

Meeting the Challenge

A Guide to United Nations
Counterterrorism Activities



Naureen Chowdhury Fink

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Cover Photo: United Nations General Assembly session on the Secretary-General's report on "Uniting Against Terrorism: Recommendation for a Global Counter-Terrorism Strategy" (A/60/825), at UN Headquarters in New York. May 2, 2006.
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About the Author

NAUREEN CHOWDURY FINK was a Senior Policy Analyst at the International Peace Institute (IPI) during the researching and writing of this guide. She is currently a Senior Analyst at the Center on Global Counterterrorism Cooperation, New York Office.

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INTRODUCTION

Over the past decade, the United Nation's work to combat global terrorism has expanded dramatically. Through the initiatives of the General Assembly and Security Council, a complex institutional architecture has formed that draws on the expertise of a range of UN entities and brings a new range of actors into the focus of counterterrorism work. There are over thirty UN-associated entities that are members of the Counter-Terrorism Implementation Task Force (CTITF) working together to address terrorism and related threats. The entities participating in the Task Force—including the UN Development Programme; The Office of the High Commissioner for Human Rights; the UN Office on Drugs and Crime; Interpol; the World Bank; the Counter-Terrorism Committee Executive Directorate (CTED); and the United Nations Educational, Scientific and Cultural Organization (UNESCO), among others—reflect the 2006 UN Global Counter-Terrorism Strategy. The strategy, adopted unanimously by UN member states, offers a comprehensive plan to combat terrorism. It calls on actors engaged in development, education, human rights, security, and capacity building at the UN to join together in addressing this common threat. This reference guide is intended to make those bodies, and their work, easier to navigate.

Before and After 9/11

In the immediate aftermath of the attacks on the United States on September 11, 2001 (henceforth, 9/11), one would have been hard pressed to find a wealth of scholarly books or policy reports that addressed the role of the United Nations (UN) in countering terrorism in any detail. This is in large part because, prior to the emergence of al-Qaida and other violent nonstate armed groups at the end of the twentieth century, terrorism was perceived as a domestic matter, and one that states were reluctant to internationalize. Groups like the Irish Republican Army (IRA), the Liberation Tigers of Tamil Eelam (LTTE), or *Euskadi ta Askatasuna* (ETA, or Basque Homeland and Freedom) were primarily seen as the concern of the national governments that they challenged. And while they may have at times

acted across borders and received political and financial support from sympathizers abroad, they were not considered a threat to international peace and security writ large. Consequently, the UN was seen as a marginal actor in efforts to address the threat posed by such groups.

Today, the sizeable literature on terrorism and the United Nations reflects the recognition by many states that terrorism has evolved into a transnational threat, and that international cooperation is a valuable ingredient in their efforts to address it. As information technology and globalization have transformed the way we interact socially and conduct business or politics, they have also transformed the practice of terrorism. They have helped to foster what Peter Bergen calls the “privatization” of terrorism, and they have reduced the deterrent value of political borders.¹ Unlike the more “traditional” groups mentioned above, today’s terrorists are not necessarily part of a hierarchically structured organization associated with a specific geographic locale. Instead, like many of their lawful counterparts in the private sector, they have diversified supply lines and sources of finance, exploited communications technologies, adopted decentralized structures, and outsourced operations to franchises or individuals. Weapons, people, and materials move across porous borders; ideas move over the Internet; cash flows through mobile phones and undocumented couriers or alternative remittance systems like *hawala* networks.

Consequently, today, terrorist groups like al-Qaida are more akin to what Marc Sageman has described as a social movement of individuals and cells connected to each other through “complex webs of direct or mediated exchanges.”² This is not to say that more “traditional” groups no longer pose a threat but that increasingly decentralized terrorist networks, the diffusion of violent activity by extremists or “lone wolves,” mean that strategies to counter hierarchical, centralized, and geographically limited groups are no longer sufficient. Moreover, in a globalized environment, all states are vulnerable, either as targets, bases of operations, or transit points.

The potential repercussions of a single mass-casualty attack lend terrorism a particular urgency for governments, policymakers, and law-enforcement officials. This is exacerbated by the prospect of terrorists’ use of weapons of mass destruction (WMD). In its December 2008 report, the Commission on the Prevention of WMD

Proliferation and Terrorism predicted an attack using WMDs before 2013. The willingness of groups to acquire and use chemical, biological, radiological, or nuclear (CBRN) weapons has already been demonstrated by al-Qaida's declared interests in acquiring such weapons and by their use in the 1995 sarin gas attacks in Tokyo, perpetrated by *Aum Shinrikyo*.³ Densely populated urban centers, interconnected economies and societies, and the increased dependence on technology for financial, military, and transportation systems, for example, underscore our vulnerabilities and the prospect of catastrophic damage from a single attack.

Fragile states and "ungoverned spaces" with alternative authority structures can pose particularly hospitable environments for illicit groups, including terrorists, who benefit from relatively limited government regulations or scrutiny.⁴ Partnerships with transnational organized crime networks may further enhance these groups' operating capacities and financial resources. Preying on the vulnerabilities of the state and society, such groups have the potential to catalyze political violence, jeopardize development, and hollow out vital institutions.⁵ The spillover effects pose both security and development challenges to regional neighbors and international stakeholders. In the introductory letter to the 2002 US National Security Strategy, President Bush observed that "the events of September 11, 2001, taught us that weak states, like Afghanistan, can pose as great a danger to our national interests as strong states. Poverty does not make poor people into terrorists and murderers. Yet, poverty, weak institutions, and corruption can make weak states vulnerable to terrorist networks and drug cartels within their borders."⁶

The threat posed by terrorism today is therefore complex, globalized, diffused, and sometimes connected to a number of other transnational threats. This was recognized by the Security Council in a Presidential Statement in 2010, in which it noted "that, in a globalized society, organized crime groups and networks, better equipped with new information and communication technologies, are becoming more diversified and connected in their illicit operations, which in some cases may aggravate threats to international security." Moreover, the Council invited the Secretary-General "to consider these threats as a factor in conflict prevention strategies, conflict

analysis, integrated missions' assessment and planning and to consider including in his reports, as appropriate, analysis on the role played by these threats in situations on its agenda." The transnational nature of contemporary terrorism has prompted states to develop a more collaborate approach to terrorism and the development of a dense institutional architecture at the UN, encompassing the Security Council and the thirty-one entities organized into the Counter-Terrorism Implementation Task Force (CTITF).

Countering Transnational Terrorism: What Role for the United Nations?

A Policy Working Group convened by then Secretary-General Kofi Annan determined that the the United Nations should "concentrate its direct role in counterterrorism on the areas in which the organization has a comparative advantage."⁷ The tripartite strategy recommended by the group suggested the UN should (1) dissuade disaffected groups from embracing terrorism, (2) deny groups or individuals the means of carrying out terrorist acts, and (3) sustain broad-based international cooperation in the struggle against terrorism.⁸ This was further elaborated by Secretary-General Annan when he set out the "Five D's" that formed the basis for a principled and comprehensive strategy for the UN:

1. To *dissuade* disaffected groups from choosing terrorism as a tactic to achieve their goals
2. To *deny* terrorists the means to carry out their attacks
3. To *deter* states from supporting terrorists
4. To *develop* state capacity to prevent terrorism
5. To *defend* human rights in the struggle against terrorism⁹

The UN Global Counter-Terrorism Strategy (henceforth, Global Strategy), adopted by the General Assembly in 2006, builds on these elements and outlines four pillars of action, urging states to (1) address "conditions conducive to terrorism," (2) prevent and combat terrorism, (3) build states' capacities to prevent and combat terrorism, and (4) promote and protect human rights as a fundamental basis for counterterrorism efforts.¹⁰

These policies reflect three key roles that the UN might effectively play in addressing global terrorism. First, the UN draws on the legitimacy it derives from its universal membership and its responsibility as the designated guarantor of international peace and security to play an important role as a norm-setter. It was at the 2005 World Summit that 150 global leaders joined together at the UN to “condemn terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security.”¹¹ Second, the UN’s membership and global reach make it an unparalleled convener of states, international and local agencies and experts. The generally perceived impartiality of its brand allows the UN to bring together stakeholders who might otherwise be wary of interaction and provide a crucial platform for the exchange of good practices and lessons learned. Third, the UN can facilitate or provide important technical assistance to help states meet their development objectives and strengthen crucial institutions, while also enhancing their counterterrorism and law-enforcement capacities. The result of these efforts, observed Jonathan Winer at the Council on Foreign Relations, is “a growing matrix of national capacities that are beginning to extend into a web of actual transnational capacity against the dark side of globalization.”¹²

Despite these comparative advantages, it is broadly acknowledged among policymakers at the UN and in several member-state missions that the UN is less suited to taking on the more militarized tasks associated with fighting terrorism. As the Policy Working Group acknowledged, the UN is not “well placed to play an active operational role in efforts to suppress terrorist groups, pre-empt specific terrorist strikes, or to develop dedicated intelligence-gathering capacities.”¹³ Without a standing army or any independent military capacity, the UN cannot engage in any kinetic counterterrorism operations, nor does it have sufficient resources at this time to devote to the development of a strong independent analytical capacity to assess the threat and formulate the necessary response. Furthermore, the UN is an unlikely vehicle for sharing sensitive national security information given the differences among the membership regarding the definition of terrorism and the inability of the world body to place any guaran-

teed safeguards on classified information.

Consequently, the willingness of states to utilize multilateral tools in addressing terrorism has been variable, with many preferring to channel counterterrorism resources through bilateral arrangements or regional/subregional organizations. Nonetheless, for many states, the UN remains a trusted partner, especially when overt bilateral engagement on counterterrorism is fraught with political sensitivities. Also in regions where political tensions inhibit counterterrorism cooperation at the political level, the UN is well placed to be a neutral convener for practitioners and key stakeholders to develop cooperative professional networks and to exchange best practices.

How Has the UN's Response Been Structured?

