Competences for Democratic Culture (see paragraph 2 above). This document will serve as a reference instrument for member States to ensure common and coherent quality teaching for citizenship and democracy in and through school education.