



# ΕΠΙΣΗΜΗ ΕΦΗΜΕΡΙΔΑ ΤΗΣ ΚΥΠΡΙΑΚΗΣ ΔΗΜΟΚΡΑΤΙΑΣ

## ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ

### ΝΟΜΟΘΕΣΙΑ – ΜΕΡΟΣ ΙΙΙ

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| Αριθμός 4139 | Παρασκευή, 26 Νοεμβρίου 2010 | 1415 |
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Ο περί της Σύμβασης του Συμβουλίου της Ευρώπης για την Παρεμπόδιση της Τρομοκρατίας (Κυρωτικός) Νόμος του 2010 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 22(III) του 2010

#### ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΣΥΜΒΑΣΗ ΤΟΥ ΣΥΜΒΟΥΛΙΟΥ ΤΗΣ ΕΥΡΩΠΗΣ ΓΙΑ ΤΗΝ ΠΑΡΕΜΠΟΔΙΣΗ ΤΗΣ ΤΡΟΜΟΚΡΑΤΙΑΣ

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

- |                                  |                                                                                                                                                                                      |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Συνοπτικός<br>τίτλος.            | 1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Σύμβασης του Συμβουλίου της Ευρώπης για την Παρεμπόδιση της Τρομοκρατίας (Κυρωτικός) Νόμος του 2010.                                    |
| Ερμηνεία.                        | 2. Στον παρόντα Νόμο –<br><br>«Σύμβαση» σημαίνει τη Σύμβαση του Συμβουλίου της Ευρώπης για την Παρεμπόδιση της Τρομοκρατίας, η οποία υπογράφηκε στη Βαρσοβία στις 16 Μαΐου 2005.     |
| Κύρωση της<br>Σύμβασης.          | 3.-(1) Με τον παρόντα Νόμο κυρώνεται η Σύμβαση που υπογράφηκε από την Κυπριακή Δημοκρατία, μετά από απόφαση του Υπουργικού Συμβουλίου με αριθμό 61.970 και ημερομηνία 12 Μαΐου 2005. |
| Πίνακας.<br>Μέρος Α.<br>Μέρος Β. | (2) Το κείμενο της Σύμβασης εκτίθεται, στο αγγλικό πρωτότυπο, στο Μέρος Α του Πίνακα και, σε ελληνική μετάφραση, στο Μέρος Β του Πίνακα:                                             |

Νοείται ότι σε περίπτωση διαφοράς μεταξύ του κειμένου που εκτίθεται στο Μέρος Α και εκείνου που εκτίθεται στο Μέρος Β του Πίνακα, υπερισχύει το κείμενο που εκτίθεται στο Μέρος Α.

1416

ΠΙΝΑΚΑΣ

(άρθρο 3)

ΜΕΡΟΣ Α

Council of Europe Convention on the Prevention of Terrorism

# Council of Europe Convention on the Prevention of Terrorism

Warsaw, 16.V.2005

The member States of the Council of Europe and the other Signatories hereto,

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

Recognising the value of reinforcing co-operation with the other Parties to this Convention;

Wishing to take effective measures to prevent terrorism and to counter, in particular, public provocation to commit terrorist offences and recruitment and training for terrorism;

Aware of the grave concern caused by the increase in terrorist offences and the growing terrorist threat;

Aware of the precarious situation faced by those who suffer from terrorism, and in this connection reaffirming their profound solidarity with the victims of terrorism and their families,

Recognising that terrorist offences and the offences set forth in this Convention, by whoever perpetrated, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature, and recalling the obligation of all Parties to prevent such offences and, if not prevented, to prosecute and ensure that they are punishable by penalties which take into account their grave nature;

Recalling the need to strengthen the fight against terrorism and reaffirming that all measures taken to prevent or suppress terrorist offences have to respect the rule of law and democratic values, human rights and fundamental freedoms as well as other provisions of international law, including, where applicable, international humanitarian law;

Recognising that this Convention is not intended to affect established principles relating to freedom of expression and freedom of association;

Recalling that acts of terrorism have the purpose by their nature or context to seriously intimidate a population or unduly compel a government or an international organisation to perform or abstain from performing any act or seriously destabilise or destroy the fundamental political, constitutional, economic or social structures of a country or an international organisation;

Have agreed as follows:

### Article 1 – Terminology

- 1 For the purposes of this Convention, “terrorist offence” means any of the offences within the scope of and as defined in one of the treaties listed in the Appendix.
- 2 On depositing its instrument of ratification, acceptance, approval or accession, a State or the European Community which is not a party to a treaty listed in the Appendix may declare that, in the application of this Convention to the Party concerned, that treaty shall be deemed not to be included in the Appendix. This declaration shall cease to have effect as soon as the treaty enters into force for the Party having made such a declaration, which shall notify the Secretary General of the Council of Europe of this entry into force.

### Article 2 – Purpose

The purpose of the present Convention is to enhance 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 3 – National prevention policies

- 1 Each Party shall take appropriate measures, particularly in the field of training of law enforcement authorities and other bodies, and in the fields of education, culture, information, media and public awareness raising, with a view to preventing terrorist offences and their negative effects while respecting human rights obligations 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 Each Party shall take such measures as may be necessary to improve and develop the co-operation among national authorities with a view to preventing terrorist offences and their negative effects by, *inter alia*:
  - a exchanging information;
  - b improving the physical protection of persons and facilities;
  - c enhancing training and coordination plans for civil emergencies.
- 3 Each Party shall promote tolerance by encouraging inter-religious and cross-cultural dialogue involving, where appropriate, non-governmental organisations and other elements of civil society with a view to preventing tensions that might contribute to the commission of terrorist offences.

- 4 Each Party shall endeavour to promote public awareness regarding the existence, causes and gravity of and the threat posed by terrorist offences and the offences set forth in this Convention and consider encouraging the public to provide factual, specific help to its competent authorities that may contribute to preventing terrorist offences and offences set forth in this Convention.

#### Article 4 – International co-operation on prevention

Parties shall, as appropriate and with due regard to their capabilities, assist and support each other with a view to enhancing their capacity to prevent the commission of terrorist offences, including through exchange of information and best practices, as well as through training and other joint efforts of a preventive character.

#### Article 5 – Public provocation to commit a terrorist offence

- 1 For the purposes of this Convention, "public provocation to commit a terrorist offence" means the distribution, or otherwise making available, of a message to the public, with the intent to incite the commission of a terrorist offence, where such conduct, whether or not directly advocating terrorist offences, causes a danger that one or more such offences may be committed.
- 2 Each Party shall adopt such measures as may be necessary to establish public provocation to commit a terrorist offence, as defined in paragraph 1, when committed unlawfully and intentionally, as a criminal offence under its domestic law.

#### Article 6 – Recruitment for terrorism

- 1 For the purposes of this Convention, "recruitment for terrorism" means to solicit another person to commit or participate in the commission of a terrorist offence, or to join an association or group, for the purpose of 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 recruitment for terrorism, as defined in paragraph 1, when committed unlawfully and intentionally, as a criminal offence under its domestic law.

#### Article 7 – Training for terrorism

- 1 For the purposes of this Convention, "training for terrorism" means to provide instruction 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, knowing that the skills provided are intended to be used for this purpose.
- 2 Each Party shall adopt such measures as may be necessary to establish training for terrorism, as defined in paragraph 1, when committed unlawfully and intentionally, as a criminal offence under its domestic law.