



Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism

Riga, 22.X.2015

The member States of the Council of Europe and the other Parties to the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196), signatory to this Protocol,

Considering that the aim of the Council of Europe is to achieve greater unity between its members;

Desiring to further strengthen the efforts to prevent and suppress terrorism in all its forms, both in Europe and globally, while respecting human rights and the rule of law;

Recalling human rights and fundamental freedoms enshrined, in particular, in the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and its protocols, as well as in the International Covenant on Civil and Political Rights;

Expressing their grave concern about the threat posed by persons travelling abroad for the purpose of committing, contributing to or participating in terrorist offences, or the providing or receiving of training for terrorism in the territory of another State;

Having regard in this respect to Resolution 2178 (2014) adopted by the Security Council of the United Nations at its 7272nd meeting on 24 September 2014, in particular paragraphs 4 to 6 thereof;

Considering it desirable to supplement the Council of Europe Convention on the Prevention of Terrorism in certain respects,

Have agreed as follows:

Article 1 – Purpose

The purpose of this Protocol is to supplement the provisions of the Council of Europe Convention on the Prevention of Terrorism, opened for signature in Warsaw on 16 May 2005 (hereinafter referred to as "the Convention") as regards the criminalisation of the acts described in Articles 2 to 6 of this Protocol, thereby enhancing the efforts of Parties in preventing terrorism and its negative effects on the full enjoyment of human rights, in particular the right to life, both by measures to be taken at national level and through international co-operation, with due regard to the existing applicable multilateral or bilateral treaties or agreements between the Parties.

Article 2 – Participating in an association or group for the purpose of terrorism

- 1 For the purpose of this Protocol, "participating in an association or group for the purpose of terrorism" means to participate in the activities of an association or group for the purpose of committing or contributing to the commission of one or more terrorist offences by the association or the group.
- 2 Each Party shall adopt such measures as may be necessary to establish "participating in an association or group for the purpose of terrorism", as defined in paragraph 1, when committed unlawfully and intentionally, as a criminal offence under its domestic law.

Article 3 – Receiving training for terrorism

- 1 For the purpose of this Protocol, "receiving training for terrorism" means to receive instruction, including obtaining knowledge or practical skills, from another person in the making or use of explosives, firearms or other weapons or noxious or hazardous substances, or in other specific methods or techniques, for the purpose of carrying out or contributing to the commission of a terrorist offence.
- 2 Each Party shall adopt such measures as may be necessary to establish "receiving training for terrorism", as defined in paragraph 1, when committed unlawfully and intentionally, as a criminal offence under its domestic law.

Article 4 – Travelling abroad for the purpose of terrorism

- 1 For the purpose of this Protocol, "travelling abroad for the purpose of terrorism" means travelling to a State, which is not that of the traveller's nationality or residence, for the purpose of the commission of, contribution to or participation in a terrorist offence, or the providing or receiving of training for terrorism.
- 2 Each Party shall adopt such measures as may be necessary to establish "travelling abroad for the purpose of terrorism", as defined in paragraph 1, from its territory or by its nationals, when committed unlawfully and intentionally, as a criminal offence under its domestic law. In doing so, each Party may establish conditions required by and in line with its constitutional principles.
- 3 Each Party shall also adopt such measures as may be necessary to establish as a criminal offence under, and in accordance with, its domestic law the attempt to commit an offence as set forth in this article.

Article 5 – Funding travelling abroad for the purpose of terrorism

- 1 For the purpose of this Protocol, "funding travelling abroad for the purpose of terrorism" means providing or collecting, by any means, directly or indirectly, funds fully or partially enabling any person to travel abroad for the purpose of terrorism, as defined in Article 4, paragraph 1, of this Protocol, knowing that the funds are fully or partially intended to be used for this purpose.
- 2 Each Party shall adopt such measures as may be necessary to establish the "funding of travelling abroad for the purpose of terrorism", as defined in paragraph 1, when committed unlawfully and intentionally, as a criminal offence under its domestic law.