Since Secretary-General Kurt Waldheim worked to place international terrorism on the multilateral agenda following the attacks at the 1972 Olympic Games in Munich, the topic has been typically discussed in the General Assembly. However, the inability of its members to agree on a common approach or definition led those states that were eager to pursue international cooperation on counterterrorism to place their hopes in more technical bodies such as the International Civil Aviation Organization. Such organizations could address more functional aspects of terrorism-related activities, without getting bogged down in the political debates.

Differences among the UN membership on how to address terrorism reflected the views of two main blocs. Primarily developed states in the Global North advocated a zero-tolerance approach while primarily developing countries in the Global South expressed concerns about the diversion of development and other resources towards what they perceived to be a Western/Northern security agenda that had little relevance to their own priorities. Moreover, many of these states owed their independence to successful anti-colonial movements and reflected this history in their reluctance to label those they perceived to be freedom fighters as terrorists. Due in large part to these divisions, which hindered the ability of the General Assembly to act responsively to terrorist threats, in the aftermath of 9/11, the Security Council took the lead in shaping the world body's response to terrorism as epitomized by al-Qaida.

THE SECURITY COUNCIL

The three resolutions most often associated with the Security Council's counterterrorism work today are UN Security Council Resolutions (UNSCR) 1267, 1373, and 1540, though several additional resolutions have expanded and refined the terms of each one. Whereas earlier counterterrorism-related resolutions and initiatives had targeted states accused of sponsoring or supporting terrorists, such as Libya or Sudan, these newer resolutions were novel in addressing the activities of nonstate actors, including individuals and commercial entities. Moreover, the new resolutions were not circumscribed by time or geography; they were open ended and targeted abstract threats. They did not specify a time limit for the resolution but rather obliged UN member states to implement a number of permanent measures to fulfill their obligations. Monika Heupel, writing at the German Institute for International and Security Affairs, argued that such initiatives demonstrate the Council's ability to adapt to the increasingly transnational elements of contemporary security threats—such as, cross-border networks, a greater focus on mass-casualty attacks, and support from the private sector and individuals, rather than states—and to reorient the Council's approach accordingly.¹⁴

Resolution 1267

UN Security Council Resolution 1267 was passed in response to the 1998 bombings of the American embassies in Nairobi and Dar es Salaam, and imposed sanctions on the Taliban government of Afghanistan upon their refusal to hand over Osama bin Laden, held responsible for the attacks. Following 9/11, the scope of this resolution was expanded by UNSCR 1390 to freeze the assets of, impose a travel ban on, and penalize financial or material support to "Usama bin Laden, members of the Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000)."¹⁵ After 2001 this "Consolidated List" [now called the Al-Qaida Sanctions list] was significantly expanded by 350 names to make a total of 487.¹⁶

The Security Council established the Al-Qaida and Taliban

Sanctions Committee to oversee the implementation of the sanctions regime. Commonly known as the 1267 Committee, it was formed as a “committee of the whole,” composed of all current council members. To assist the committee, a monitoring group was established in 2001, composed of five independent experts who were to be supported in the field by a sanctions enforcement support team composed of border-control and customs experts to be posted to Afghanistan’s bordering states. However, the group’s work was reoriented following 9/11 to address the more “amorphous, highly mobile and expanding global terrorist network with no fixed address”—al-Qaida.¹⁷ In 2004, the monitoring group was transformed into the “Monitoring Team,” working more in line with the Committee and with member states. Country visits, regional workshops, and partnerships with other CTITF entities constitute an important means by which the team engages with member states in their efforts to monitor and support the implementation of the sanctions regime.

In December 2009, council members adopted Resolution 1904, which established the Office of the Ombudsperson, for an initial period of eighteen months, to provide a focal point for individuals requesting the removal of their names from the Consolidated List.¹⁸ The establishment of this office represented a success for states and organizations that had lobbied hard for the 1267 Committee to be more responsive to concerns regarding the listing and delisting process and requests by individuals to petition the committee. Judge Kimberley Prost of Canada was appointed as ombudsperson in June 2010.

In June 2011, the Security Council unanimously adopted resolutions 1888 and 1889 which split the Taliban and Al-Qaida sanctions regime, respectively. This split was intended to support the ongoing political dialogue in Afghanistan between the government and the Taliban, and also responds to the demand for delisting raised by the Taliban as a precondition for talks. The [now] 1989 Committee deals exclusively with the Al-Qaida-related sanctions and the Consolidated List has been renamed the Al-Qaida sanctions list.

Resolution 1373

In many ways, Security Council Resolution 1373 might be considered

the keystone of the UN's response to global terrorism. Passed soon after Resolution 1368, which unequivocally condemned "in the strongest terms the horrifying terrorist attacks which took place on 11 September 2001 in New York, Washington, DC, and Pennsylvania," and defined "such acts, like any act of international terrorism, as a threat to international peace and security," Resolution 1373 imposed a set of sweeping legislative obligations on all UN member states.¹⁹ Among other things, it compelled states to criminalize the financing of terrorism and freeze the assets of known terrorists and supporters, to refrain from providing "active or passive" support to entities or persons involved in terrorist acts, to prevent the movement and travel of known terrorists, and to intensify and accelerate law-enforcement cooperation to counter terrorism.²⁰ As it was approved under Chapter VII of the UN Charter, the resolution carries with it the threat of a response by the international community that may include the use of force in the case of noncompliance.

As with Security Council Resolution 1267, a committee of the whole—the Counter-Terrorism Committee (CTC)—was established to monitor and facilitate the implementation of Resolution 1373. A large part of the CTC's success to date has been ascribed to its adoption of "managerial compliance strategies" that operate on the presumption that noncompliance is due to insufficient capacity and the Committee's subsequent efforts to facilitate technical assistance (as directed by Resolution 1377).²¹

To support the CTC in this work, an expert group called the Counter-Terrorism Committee Executive Directorate (CTED) was established in 2004 (by UNSCR 1535) as a "special political mission."²² As part of its core function, CTED is tasked with reviewing states' reports in order to monitor implementation, identify priority areas for assistance, and then liaise with donor states and other partners who may be willing and able to provide the necessary resources. In facilitating assistance, CTED provides a valuable incentive for states to report on their activities in furtherance of 1373.

Additional resolutions have also expanded the scope of the CTC's work. In 2005, the Council adopted UNSCR 1624, urging member states to adopt measures to prevent and combat the incitement of terrorism and report to the Council what they have done in fulfillment

of this obligation. As part of the review of CTED's mandate in December 2010, encapsulated in UNSCR 1963, the council further encouraged CTED to "focus increased attention on Resolution 1624 (2005) in its dialogue with member states." The resolution also reiterated the importance of the rule of law and upholding human rights to ensuring effective counterterrorism, and it urged CTED to engage with civil society and other relevant nongovernmental actors in its efforts to support wider implementation of UNSCR 1373.²³ Consequently, CTED today has a broadened scope of counterterrorism activities on its agenda.

Resolution 1540

Following the discovery of an illicit international market in nuclear materials and expertise run by Pakistani scientist A.Q. Khan, the Security Council adopted UNSCR 1540 to address the threat of nonstate actors acquiring weapons of mass destruction (WMD), including chemical, biological, radiological, and nuclear weapons (CBRN). As with UNSCR 1373, this resolution imposes binding obligations on all states under Chapter VII of the UN Charter and prohibits states from providing "any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery." In addition, Resolution 1540 urges states to adopt and enforce laws prohibiting the proliferation of such materials to nonstate actors and prohibiting the provision of any material or financial support that might contribute to the proliferation of CBRN. The resolution also urges states to establish appropriate controls over any CBRN-related materials.²⁴

Similar to Resolution 1373, Resolution 1540 urges greater international cooperation to achieve these objectives and urges states to adopt relevant international legal instruments. Unlike Resolution 1373, however, noncompliance would not automatically activate enforcement measures but rather require the adoption of an additional resolution authorizing an international response.²⁵ A committee was also constituted to monitor implementation, with the support of an expert group.

In response to the requests of member states and the UN leader-

ship for greater streamlining of multilateral counterterrorism efforts, there has been an increased effort among the three committees and their expert teams to coordinate their work, travel, and information more closely. They also share information on states' assistance requirements and participate in workshops hosted by each other, where suitable. Additionally, the committees' chairmen brief the Security Council on the committees' activities in joint meetings, when possible.²⁶

THE GENERAL ASSEMBLY

Fourteen major international instruments (which, including amendments, are often referred to as sixteen international instruments) governing specific acts of terrorism have been negotiated through the General Assembly and entered into force in the past four decades. Reflecting the difficulty of achieving consensus among member states on the nature and definition of terrorism, these agreements focus instead on particular actions that states broadly agree to be associated with terrorist acts. The sixteen instruments and the number of countries that have ratified them to date are listed below:²⁷

1. 1963 *Convention on Offences and Certain Other Acts Committed On Board Aircraft* (185)
2. 1970 *Convention for the Suppression of Unlawful Seizure of Aircraft* (185)
3. 1971 *Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation* (188)
4. 1973 *Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents* (173)
5. 1979 *International Convention Against the Taking of Hostages* (168)
6. 1980 *Convention on the Physical Protection of Nuclear Material* (145)
7. 1988 *Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation* (171)
8. 1988 *Convention for the Suppression of Unlawful Acts Against the*

Safety of Maritime Navigation (157)

9. 1988 *Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf* (146)
10. 1991 *Convention on the Marking of Plastic Explosives for the Purposes of Detection* (144)
11. 1997 *International Convention for the Suppression of Terrorist Bombings* (164)
12. 1999 *International Convention for the Suppression of the Financing of Terrorism* (173)
13. 2005 *International Convention for the Suppression of Acts of Nuclear Terrorism* (76)
14. 2005 *Amendment to the Convention on the Physical Protection of Nuclear Material* (45)
15. 2005 *Protocol of 2005 to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation* (17)
16. 2005 *Protocol of 2005 for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf* (13)

A comprehensive convention on international terrorism (CCIT) has been debated by an ad-hoc committee created by the Sixth (Legal) Committee of the General Assembly. However, negotiations on the completion of this convention have been hindered by differences among UN member states on three key questions—the legal definition of terrorism, the exemption of states' armed forces engaged in combat and in exercise of their official duties, and the relationship between terrorism and anti-colonial and liberation movements.

Although more than thirteen years of negotiations have not yet yielded a finalized convention, it appears that recent discussions in spring 2011 may have brought parties toward closer agreement on a 2007 draft text.²⁸ The inability of the assembly to adopt the CCIT contributed to the council's proactive approach to terrorism in 2001, justified in part by the slow pace of progress on these negotiations and the resulting loopholes in international law regarding terrorism. Indeed, Security Council Resolution 1373 contained a number of measures that were still in negotiation among the UN membership.

“In this way, the elaboration of such a broad framework for counter-terrorism in one fell swoop threw into relief the labors of the Assembly in negotiating a comprehensive convention on the topic,” according to Peter Romaniuk.²⁹

The adoption of the Global Strategy in 2006 and the institutionalization of the CTITF Office in 2009 represented a reassertion by the General Assembly of its traditional role as a forum for discussions at the UN on combating international terrorism. The CTITF Office was established within the Department of Political Affairs (DPA), following the second review of the Global Strategy in 2008. It was tasked with coordinating the activities of its member entities’ six observers and facilitating greater cooperation and information sharing among them regarding their counterterrorism-related activities. Moreover, the CTITF Office also became a focal point for states requesting assistance for strategy implementation.

Eight CTITF working groups were also established to address particular challenges associated with counterterrorism, in addition to an initiative to provide integrated assistance to counter terrorism (I-ACT). Each group is led or co-chaired by CTITF members and represents efforts to provide a multifaceted response that draws on the expertise and capacities of individual CTITF entities while drawing on the synergies created by their collective efforts. The working groups focus on

1. preventing and resolving conflicts;
2. supporting and highlighting victims of terrorism;
3. countering the use of the internet for terrorist purposes;
4. preventing and responding to WMD terrorist attacks;
5. tackling the financing of terrorism;
6. strengthening the protection of vulnerable targets;
7. protecting human rights while countering terrorism; and
8. border management related to counterterrorism.

A new working group on “Dialogue and Understanding to Counter the Appeal of Terrorism” (DUCAT) was established in late

2011 and details regarding its membership and work plan are still under consideration. As the work undertaken by some of these groups comes to completion, and as states reassess their counterterrorism priorities and the allocation of voluntary contributions to support working groups, there may be some changes to these groups in 2012. Moreover, the establishment in September 2011 of the UN Counter-Terrorism Centre (UNCTC), reflected in General Assembly A/Res/66/10, supported initially for three years by a \$10 million contribution from the Kingdom of Saudi Arabia, is likely to have a transformative effect on the resources and programming of the CTITF, and consequently, the working groups. The UNCTC has its own Advisory Board made up of twenty-one countries and one regional organization. The Advisory Board sets strategic priorities for the Center's programming. While not an entity of the CTITF, the Center is located within the CTITF Office and will operate under the direction of the Secretary-General and will contribute to promoting the implementation of the United Nations Global Counter-Terrorism Strategy through the Counter-Terrorism Implementation Task Force.³⁰

These policy instruments—the Security Council resolutions and the Global Strategy—represent the normative framework within which the UN's counterterrorism initiatives have largely been carried out since 2001. The operationalization of these policies is in the hands of member states, CTITF entities, and relevant partners. In this effort, the Terrorism Prevention Branch (TPB) of the UN Office on Drugs and Crime (UNODC) works especially closely with the CTITF, CTED, and the CTC to provide states with technical assistance for further implementation of the international conventions and protocols related to terrorism. In performing this role, the TPB can draw extensively on UNODC's specialized expertise and field presence addressing crime prevention, criminal justice, and rule-of-law issues in addressing the often interlinked challenges of terrorism, transnational organized crime, money laundering, and corruption.

External partners also complement the UN's counterterrorism work. Recognizing the special role played by regional and subregional organizations, the UN has made a greater effort to work with them on the ground and to engage them in the promotion of cross-regional counterterrorism cooperation. Additionally, international associations

such as the Counter-Terrorism Action Group (CTAG) and the Financial Action Task Force (FATF) provide important vehicles for the delivery of capacity-building assistance and technical expertise to states in meeting their international obligations.

The Group of Eight (G8) leaders established the CTAG as a donor forum in which members could exchange information regarding the priority assistance needs identified by the CTC and CTED, and match them with the necessary resources. In order to broaden the list of potential donors, the CTAG was expanded to include the CTC, Switzerland, Spain, Australia, and the European Commission. Each president of the G8 assumed leadership of the CTAG, so no permanent secretariat was established. Instead, ambassadors representing the G8 president often convened country-level meetings to discuss the host country's counterterrorism needs and priorities.

CTAG's work is now likely to be superseded by the newly established Global Counter-Terrorism Forum (GCTF), initially co-chaired by the United States and Turkey, and launched in New York in September 2011. The GCTF is an informal multilateral body of thirty members; it will focus on building civilian counterterrorism capacity and building global political will. It was designed to address many of the perceived shortcomings associated with CTAG by having a broad cross-regional membership, a supporting administrative unit, and a built in flexibility and agility to respond to evolving counterterrorism needs. GCTF has five working groups. Two are thematic (Rule of Law and Countering Violent Extremism) and three have a regional focus (Horn of Africa, South East Asia, and the Sahel).

The Financial Action Task Force (FATF) was established by the Group of Seven (G7) leaders in 1989 to address the threat posed by money laundering to international banking and financial institutions; it is an intergovernmental body of thirty countries with a mandate to establish international standards for combating money laundering and terrorist financing. These standards are reflected in FATF's "forty recommendations" and "nine special recommendations," which together comprise a set of global anti- money laundering (AML) and countering the financing of terrorism (CFT) standards. FATF works with approximately eight FATF-style regional bodies to support the implementation of these policy guidelines and generate the necessary

political will in countries to adopt and enforce these standards.

Critiques and Challenges

Critiques of the UN's role in global counterterrorism revolve around two key issues: efficacy and legitimacy. As Andrea Bianchi has pointed out, though policies may be developed at the UN, they depend on the political will and actions of member states for effective implementation.³¹ How these states perceive the initiatives of the global body, and how their utility to states is assessed, will affect states' enthusiasm for the adoption and enforcement of the measures listed above. Indeed, the High Level Panel on Threats and Challenges convened by then UN Secretary-General Annan acknowledged that "the effectiveness of the global collective security system, as with any other legal order, depends ultimately not only on the legality of decisions but also on the common perception of their legitimacy — their being made on solid evidentiary grounds, and for the right reasons, morally as well as legally."³² The questions of legitimacy and efficacy are therefore intrinsically intertwined, while at the same time meriting individualized consideration.

Legitimacy

The proactive role of the Security Council following 9/11 has not been without controversy. Many states have openly expressed their reservations about the body's adoption of what have been perceived by some as sweeping legislative measures that exceed the authority granted the council. Furthermore, the exclusivity of the council and its often opaque working methods have left states voicing concerns that they are not consulted on matters relating to their countries or their nationals, and that the measures adopted by the council, while taking the form of binding international law, lack the consultative discussions that customarily precede the adoption of international law.³³ For example, in a report submitted pursuant to Security Council Resolution 1540, the government of South Africa explicitly wrote:

The Government of South Africa, like other Governments, would be concerned if the Security Council were to assume legislative and treaty making powers on behalf of the international community that are binding on all states and that are not envisaged by the Charter of the United Nations. Like other

Governments, the Government of South Africa will not accept externally prescribed norms or standards, whatever their source, on matters within the jurisdiction of the South African Parliament, including national legislation, regulations or arrangements, which are not consistent with South Africa's constitutional provisions and procedures, or are contrary to South Africa's national interests or infringe on its sovereignty.³⁴

Similarly, while welcoming the council's concern with issues such as the proliferation of WMDs among nonstate actors, the representative of Nepal added, "We are afraid that the Council, through this draft resolution, is seeking to establish something tantamount to treaty by its fiat. This is likely to undermine the intergovernmental treaty-making process and implementation mechanisms."³⁵

As these statements from South Africa and Nepal suggest, several counterterrorism initiatives undertaken by UN bodies have generated tensions between the Global North and South. The significant influence of the five permanent members of the Security Council (China, France, Russia, the United Kingdom, and the United States, or the P5) underscored a widespread sentiment that these countries were imposing an agenda that detracted from the priorities of developing countries and imposed legislative burdens based on a threat not widely perceived as relevant to the broader UN membership.