Article 6 – Organising or otherwise facilitating travelling abroad for the purpose of terrorism

- 1 For the purpose of this Protocol, "organising or otherwise facilitating travelling abroad for the purpose of terrorism" means any act of organisation or facilitation that assists any person in travelling abroad for the purpose of terrorism, as defined in Article 4, paragraph 1, of this Protocol, knowing that the assistance thus rendered is for the purpose of terrorism.
- 2 Each Party shall adopt such measures as may be necessary to establish "organising or otherwise facilitating travelling abroad for the purpose of terrorism", as defined in paragraph 1, when committed unlawfully and intentionally, as a criminal offence under its domestic law.

Article 7 – Exchange of information

- 1 Without prejudice to Article 3, paragraph 2, sub-paragraph a, of the Convention and in accordance with its domestic law and existing international obligations, each Party shall take such measures as may be necessary in order to strengthen the timely exchange between Parties of any available relevant information concerning persons travelling abroad for the purpose of terrorism, as defined in Article 4. For that purpose, each Party shall designate a point of contact available on a 24-hour, seven-days-a-week basis.
- 2 A Party may choose to designate an already existing point of contact under paragraph 1.
- 3 A Party's point of contact shall have the capacity to carry out communications with the point of contact of another Party on an expedited basis.

Article 8 – Conditions and safeguards

- 1 Each Party shall ensure that the implementation of this Protocol, including the establishment, implementation and application of the criminalisation under Articles 2 to 6, is carried out while respecting human rights obligations, in particular the right to freedom of movement, freedom of expression, freedom of association and freedom of religion, as set forth in, where applicable to that Party, the Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Civil and Political Rights and other obligations under international law.
- 2 The establishment, implementation and application of the criminalisation under Articles 2 to 6 of this Protocol should furthermore be subject to the principle of proportionality, with respect to the legitimate aims pursued and to their necessity in a democratic society, and should exclude any form of arbitrariness or discriminatory or racist treatment.

Article 9 – Relation between this Protocol and the Convention

The words and expressions used in this Protocol shall be interpreted within the meaning of the Convention. As between the Parties, all the provisions of the Convention shall apply accordingly, with the exception of Article 9.

Article 10 – Signature and entry into force

- 1 This Protocol shall be open for signature by Signatories to the Convention. It shall be subject to ratification, acceptance or approval. A Signatory may not ratify, accept or approve this Protocol unless it has previously ratified, accepted or approved the Convention, or does so simultaneously. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

- 2 This Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the deposit of the sixth instrument of ratification, acceptance or approval, including at least four member States of the Council of Europe.
- 3 In respect of any Signatory which subsequently deposits its instrument of ratification, acceptance or approval, this Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date of the deposit of the instrument of ratification, acceptance or approval.

Article 11 – Accession to the Protocol

- 1 After the entry into force of this Protocol, any State, which has acceded to the Convention, may also accede to this Protocol or do so simultaneously.
- 2 In respect of any State acceding to the Protocol under paragraph 1 above, the Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date of the deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 12 – Territorial application

- 1 Any State or the European Union may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which this Protocol shall apply.
- 2 Any Party may, at any later time, by declaration addressed to the Secretary General of the Council of Europe, extend the application of this Protocol to any other territory specified in the declaration. In respect of such territory the Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date of receipt of the declaration by the Secretary General.
- 3 Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn by a notification addressed to the Secretary General of the Council of Europe. The withdrawal shall become effective on the first day of the month following the expiration of a period of three months after the date of receipt of such notification by the Secretary General.

Article 13 – Denunciation

- 1 Any Party may, at any time, denounce this Protocol by means of a notification addressed to the Secretary General of the Council of Europe.
- 2 Such denunciation shall become effective on the first day of the month following the expiration of a period of three months after the date of receipt of the notification by the Secretary General of the Council of Europe.
- 3 Denunciation of the Convention automatically entails denunciation of this Protocol.