As Beth Whitaker also points out, the perceived legitimacy of the council's counterterrorism initiatives was important because it shaped the willingness of states to adopt or enforce the necessary measures outlined by the Security Council's counterterrorism-related resolutions and, to some extent, the Global Strategy. She cites the examples of three East African states—Kenya, Uganda, and Tanzania—to demonstrate that institutional capacity is not the only determinant of compliance; states with similar institutional and political capacities implemented Security Council Resolution 1373 to different degrees due to specific sociopolitical dynamics in each country as well as differing perceptions regarding the relevance of the terrorist threat.³⁶

In contrast, however, others have argued that the council took pragmatic and appropriate action to respond to a clear and imminent danger that was not adequately addressed by international law. Curtis

Ward points out that “it was a necessary and prudent exercise of the power and prerogative of the Security Council,” citing Article 24 (1) of the United Nations Charter, and added that “there was no lack of political will among Security Council members. Despite changes in the annual makeup of the Security Council, this consensus has been maintained.”³⁷ Eric Rosand wrote that the “innovative” use of the council’s powers vis-à-vis Resolution 1373 is justified since it circumvented a cumbersome treaty-making process that was unable to effectively address global threats. In addition, he argues, “there appears to be no legal limitation in the Charter that prohibits the Council from using its Chapter VII authority in a legislative capacity.”³⁸

Both Ward and Rosand remind readers that in adhering to the UN Charter, member states accept the role of the Security Council to act on their behalf in fulfilling its responsibility as the primary multilateral organ tasked with the maintenance of international peace and security.³⁹

However, numerous court cases also pose an ongoing challenge to the perceived legitimacy of the 1267 sanctions regime. These cases, such as that of Yassin Al-Qadi, question the validity of the council’s procedures, given the absence of transparency regarding the listing process and the absence of any hearings or trials for individuals or groups named on the Consolidated List.⁴⁰ Moreover, as Bianchi notes, many of the stipulations under Resolutions 1267, 1373, and 1540 may be seen as contravening states’ human rights obligations under international law. She writes, “By imposing sanctions against individuals short of any judicial proceedings in which charges have been discussed and a verdict rendered by an impartial tribunal the very essence of the right to be presumed innocent is jeopardized. Furthermore, the nature of the [Security Council] as a tribunal as well as its impartiality could be easily challenged.”⁴¹ Considering the volume of legal challenges to the 1267 sanctions regime, it is doubtful that the establishment of the ombudsperson’s office will adequately address such concerns, though it represents a positive step for the 1267 regime.⁴²

In October 2010, former Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism Martin Scheinin, submitted a report that

suggested the council replace Resolutions 1267, 1373, and 1624 with a single resolution, not under Chapter VII of the Charter of the United Nations. “This proposal is motivated by the assessment of the Special Rapporteur that Chapter VII does not provide the proper legal basis for maintaining the current framework of mandatory and permanent Security Council Resolutions of a quasi-legislative or quasi-judicial nature.”⁴³

Despite these criticisms, states responded to the Security Council’s initial round of requests for reports with enthusiasm. The CTC famously received approximately 550 reports from states to date, making it a unique repository of information on states’ counterterrorism capacities. However, whereas 196 countries submitted a first report, 161 countries submitted a second one and 107 countries a third one; only twenty-six countries submitted a fourth.⁴⁴ This negative trajectory reflects the reporting fatigue felt by many states burdened by the obligations of reporting on multiple counterterrorism-related resolutions as well as their skepticism about receiving timely assistance in addressing the priority needs identified in the reports.⁴⁵

The marked rise in the number of states joining the international instruments relating to terrorism has widely been perceived as an acceptance by states of the importance of international cooperation to address terrorism. For example, in the first two years of the *Convention for the Suppression of the Financing of Terrorism*, only five states had ratified the agreement; as of May 2004, it has been ratified by an additional 115 states. Other conventions, such as those preventing and punishing crimes against internationally protected persons and measures against taking hostages or protecting nuclear materials, have seen a 20 to 40 percent rise in ratification since September 2001.⁴⁶

Efficacy

For many states, the value of multilateral counterterrorism efforts will depend on the UN’s perceived effectiveness in addressing the challenge, and a key criticism of its efforts to date is that it has been unable to provide for an “unspoken sixth D”—delivery.⁴⁷ As one member state representative pointed out, “the development of an institutional architecture is not synonymous with the delivery of

effective assistance.”⁴⁸ Moreover, the impact of the UN’s counterterrorism policies on the ground has yet to be determined. For example, the most recent report of the Al-Qaida and Taliban Sanctions Monitoring Team noted,

In some respects the measures [of the al-Qaida and Taliban sanctions regime] have had no material effect on listed Taliban; they have money and their assets are not frozen; they are reported to travel between Afghanistan and Pakistan; and they have no shortage of military style equipment. On the other hand, removal of their names from the Consolidated List is one of the key demands of the Taliban...⁴⁹

The proliferation of multilateral bodies working on counterterrorism in one form or another has led to the development of an unwieldy bureaucracy that sometimes risks blunting the effectiveness of their initiatives with red tape. Concerns about potential overlaps and the duplication of efforts, as well as the burden of reporting placed on states, have led to several recommendations for streamlining the architecture and consolidating reporting requirements. For example, as early as 2005, the World Summit Outcome Document suggested that the Security Council

consider ways to strengthen its monitoring and enforcement role in counter-terrorism, including by consolidating State reporting requirements, taking into account and respecting the different mandates of its counter-terrorism subsidiary bodies.⁵⁰

The effectiveness of the United Nations in addressing global terrorism has also been called into question by scholars of terrorism and UN observers alike, wary of the world body’s historical inability to agree on enforcement measures as demonstrated during the Cold War period. Martha Crenshaw’s observation that “there appeared to be no penalties for noncompliance. Nor were there concrete rewards for cooperation,” is still an oft-heard refrain.⁵¹ Though the weeks after September 11th were a period of “extraordinary politics”⁵² that generated an unprecedented momentum for international counterterrorism cooperation within the UN, enforcement remains a challenge in the absence of the council’s willingness to name and shame noncompliant states.⁵³

Ascribing noncompliance to a lack of capacity rather than a deliberate political choice, the Security Council has advocated a more intense program of technical assistance facilitation to help states meet their obligations under Resolution 1373. This approach underscores the espousal by the council's subsidiary bodies of "managerial compliance strategies," which presume that states fail to comply with international rules unintentionally, due to a lack of capacity. This is in contrast to "enforcement compliance strategies," which would operate on the premise that states comply with their obligations if benefits outweigh the costs; naming and shaming noncompliant states would be one means of raising the costs of such behavior.⁵⁴

However, the willingness of the council's subsidiary bodies to work more closely with the states and focus on the facilitation of capacity-building assistance has also contributed significantly to states' willingness to cooperate and engage with the UN on counterterrorism.⁵⁵ The UN has by no means eclipsed states' enthusiasm for bilateral or regional counterterrorism initiatives, but if it proves to be a credible vehicle for strengthening states' capacities to address terrorism and related challenges, it could increase the appeal of multilateral security cooperation.

Effective international counterterrorism cooperation has also been hampered by the inability of the UN membership to agree on an internationally recognized definition of terrorism, which has allowed states to define for themselves which individuals and groups warrant that label and, in some cases, to find means of circumventing the UN's sanctions regimes. Moreover, without a universally accepted definition, states who have themselves been accused of sponsoring terrorist activities can still voice their support for multilateral counterterrorism initiatives, arguing that the groups they patronize are not terrorists, but political activists or freedom fighters. Differences among states in the designation of terrorists also hinder efforts at cross-border counterterrorism cooperation and mutual legal assistance in several regions.

Nonetheless, not everyone agrees that a definition is necessary in order for the UN system to continue working on issues relating to terrorism. British Ambassador Sir Jeremy Greenstock, the first chair of the CTC, observed that

terrorism is terrorism. It uses violence to kill and damage indiscriminately to make a political or cultural point and to influence legitimate Governments or public opinion unfairly or amorally. There is common ground among all of us on what constitutes terrorism. What looks, smells and kills like terrorism is terrorism.⁵⁶

In the absence of a universally agreed definition of terrorism, the international instruments listed above, along with the 1267 Committee's Consolidated List (now the Al-Qaida Sanctions List), have served as the basis for international counterterrorism efforts and the activities of the CTITF.⁵⁷

Perceptions of the UN's effectiveness in addressing global terrorism are also shaped by expectations that very often outpace the resources allocated to the world body to meet its members' demands. Prior to the institutionalization of the CTITF, several reports cited its reliance on a voluntary budget and its lack of a dedicated staff as its primary limitations. Despite the subsequent allocation of both staff and resources, however, the expectations of member states and other stakeholders far exceed the resources available to the office.

The relatively small CTITF Office team is responsible for liaising with member states in their efforts to implement the Global Strategy, to support the eight CTITF working groups and the I-ACT initiative, to enhance coordination and cooperation among the CTITF entities, and to provide a one-stop shop on counterterrorism-related issues within the UN system.

Despite undertaking a number of promising new initiatives that offer an innovative and multifaceted approach to implementing Resolutions 1373 and 1624, questions have been raised about the impact and effectiveness of these efforts. Concerns have been voiced about the abilities of bodies like CTED to facilitate the delivery of the quality and quantity of capacity building assistance needed to address terrorism. The CTITF has not been immune to these criticisms either. The newly established GCTF might however, help address some of these concerns by acting as a force multiplier, in supporting and carrying forward projects proposed by UN bodies. Moreover, an investment in efforts to monitor and evaluate the impact of the UN's

CT efforts and the activities of bodies like CTED and CTITF could help enhance their efficacy. This is a nascent discourse and while the challenges of undertaking M & E efforts, particularly in the realm of counterterrorism and terrorism prevention, cannot be ignored, there is a growing interest in this within the UN and member states, and efforts are underway to devise means of addressing these concerns.⁵⁸

Prospects for the Future

In 2006, Edward Luck wrote that the UN's response to terrorism has been "tentative, halting, even ambivalent."⁵⁹ If this assessment remains valid, the perceived inability of the United Nations to address evolving transnational security threats like terrorism will in many ways call into question its relevance to addressing twenty-first century threats to international peace and security. Yet, how the UN's counterterrorism architecture evolves will depend very much on how states perceive the threat of terrorism and the world body's ability to address it.

The threat for which the UN was mobilized in September 2001 has itself transformed over the past decade. States are no longer only confronting an identifiable actor in al-Qaida, but a number of franchises and individuals who have been spurred by its ideology to launch their own jihad or to adopt its tactics. Tools such as sanctions, asset freezes, and travel bans will therefore have little relevance when the threat is composed primarily of individuals with little or no prior record of criminal or terrorist activity. Such a development argues for an even stronger emphasis on building states' capacities to identify, monitor, and respond to challenges as they are manifested in their own neighborhood.

However, states also face a number of competing policy challenges in the coming years—including large-scale political changes in the Middle East and North Africa, election-related violence in Africa, rising oil and food prices, and climate change—and it is not clear whether they will have the necessary resources or political will to focus on transnational terrorism. This may especially be the case if the death of Osama bin Laden appears to have weakened al-Qaida and if, more than a decade after 9/11, there is no large-scale terrorist attack to capture the attention of policymakers in member-state capitals.