Article 14 – Notifications

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, the European Union, the non-member States which have participated in the elaboration of this Protocol as well as any State which has acceded to, or has been invited to accede to, this Protocol of:

- a any signature;
- b the deposit of any instrument of ratification, acceptance, approval or accession;
- c any date of entry into force of this Protocol in accordance with Articles 10 and 11;
- d any other act, declaration, notification or communication relating to this Protocol.

In witness whereof the undersigned, being duly authorised thereto, have signed this Protocol.

Done at Riga, this 22nd day of October 2015, in English and in French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe, to the European Union, to the non-member States which have participated in the elaboration of this Protocol, and to any State invited to accede to it.

Reservations and Declarations for Treaty No.217 - Additional Protocol to the Council
of Europe Convention on the Prevention of Terrorism (CETS No. 217)

Status as of 01/02/2022

Croatia

Declaration contained in the instrument of ratification deposited on 15 March 2021 –
Or. Engl.

In accordance with Article 7, paragraph 1, of the Additional Protocol, the Republic of
Croatia designates the Ministry of the Interior as the national point of contact
available 24 hours a day, seven days a week, for the exchange of all available
relevant information between the parties concerning persons travelling abroad for the
purpose of terrorism, as defined in Article 4.

Contact information:

Ministry of the Interior of the Republic of Croatia

Address: Ilica 335, 10 000 Zagreb, Croatia

Working hours: Mon – Fri; 08:00 – 16:00 h.

Competent unit: Counter Terrorism Service

Telephone: +385 13 78 81 04

Email: soktrz.ot@mup.hr

Outside working hours:

Competent unit: International Police Cooperation Service

Telephone: +385 13 78 87 54

Email: spkp.smp@mup.hr

Period covered: 01/07/2021

Articles concerned: 7

Denmark

Declaration contained in the instrument of approval deposited on 3 November 2016 –
Or. Engl.

Until further notice, the Protocol shall not apply to the Faroe Islands and Greenland.

Period covered: 01/07/2017

Articles concerned: 12

Italy

Declaration contained in a Note Verbale from the Permanent Representation of Italy,
deposited with the instrument of ratification on 21 February 2017 - Or. Fr - It.

In accordance with Article 7 of the Protocol, the Italian Republic declares that the
point of contact responsible for transmitting and receiving information is the Ministry
of Interior - Department of Public Security (*Ministero dell'Interno – Dipartimento di
pubblica sicurezza*).

Period covered: 01/07/2017

Articles concerned: 7

Lithuania

Declaration contained in a Note Verbale from the Ministry of Foreign Affairs of Lithuania, dated 3 August 2018, deposited with the instrument of ratification on 26 September 2018 – Or. Engl.

In accordance with Article 7, paragraph 1, of the Additional Protocol, the Lithuanian Criminal Police Bureau has been designated as a point of contact to perform the functions set forth in Article 7 of the Additional Protocol.

The contact information of the Lithuanian Criminal Police Bureau is:

Address: Saltoniškių g. 19, 08105 Vilnius, Lithuania

Tel.: +370 5 271 97 93

Fax: +370 5 271 97 93

E-mail: lkpb.rastine@policija.lt

Internet: <http://lkpb.policija.lrv.lt/en/>

Period covered: 01/01/2019

Articles concerned: 7

Monaco

Declaration handed over to the Secretary General of the Council of Europe at the time of deposit of the instrument of ratification, on 4 October 2016 – Or. Fr.

In conformity with Article 7, paragraph 1, of the Protocol, the Principality of Monaco designates as point of contact available on a 24-hour, seven-days-a-week basis the following authority:

Direction de la Sûreté Publique

9, rue Suffren Reymond

98000 Monaco

Period covered: 01/07/2017

Articles concerned: 7

Netherlands

Declaration contained in the instrument of acceptance deposited on 2 June 2021 - Or. Engl.