Consequently, there are three ways in which states might perceive

the threat of terrorism, each of which is likely to have a different set of implications for the United Nations. First, if there is waning interest in the counterterrorism agenda, the UN's work on this issue is likely to stagnate and become little more than a bureaucratic exercise that receives reduced political or financial support from the broader membership. Second, if states sustain their current level of interest, the UN could continue to move in a positive direction, providing a platform for the exchange of information and lessons learned, convening key stakeholders to devise cooperative responses, and promoting capacity-building assistance where it is most needed. Third, an increased interest in terrorism may be prompted either by a heightened risk assessment or, indeed, a tightened financial climate, which might prompt states to seek further efficiencies in the UN's CT programs. Such drivers could prompt more drastic changes, such as revisiting the idea of streamlining the three counterterrorism committees in the Security Council, the appointment of a Counter-Terrorism Coordinator (currently being considered by member states) and a reallocation of resources to strategic priority areas, including capacity-building programs in key regions."⁶⁰

It is by no means a foregone conclusion that states will look to the United Nations or the multilateral system as a primary partner in countering global terrorism. Indeed, several states acknowledge that the bulk of their counterterrorism efforts are conducted on a bilateral basis. Moreover, in the past, states have not hesitated to use unilateral action to protect their national security interests when confronted with a terrorist threat. Most recently, for example, the United States acted unilaterally to seek and kill Osama bin Laden, discovered to be residing in Abbottabad, Pakistan, in May 2011. Earlier, the United States also responded with unilateral action to intelligence reports that Iraq had tried to assassinate President George H.W. Bush and launched cruise missile attacks on Osama bin Laden's training camps in Afghanistan and a pharmaceutical plant in Sudan believed to be producing materials for chemical weapons for al-Qaida. China, France, India, Pakistan, Russia, and Sri Lanka have also responded to terrorist threats without involving the world body.⁶¹ The establishment of groups like CTAG, and now the GCTF, as well as bilateral and regional initiatives to address perceived weaknesses in the UN's

counterterrorism approach, suggest that states are likely to continue “forum shopping” for the most effective partners in addressing their national security needs and a UN that is perceived to have little utility in countering terrorism is not likely to make the list.

The UN plays a dual role, serving as a platform for the interaction of its member states and as an actor in its own right. As a platform, it reflects the activities and interests of its members and is responsive to geopolitical fluctuations. How the United Nations responds to terrorism—and with what speed, resources, and personnel it can do so—depends largely on its membership. The General Assembly has the power to allocate resources from the UN’s regular budget for the CTITF Office and its activities and individual member states are free to make voluntary donations in support of particular counterterrorism initiatives they favor. For example, member states might endow the CTITF with sufficient resources to undertake a range of new activities to support the implementation of the Global Strategy, as has been through the UNCTC. Others have supported specific CTITF working groups or projects undertaken by CTITF entities. Once CTED has identified counterterrorism capacity gaps based on the reports submitted by states to the CTC, donors can also mobilize resources to address these vulnerabilities and provide technical assistance.

However, as an actor, the United Nations itself also bears a responsibility to maximize its resources, remove bureaucratic silos, and promote a more collaborative approach by its entities to addressing the four pillars outlined in the Global Strategy. Some CTITF members or observers, whose work focuses more specifically on development or humanitarian action, are understandably reluctant to engage more actively with the CTITF. This unfortunately deprives the UN’s counterterrorism activities of valuable inputs that might be provided by entities engaged in promoting the rule of law, human rights, development, and improved governance. Such activities are especially relevant where the demarcations between terrorism, political violence, and armed conflict are ambiguous and where state fragility or failure provides a hospitable environment for terrorist groups and other violent nonstate actors.

An independent strategic assessment carried out in 2010 indicated

that while many acknowledged the progress made at the UN to articulate its comparative advantages in countering terrorism and promoting a multifaceted approach that emphasized the rule of law and human rights, others believed that the routinization of the UN's counterterrorism work and the unfinished business of bureaucratic reforms rendered the UN irrelevant to policymakers in capitals and practitioners in the field.⁶² Worse, it appeared that among a broader audience, the UN was still seen as condoning a militarized, "hard" approach to terrorism and the "normalization of exceptional emergency measures intended to counter terrorism but which in fact counter human rights."⁶³ The study, carried out by the Center on Global Counterterrorism Cooperation, noted that many efforts undertaken by UN entities to develop innovative ways to address the challenge of global terrorism and work with new partners in the private sector, civil society, and other international organizations, were often little appreciated beyond UN headquarters in New York, Geneva, and Vienna.⁶⁴

The Guide to the UN's counterterrorism efforts which follows is therefore intended to help the reader navigate the bureaucracy and gain a better understanding of the multifaceted efforts of the world body and its partners to address a complex and evolving challenge to human security, international peace, and development. Whether or not these efforts are deemed successful will depend not on the UN's abilities to develop new policies in response to terrorism, but on its ability—and that of its membership—to *implement* these policies and make a positive difference to states in combating the terrorist threat.

List of Abbreviated Terms

1267 Committee	The Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities
1267 Monitoring Team	The Al Qaida Analytical Support and Sanctions Monitoring Team
AML	Anti-Money Laundering
ALECSO	the Arab League Educational, Cultural and Scientific Organisation
BID	Biological Incident Database
CBRN	Chemical, Biological, Radiological, and Nuclear Weapons
CBRNE	Chemical, Biological, Radiological, Nuclear, and Explosive
CFT	Countering the Financing of Terrorism
CICTE	The Inter-American Committee on Terrorism
CSO	Civil Society Organization
CTAG	Counter Terrorism Action Group
CTC	United Nations Counter-Terrorism Committee
CTITF	Counter-Terrorism Implementation Task Force
DFS	Department of Field Support

ECOWAS	Economic Community of West African States
ESCR	Economic, Social, and Cultural Rights
FATF	Financial Action Task Force
FIG	Financial Integrity Group
FSP	The Aviation Security and Facilitation Policy
FSRB	FATF-style regional bodies
Global Strategy	United Nations Global Counter-Terrorism Strategy
IBRD	International Bank for Reconstruction and Development
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICSID	the International Centre for Settlement of Investment Disputes
IDA	International Development Association
IFC	International Finance Corporation
IPO	International Permanent Observatory on Major Events Security
IPI	International Peace Institute
I-ACT	Integrated Assistance for Countering Terrorism
ICASS	Comprehensive Aviation Security Strategy
ISD	Implementation Support and Development Programme

LRIT	long-range tracking and identification
MIGA	Multilateral Investment Guarantee Agency
MSU	Mediation Support Unit
NCEN	National Customs Enforcement Network
NGO	Non-Governmental Organization
OAS	Organization of American States
OIC	Organization of Islamic Cooperation (previously, Organization of the Islamic Conference)
REMPAN	Radiation Emergency Medical Preparedness and Response Network
SAR/STR	Suspicious Activity/Transaction Reporting Systems
SARPs	Relevant Standards and Recommended Practices
SARS	Severe Acute Respiratory Syndrome
SOLAS	The International Convention for the Safety of Life at Sea
SUA	Convention on the Suppression of Unlawful Acts Against the Safety of Navigation
TPB	Terrorism Prevention Branch (UNODC)
UNCTC	United Nations Counter-Terrorism Centre
UNDHR	United Nations Declaration of Human Rights
UNSCR	United Nations Security Council Resolution
UNIC	United Nations Information Centers

UNRCCA	United Nations Regional Center for Preventive Diplomacy for Central Asia
UNOWA	United Nations Office for West Africa
WMD	Weapons of Mass Destruction

**Entities of the UN Counter-Terrorism
Implementation Task Force
(CTITF)**

Counter-Terrorism Implementation Task Force (CTITF) Office

Location:

New York, USA

Contact Information:

Counter-Terrorism Implementation Task Force

Department of Political Affairs

United Nations

405 East 42nd Street

Room: TB-08004A

New York, NY 10017 (USA)

Focal Point:

Mr. Fabrizio Trezza

Tel: +1 212 963 4134

Fax: +1 212 963 4199

E-mail: trezza@un.org

Website: www.un.org/terrorism

Year of Establishment: 2009

CTITF Working Group Membership:

- Border Management Related to Counter-Terrorism (co-chair)
- Preventing and Resolving Conflicts
- Tackling the Financing of Terrorism
- Countering the Use of the Internet for Terrorist Purposes
- Protecting Human Rights While Countering Terrorism

In the aftermath of the September 11th terrorist attacks, Under-Secretary-General for Political Affairs Kieran Prendergast chaired the Policy Working Group on Terrorism and oversaw the development of the report, which formulated, for the first time, a comprehensive vision of how the United Nations might best contribute to efforts to combat global terrorism.

The Counter-Terrorism Implementation Task Force (CTITF) was established by Secretary-General Kofi Annan in 2005 to enhance coordination and coherence in the United Nations' counterterrorism activities. The Task Force consists of twenty-five entities and six observer entities identified as contributing to counterterrorism within their respective mandates in some form.¹

In 2009, the CTITF was institutionalized within the Department of Political Affairs by the General Assembly with a small core staff to support the work of the thirty-one constituent entities. In subsequent resolutions, the CTITF's mandate was further broadened to provide support to states in their efforts to implement the UN Global Counter-Terrorism Strategy (henceforth, Global Strategy), adopted unanimously by the General Assembly in 2006.

The CTITF Office, based at UN Headquarters in New York City, was established to provide the CTITF with a secretariat and a central focal point for counterterrorism efforts at the UN. It is staffed by a small core team of professional and administrative officers, sometimes supported by staff seconded by member states through the "Junior Professional Officer" or "JPO" program.

Many UN entities engage with states on specific aspects of the Global Strategy related to their respective mandates. The CTITF Office is mandated to work with the UN system as a whole, as well as member states, to promote implementation of all four pillars of action outlined in the Global Strategy and address any gaps in these efforts. These pillars include:

- I. Measures to address the conditions conducive to terrorism
- II. Measures to prevent and combat terrorism
- III. Measures to build states' capacity to prevent and combat terrorism and to strengthen the role of the United Nations in this regard

IV. Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism

To that end, the CTITF Office serves a number of purposes. These include:²

- Ensuring coordination and coherence in the overall counterterrorism efforts of the United Nations system;
- Providing policy inputs to the Secretary-General and relevant intergovernmental bodies on UN system-wide counterterrorism efforts, including preparation of relevant reports for/on behalf of the Secretary-General;
- Drawing on the CTITF membership to identify and utilize the leading substantive expertise available with respect to the various actions outlined in the four pillars of the Global Strategy;
- Performing the substantive, outreach, organizational, and administrative functions associated with the mandate and purpose of the office;
- Mobilizing and managing extra-budgetary resources for CTITF initiatives in support of technical assistance delivery for implementation of the Global Strategy;
- Working with each of the CTITF working groups, which serve as a liaison between states, experts, and CTITF entities.³

In 2010, Jean-Paul Laborde, chairing the CTITF at the time, observed:

The problem is that the [UN Global Counter-Terrorism] Strategy was not promoted enough following its adoption and also no adequate resources were committed to launch an aggressive in-depth knowledge campaign. We have to publicize the Strategy in the field through a series of seminars, targeted briefings to all relevant stakeholders, utilizing the CTITF focal points and other instruments at our disposal.⁴

Consequently, the CTITF Office has embarked on a series of regional workshops to promote the Global Strategy and familiarize national governments, experts, and practitioners with the holistic and

multifaceted approach adopted by member states in the Global Strategy.⁵ The first initiative took place in Bali, Indonesia in fall 2010, and subsequent workshops were held in Budapest in June 2011 and in Addis Ababa, Ethiopia in July 2011.

To highlight the work of CTITF members and working groups, the CTITF Office, in partnership with the International Peace Institute (IPI), hosted a series of side events around the second biennial review of the Global Strategy in September 2010. Mandated by the 2006 resolution for the Global Strategy, each biennial review offers UN member states an opportunity to assess the progress made on implementation as well as key areas that require greater attention and support.⁶ These side events allow the broader UN community to get a better understanding of the CTITF's efforts in areas such as enhancing regional cooperation to counter terrorism, upholding human rights in all counterterrorism efforts, and engaging with civil society to combat terrorism.⁷

One key initiative of the CTITF highlighted at the second biennial review was CTITF's web based information system known as Integrated Assistance for Countering Terrorism (I-ACT). I-ACT is designed to promote integrated implementation of the Global Strategy by providing online information to all CTITF members and participating states on counterterrorism assistance (needs assessments, and completed, ongoing and planned assistance). I-ACT aims to facilitate synergies and minimize the duplication of efforts among CTITF members.⁸ Although each entity continues to provide assistance through its own mandate, the I-ACT system works to ensure that the needs of states to implement all four pillars of the UN Global Counterterrorism Strategy are met, by matching requested states with external bodies that can offer assistance if requests for assistance cannot be met by CTITF entities.

The interface for I-ACT was developed by the UN Office on Drugs and Crime (UNODC) and other CTITF entities. It has sections available to the public which provide information on relevant legal instruments, the Global Strategy, and thematic publications and tools related to counterterrorism. I-ACT also provides country-specific information, which identifies the needs of a country that has

requested assistance and develops a tailored plan of assistance. As of summer 2011, Nigeria, Madagascar, and Burkina Faso have requested assistance and participated in the I-ACT system.⁹ The CTITF has conducted country visits to Madagascar and Nigeria to identify gaps in counterterrorism assistance delivery and to develop plans of action to implement various components of the Global Strategy. For example, In Nigeria, the UNODC together with the Office of the High Commissioner for Human Rights (OHCHR) developed a proposal to provide training to criminal justice practitioners on the counterterrorism legal framework and the rule of law.¹⁰

In order to facilitate increased interaction between states, the broader UN community, and the CTITF, in 2010, the office began to publish a quarterly newsletter, *The Beam*, available on the website www.un.org/terrorism. *The Beam* aims to apprise its readers of the activities of CTITF entities as well as thematic developments in relevant areas. Additionally, the CTITF Office holds quarterly briefings for member states, and offers think tanks and civil society organizations individual briefings, on a case-by-case basis, upon request.

Following the institutionalization of the CTITF and its office in 2009, Jean-Paul Laborde was appointed chair of the CTITF and director of the CTITF Office. Since his departure in December 2010, Robert Orr, Assistant Secretary-General for Policy Planning, has assumed the position of interim chair of the CTITF, reprising an earlier role as the Chair of CTITF, during which time he developed the role and function of the task force as well as initiatives such as the working groups and I-ACT. Currently, the officer in charge of the CTITF Office is Muhammed Rafiuddin Shah.¹¹

In 2011, CTITF signed a ten million dollar (US dollars) contribution agreement with the Kingdom of Saudi Arabia allocated over three years to establish a United Nations Counter-Terrorism Centre (UNCTC), which will be housed in the CTITF office, in the UN Department of Political Affairs in New York. The centre will build on the work of the CTITF to assist states with implementation of the Global Strategy, promote regional and international cooperation, provide capacity building, and develop a database of best practices to counterterrorism. UNCTC will be overseen by the Secretary General

and the Chairman of the CTITF—currently Robert Orr—will be the Executive Director of the Centre. The UNCTC has its own Advisory Board made up of twenty-one countries and one regional organization. The Advisory Board sets strategic priorities for the Center’s programming. While not an entity of the CTITF, the Center is located within the CTITF Office and will operate under the direction of the Secretary-General and will contribute to promoting the implementation of the United Nations Global Counter-Terrorism Strategy through the Counter-Terrorism Implementation Task Force.

Al-Qaida Analytical Support and Sanctions Monitoring Team

Location:

New York, USA

Contact Information:

Al-Qaida Sanctions Monitoring Team
United Nations
380 Madison Ave. 5th Floor
New York, NY 10017
USA
E-mail: 1267mt@un.org

Focal Points:

Mr. Richard Barrett
Coordinator, Al-Qaida Sanctions Monitoring Team
Tel: +1 917 367 9436
Fax: +1 917 367 9513
E-mail: barrettr@un.org

Ms. Jahyun Han
Political Affairs Officer, Al-Qaida Sanctions Monitoring Team
Tel: +1 917 367 5326
Fax: +1 917 367 0221
E-mail: han5@un.org

Ms. Kimberly Prost
Ombudsperson, Al-Qaida Sanctions Committee
Tel: +1 212 963 2671
Fax: +1 212 963 1300/3778
E-mail: ombudsperson@un.org

Website: www.un.org/sc/committees/1267/index.shtml

Year of Establishment: 2004**CTITF Working Group Membership:**

- Countering the Use of the Internet for Terrorism Purposes (lead)
- Protecting Human Rights While Countering Terrorism
- Border Management Related to Counter-Terrorism
- Tackling the Financing of Terrorism

The Al-Qaida Analytical Support and Sanctions Monitoring Team (formerly the Al-Qaida and Taliban Analytical Support and Sanctions Monitoring Team) (henceforth, the Monitoring team) was established by UN Security Council Resolution 1526 in 2004 to support the Al-Qaida and Taliban Sanctions Committee (henceforth, the 1267 Committee) established pursuant to UN Security Council Resolution 1267 (1999). Adopted under Chapter VII of the UN charter, Security Council resolution 1267 requires all states to implement an asset freeze; travel ban; and an arms embargo against individuals, groups, and entities subject to sanctions, as identified by the “Consolidated List.”

In July 2011, the Security Council split the Al-Qaida and Taliban sanction lists in response to efforts by the Afghan government to negotiate a peace process with the Taliban and establish national reconciliation in Afghanistan. The split was established in US drafted Security Council resolutions 1988 and 1989, which set forth the sanctions regimes of the Taliban and Al Qaida, respectively. The name of the Committee changed to “The Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities,” or as it is more commonly known, the “Al Qaida Sanctions Committee” or “1267 Committee.”

Although the move did not end sanctions against Taliban members, Afghan Ambassador Zahir Tanin pointed out that by no longer lumping Taliban with Al Qaida, this could have a psychological effect on Taliban members considering laying down arms.¹² Indeed, US Ambassador to the United Nations Susan Rice said that the split of the Consolidated List sent “a clear message to the Taliban that there is a future for those who separate from Al Qaida, renounce violence and abide by the Afghan constitution.” The Security Council also

committed to consult with the Afghan government regarding listing and de-listing of Taliban blacklist to give Afghans greater ownership of the process.¹³

The 1267 Committee is tasked with managing and updating the sanctions lists, as well as monitoring and supporting implementation of the sanctions regimes set out in UNSCR 1267 and subsequent related resolutions, including UNSCR 1333 (2000) and UNSCR 1390 (2002), UNSCR 1988 (2011), and UNSCR 1989 (2011).