The Kingdom of the Netherlands accepts the Protocol for the European part of the Netherlands and the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba).

Period covered: 01/10/2021

Articles concerned: 12

Republic of Moldova

Declaration contained in the instrument of ratification deposited on 23 February 2017 – Or. Engl.

With reference to Article 12 of the Additional Protocol, the Republic of Moldova declares that, until the complete restoration of its territorial integrity, the provisions of the Protocol will be applied only on the territory effectively controlled by the authorities of the Republic of Moldova.

Period covered: 01/07/2017

Articles concerned: 12

Russian Federation

Declaration contained in the Full powers handed over at the time of signature of the instrument, on 27 July 2017 - Or. Rus./Engl. and confirmed in the instrument of ratification deposited on 24 January 2020 – Or. Engl.

The Russian Federation declares that, in accordance with the Criminal Code of the Russian Federation, acts covered by Article 4 of the Additional Protocol will be considered as preparations for or attempts to commit a terrorist crime and as such entail criminal liability.

Period covered:

Articles concerned: 4

Slovenia

Declaration contained in Note Verbale from the Ministry of Foreign Affairs of Slovenia, dated 4 November 2019, deposited with the instrument of ratification on 25 November 2019 – Or. Engl.

In accordance with Article 7, paragraph 1, of the Additional Protocol, Slovenia declares that the point of contact designated for the exchange of information is General Police Directorate – Criminal Police Directorate

Internal Police Co-operation Division

Tel.: + 386 1 428 5274

Fax: +386 1 428 4780

Email: interpol.ljubljana@policija.si

Period covered: 01/03/2020

Articles concerned: 7

Spain

Declaration contained in a Note verbale from the Ministry of Foreign Affairs of Spain, dated 19 October 2015, handed over to the Secretary General of the Council of

Europe at the time of signature of the instrument, on 22 October 2015 – Or. Fr.
The Permanent Representation of the Kingdom of Spain has the honour to communicate that, in the event that Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism were to be ratified by the United Kingdom and extended to Gibraltar, Spain would like to make the following declaration:

1. Gibraltar is a non-autonomous territory whose international relations come under the responsibility of the United Kingdom and which is subject to a decolonisation process in accordance with the relevant decisions and resolutions of the General Assembly of the United Nations.
2. The authorities of Gibraltar have a local character and exercise exclusively internal competences which have their origin and their foundation in a distribution and attribution of competences performed by the United Kingdom in compliance with its internal legislation, in its capacity as sovereign State of which the mentioned non-autonomous territory is dependent.
3. In consequence, any participation of the Gibraltar authorities in the application of this Protocol will be understood as carried out exclusively as part of the internal competences of Gibraltar and cannot be considered to modify in any way what was established in the two previous paragraphs.
4. The procedure foreseen in the "Arrangements relating to Gibraltar authorities in the context of certain international treaties" which were adopted by Spain and the United Kingdom on 19 December 2007, as well as the "Agreed Arrangements relating to Gibraltar authorities in the context of EU and EC instruments and related treaties", dated 19 April 2000, apply to this Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism, opened for signature in Riga, on 22 October 2015.
5. The application of this protocol to Gibraltar should not be interpreted as an acknowledgment of any right or any situation regarding areas not covered by Article X of the Treaty of Utrecht of 13 July 1713, concluded between the Crowns of Spain and of the United Kingdom.

Period covered:

Articles concerned: 0

Switzerland

Declaration contained in the instrument of ratification deposited on 25 March 2021 -
Or. Fr.

Switzerland declares that the Federal Office of Police, attached to the Federal Department of Justice and Police, 3003 Berne, is the 24/7 contact point within the meaning of Article 7, paragraph 1, of the Additional Protocol.

Period covered: 01/07/2021

Articles concerned: 7