The main function of the Monitoring Team is to assist the 1267 Committee. The Monitoring Team is made up of eight independent experts appointed by the Security Council, supported by five political affairs officers and administrative staff, with a budget of \$4.3 million.¹⁴ In addition, the committee itself is provided with a secretary and additional support from political affairs officers by the UN Secretariat. The Monitoring Team assists the Committee with three key obligations outlined by the sanctions regimes:

- Freezing of financial assets of designated individuals/entities on the Consolidated List
- Preventing the entry into or transit through a member state's territory by designated individuals
- Preventing the supply of arms and related material as well as the provision of technical advice or military training to designated individuals or entities

The team's expanded mandate instructs them, among other things, to consult with states, the private sector, and experts on the changing nature of the threat posed by Al Qaida and the Taliban and on means of enhancing compliance with the 1267 regime, and to explore in depth any other issues as directed by the committee.¹⁵

To fulfill this mission, the Monitoring Team assesses implementation processes and makes recommendations to the committee through two written reports each year. As part of its efforts to work closely with states to enhance compliance, the Monitoring Team also conducts country visits and offers training and briefings on the sanctions regime to relevant counterterrorism officials through workshops organized by states, regional bodies, or other partners in the UN

system, such as the UN Office on Drugs and Crime's Terrorism Prevention Branch (TPB) or the Counter-Terrorism Committee Executive Directorate (CTED).¹⁶

The Monitoring Team is not the first of its kind. An earlier version was established in 2001, known as a monitoring group, which consisted of five independent experts to monitor and support implementation of the sanctions. These experts were to be assisted by a fifteen-member sanctions enforcement support team of customs and border-control specialists stationed in states bordering Afghanistan. Despite widespread consensus on the need for the sanctions regime, the monitoring group aroused much controversy during its four-year tenure, due in large part to its unclear relationship to the Committee and its propensity to name and shame noncompliant states. Furthermore, the group was criticized for not being responsive to the committee's concerns, for interpreting its mandate too broadly, and for lack of transparency.¹⁷ Consequently, in 2004, the mandate of the monitoring group was allowed to expire and the expert support team was reconstituted as the Al-Qaida and Taliban Analytical Support and Sanctions Monitoring Team with a remit to work more closely with the 1267 Committee and states.

The current 1267 Monitoring Team and the Committee have also been subject to criticism. It has received censure because of legal concerns over due process of listed individuals, and listing and delisting procedures. These issues pose critical challenges to the committee and to states' willingness and capacities to enforce the 1267 regime.¹⁸ For example, in one of the most significant rulings to date, the General Court of the European Union ruled in favor of a listed individual, Yassin al-Kadi, arguing that the wholesale adoption by the European Union of the 1267 sanctions constituted an infringement on his fundamental rights, including the right to defend himself, his right to a judicial review, and his right to own property.¹⁹ Moreover, states have expressed frustration at the lack of transparency regarding the listing process and the lack of information provided to them if their nationals have been listed.²⁰

To respond to such concerns, the committee instituted a process in accordance with UNSCR 1822 to review all individuals named on the Consolidated List. Additionally, the Office of the Ombudsperson

was created in accordance with UN Security Council Resolution 1904, in order to provide an independent third-party review mechanism and focal point for individuals requesting de-listing.²¹ However, given the volume and nature of the legal challenges to the regime, it remains unclear whether this development will sufficiently address the concerns raised.²²

According to the 2011 report published by the Monitoring Team, thirty-two states have not yet reported on their efforts to implement the 1267 sanctions after more than seven years.²³ This has been ascribed both to a lack of institutional capacity as well as the perceived illegitimacy of the sanctions regime itself.²⁴ As pointed out by the reports, the lack of a capacity or political will to submit the required report and implement the resolution is of particular concern in states that are central to the efficacy of the sanctions regime as a whole.

By the team's own assessment, the sanctions have done little to constrain the operations and finances of listed Taliban. The eleventh report of the Monitoring Team states, "They [the Taliban] have money and their assets are not frozen; they are reported to travel between Afghanistan and Pakistan and they have no shortage of weapons or other military-style equipment."²⁵ However requests by sanctioned Taliban members for the removal of their names from the sanctions list as a precursor to engaging in dialogue with the government as part of a peace process indicates that the sanctions do have some impact.

The Monitoring Team is also an active member of the CTITF. Drawing on its work monitoring Al Qaida's activities on the internet, the Monitoring Team leads the Working Group on Countering the Use of the Internet for Terrorist Purposes. This Working Group aims to engage with key stakeholders to address the use of the internet for radicalization, recruitment, training, operational planning, fundraising, or other purposes, and to consider the role of the UN in addressing these challenges.

The Monitoring Team is also a member of the Working Group on Tackling the Financing of Terrorism. In this role, the Monitoring Team works closely with the private financial sector (mainly through the Wolfsberg Group), *hawaladars*, and partners such as the FATF or the Egmont Group. Its members have a particular interest in the financing

of nonprofit organizations and charities, cash couriers, remittance systems, and new electronic cash-transfer systems.

In addition, the Monitoring Team is in charge of a CTITF project to produce a series of documentaries that recount the stories of former terrorists who have chosen to disavow armed violence. The first documentary, titled “The Terrorist Who Came Home,” launched at a screening at the International Peace Institute in January 2011, focused on an Algerian fighter who chose to relinquish armed combat to rejoin mainstream society and raise a family. The second film, released in September 2011, told the story of a Saudi terrorist, formerly a bomb-maker for Osama Bin Laden—who renounces violence and reintegrates in society. A third film is expected to be released in 2012.

Counter-Terrorism Committee Executive Directorate (CTED)

Location:

New York, USA

Contact Information:

Counter-Terrorism Committee Executive Directorate

United Nations, Room CH-5135

The Chrysler Building

405 Lexington Avenue

New York, NY 10027

USA

E-mail: cted@un.org

Focal Points:

Mr. Michael Smith

Executive Director

Tel: +1 212 457 1880

Fax: +1 212 457 4041

E-mail: mike.smith@un.org

Mr. Weixiong Chen

Deputy Executive Director

Tel: +1 212 457 1107

Fax: +1 212 457 4060

E-mail: chenw@un.org

Website: www.un.org/en/sc/ctc/index.html

Year of Establishment: 2004

CTITF Working Group Membership:

- Border Management Related to Counter-Terrorism (co-chair)
- Preventing and Resolving Conflicts
- Tackling the Financing of Terrorism
- Countering the Use of the Internet for Terrorist Purposes
- Protecting Human Rights While Countering Terrorism

The Counter-Terrorism Committee Executive Directorate (CTED) was established by UN Security Council Resolution 1535 (2004) as an expert body to support the Security Council's Counter-Terrorism Committee (CTC). Following the attacks of September 11, 2001, the Security Council adopted UNSCR 1373 under Chapter VII of the UN Charter, requiring states to take specific measures to combat terrorism. The council established the CTC—a “committee of the whole”—in which all fifteen sitting council members are represented, to monitor states’ implementation of the resolution.

Established as a “Special Political Mission” by the Council, CTED consists of approximately forty experts in areas such as legislative drafting, the financing of terrorism, border and customs controls, police and law enforcement, refugee and migration law, arms trafficking, and maritime and transportation security. The team is led by an executive director, appointed at the level of Assistant Secretary-General. Its annual budget of approximately \$8 million is met from the United Nations’ regular budget.²⁶ Currently, CTED is divided into two sections: the Assessment and Technical Assistance Office (ATAO), which is further divided into three geographical clusters to enable the experts to specialize in particular regions of the world, and the Administrative and Information Office (AIO).

Unlike previous Security Council resolutions related to terrorism which targeted specific states, such as Sudan, Libya, or Afghanistan under the Taliban, UNSCR 1373 applies to all states and obligates them to criminalize the financing, support, or protection of terrorists and their associates. Moreover, it urges states to cooperate to prevent and suppress terrorist acts and bring their perpetrators to justice. All states are obligated to submit reports detailing their initiatives to fulfill these obligations.

Recognizing that many states would require some form of

technical assistance to enhance their counterterrorism and law-enforcement capacities, the council adopted UNSCR 1377 (2001), which further directed the CTC to “explore ways in which States can be assisted, and in particular to explore with international, regional and subregional organizations: the promotion of best-practice in the areas covered by Resolution 1373, including the preparation of model laws as appropriate, the availability of existing technical, financial, regulatory, legislative or other assistance programmes which might facilitate the implementation of Resolution 1373, and the promotion of possible synergies between these assistance programmes.”²⁷ To this end, CTED conducts dialogues with all member states and undertakes country visits to help states identify key gaps in their counterterrorism capacities and identify priority needs; it then liaises with donors and partners, such as the G8’s Counter Terrorism Action Group (CTAG) or the Financial Action Task Force, for example, to facilitate the necessary assistance.

In the extraordinary political period that followed 9/11, Security Council member states showed a collective spirit in adopting resolution 1373 and reaffirming a position condemning international terrorism, such as the attacks on the US on September 11, 2001. The CTC received hundreds of first and second round reports from states detailing the measures taken to fulfill their obligations under Resolution 1373, with 191 countries submitting a first report. However, subsequent rounds have witnessed a reduction in submissions, with only twenty-six fourth-round reports from member states.²⁸ This reduction in states’ responsiveness to the CTC has been attributed to critiques of the Security Council’s counterterrorism regime, in particular, disagreement over its authority to pass binding and open-ended legislation on all member states outside the traditional consensual processes associated with the development of international law.²⁹ Moreover, states have complained of reporting fatigue, given the multiple reports they are required to submit pursuant to the council’s counterterrorism-related resolutions.

Nonetheless, CTED has developed a constructive working relationship with the majority of member states and has expanded its efforts to meet their counterterrorism capacity-building needs. Though the committee has been criticized for its reluctance to name

and shame noncompliant states, the committee's efforts to encourage cooperation through needs assessment and provision has been credited as one of the main reasons for states' willingness to report to CTED and engage with its experts through dialogues and country visits.

In 2005, the Security Council adopted Resolution 1624, condemning "in the strongest terms the incitement of terrorist acts and repudiating attempts at the justification or glorification [*apologie*] of terrorist acts that may incite further terrorist acts."³⁰ Though not adopted under Chapter VII, the resolution also requests states to report to the Counter-Terrorism Committee on their implementation of the resolution. Consequently, issues relating to Resolution 1624 have also become a part of CTED's work.

Despite the October 2010 suggestion of Martin Scheinin, the first Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism, that Security Council Resolutions 1267, 1373, and 1624 be consolidated into a single resolution that does not fall under Chapter VII of the UN Charter, the adoption of Resolution 1963 in December, which extends the mandate of the CTC and CTED until December 2013, makes it unlikely that the council is anticipating a contracted role for the CTC or CTED in the near future.

Reflecting the holistic approach set forth in the 2006 Global Counter-Terrorism Strategy, which calls for states to strengthen the security responses to terrorism while upholding human rights and the rule of law, resolution 1963 urges the CTC and CTED to "focus increased attention on resolution 1624 in its dialogues with member states" and brings the issue of human rights to the forefront of the Committee's work. The resolution also offers a reminder that "effective counter-terrorism measures and respect for human rights are complementary and mutually reinforcing, and are an essential part of a successful counter-terrorism effort." In addition, Resolution 1963 calls for the CTC to interact with civil society to identify and address terrorist threats. Although there has been some resistance from members of the Security Council, CTED has increased its engagement with civil society.

CTED is a member of the Counter-Terrorism Implementation Task Force, serving as co-chair of the Working Group on Border Management Related to Counter-Terrorism, which aims “to provide guidance and assistance to Member States in their efforts to implement a comprehensive and coordinated approach to address the threat of terrorism in the context of cross-border activities, by combining the contributions of specialized international organizations and United Nations entities with border management and control mandates or relevance.”³¹ In addition to membership in the working groups listed above, CTED is also an active participant in the CTITF project on Integrated Assistance for Countering Terrorism (I-ACT), which involves numerous entities in an effort to create a central information hub on international assistance received by states that supports implementation of the UN’s Global Counter-Terrorism Strategy.³²

Department of Peacekeeping Operations (DPKO)

Location:

New York, USA

Contact Information:

Department of Peacekeeping Operations
United Nations Secretariat
One UN Plaza
New York, NY 10017
USA

Focal Points:

Mr. Andrew Carpenter
Chief, Police Division/Strategic Policy & Development Section
Tel: +1 917 367 2205
Fax: +1 212 963 3452
E-mail: carpentera@un.org

Ms. Annika Hansen
Policy Officer, Police Division/Office of the Police Adviser
Tel: +1 212 963 4275
Fax: 1 917 367 2222
E-mail: hansena@un.org

Website: www.un.org/en/peacekeeping/

Year of Establishment: 1948

CTITF Working Group Membership:

- Preventing and Resolving Conflicts
- Strengthening the Protection of Vulnerable Targets

- Border Management Related to Counter-Terrorism
- Countering the Use of the Internet for Terrorist Purposes

The Department of Peacekeeping Operations (DPKO) is tasked with the planning, management, deployment, and support of UN peacekeeping operations, in partnership with the Department of Field Support (DFS), which aims to bring peace and stability to conflict zones around the world. DPKO's activities also focus on stabilization, disarmament, demobilization, and reintegration of combatants (DDR), and justice and security sector reform, among others. Peacekeeping operations have ranged from large military deployments to small observer forces, often in the form of complex integrated missions with steadily growing police, rule of law, and other civilian components.

Though counterterrorism is not a core function of DPKO, its peacekeeping operations make an important contribution to international efforts to address terrorism. Peace operations serve vital security functions in areas that are vulnerable to terrorist activity due to the absence of effective state authority, and peace operations can in turn help to build stronger state-counterterrorism capacities. As the Policy Working Group on the United Nations and Terrorism, convened by then Secretary-General Kofi Annan in 2001, observed:

Terrorism is often related to armed conflict. While the prevention and resolution of armed conflict should not primarily be conceived of as anti-terrorist activities, they can assist such activities by narrowing the space in which terrorists operate.³³

DPKO's activities and functions make an important contribution to addressing the first pillar of the 2006 UN Global Counter-Terrorism Strategy, which urges states to address "conditions conducive to the spread of terrorism," including "prolonged and unresolved conflicts" and "lack of the rule of law and violations of human rights".³⁴ DPKO's indirect contributions to counterterrorism are provided through its missions and fall broadly into four main categories: (1) supporting stabilization and expanding state authority across its territory and along its borders, (2) strengthening the rule of law more generally, (3) building host-state police capacity, and (4) addressing the link between organized crime and terrorism.

Specifically, peacekeeping forces help to create conditions that restrict potential terrorist activity, because their mandates include measures to stop the illegal movement of people, secure borders, and thwart the movement of arms and drugs that may be a source of funding for terrorist organizations. Given the frequent connections between transnational organized crime, drug trafficking, and terrorism, through which groups can develop cooperative relationships to augment their finances, materials, and operational capacities, DPKO's activities in the area of combating organized crime and illegal trafficking can be particularly valuable to international counterterrorism efforts. One example of this work is the West Africa Coast Initiative, which was launched by DPKO in July 2009 and brings together DPKO, the UN Office on Drugs and Crime (UNODC), the UN Department of Political Affairs (DPA)/United Nations Office for West Africa (UNOWA) and the International Criminal Police Organization (INTERPOL) in support of the Economic Community of West African States' (ECOWAS) action plan against transnational organized crime. The initiative seeks to strengthen the participating states' capacity for crime analysis and information sharing in a collaborative regional approach.³⁵

The role of peacekeeping missions in strengthening the rule of law and supporting host-state police and security capacities also plays an important part in deterring and investigating terrorism in conflict-ridden states, which often have limited capacities. UN peacekeeping operations conduct training and mentor host-state police and other law-enforcement agencies in order to enhance their capacity in criminal intelligence and special investigations. In Haiti, for example, the UN mission works on building the capacity of the Haitian National Police to combat transnational organized crime, human trafficking, and drug trafficking, including the development of a maritime police capacity. In the United Nations Integrated Mission in Timor-Leste (UNMIT), the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL), and the United Nations Mission in Liberia (UNMIL), peacekeeping mandates have also called for the strengthening of customs- and border-management systems of host states.³⁶ These functions are also of particular relevance to Pillar III of the Global Strategy, which focuses on building state capacity to

counter terrorism.³⁷

DPKO's inclusion in the Counter-Terrorism Implementation Task Force (CTITF) reflects one of the comparative advantages that the UN brings to international counterterrorism efforts: the ability to draw on the expertise and insights of its long experience in field missions working with states, groups, and institutions to address political violence, armed conflict, and underlying grievances. Moreover, DPKO's expertise in the areas of justice and security sector reform, policing and law enforcement, and corrections has allowed DPKO to develop a unique expertise in institutionalizing tools and mechanisms to address these challenges in very fragmented societies with minimal capacities.

In considering how the UN might most effectively leverage its comparative advantages to support international efforts to counter the threat of transnational terrorism, the Policy Working Group's 2002 report had recommended that:

Measures should be taken to ensure that the mandates of peacekeeping operations are sensitive to terrorism-related issues, providing, for instance, that civilian police officers received appropriate training on measures to identify and counter terrorist groups.³⁸

It is unclear whether such considerations have impacted member states' thinking about peacekeeping resolutions over the past decade. However, in several regions, the possibility of "conflict-generated terrorism"³⁹ and the potential for intervening countries to confront retaliatory acts of terrorism⁴⁰ make it likely that peacekeeping missions in some regions are shaped to a greater extent by a convergence in international efforts to prevent and resolve conflict, and prevent and combat terrorism, at least in the short to medium term.

Department of Political Affairs (DPA)

Location:

New York, USA

Contact Information:

Department of Political Affairs
United Nations
New York, NY 10017
USA

Focal Points:

Mr. Renato Mariani
Political Affairs Officer, Policy, Planning and Mediation Support
Tel: +1 212 963 0023
E-mail: mariani@un.org

Mr. Muhammad Rafiuddin Shah
Officer-in-Charge, CTITF Office
Department of Political Affairs, United Nations
730 3rd Avenue, Room TB-08022
New York, NY 10017
Tel: +1 917 367 2856
Fax: +1 212 963 4199
E-mail: shah4@un.org

Website: www.un.org/wcm/content/site/undpa/

Year of Establishment: 1992

CTITF Working Group Membership:

- Preventing and Resolving Conflict (lead)

The Department of Political Affairs is the leading United Nations Department for peacemaking and preventive diplomacy. Among its core activities, DPA monitors and assesses political developments to detect potential crises, provides electoral assistance, offers substantive and secretariat support to the Security Council, and supports the General Assembly's standing committees on the Rights of the Palestinian People and Decolonization.

Following the 2004 High-level Panel on Threats, Challenges, and Change, which identified the need for increased resources to support UN mediation efforts, DPA was restructured to include a Mediation Support Unit (MSU). Established in 2008 following approval by the General Assembly, MSU was envisioned to support UN peace processes, including relevant UN departments as well as representatives, envoys, and resident coordinators. The MSU also provides support to UN partners, including regional and subregional organizations, and states. Consequently, DPA's work in this area is closely related the first pillar of the UN Global Counterterrorism Strategy, to address "the conditions conducive to the spread of terrorism,"⁴¹ by helping to reduce conflicts which can provide an enabling environment for terrorism.

At UN headquarters, DPA has been an instrumental party in developing a framework for an integrated UN response to terrorism. In the aftermath of the September 11th terrorist attacks, Under-Secretary-General for Political Affairs Kieran Prendergast chaired the Policy Working Group on Terrorism and oversaw the development of the report, which formulated, for the first time, a comprehensive vision of how the United Nations might best contribute to efforts to combat global terrorism. With the creation of the CTITF in 2005, the working group was abolished, and in 2009, the Counter-Terrorism Implementation Task Force office was institutionalized within the Department of Political Affairs.⁴²

DPA has taken a leading role in the CTITF's Working Group on Preventing and Resolving Conflicts, which has focused on an initiative to implement the UN's 2006 Global Counter-Terrorism Strategy (henceforth, Global Strategy) in Central Asia. In this effort, DPA is working closely with the United Nations Regional Center for Preventive Diplomacy for Central Asia (UNRCCA) and key

stakeholders in the region to develop a platform to address conditions conducive to terrorism and enhance capacity building to prevent and combat terrorism at the national and regional levels. A series of meetings and workshops to discuss each pillar of the Global Strategy will inform the development of a regional action plan to be adopted by participating states.⁴³

Earlier, DPA had also taken a role in increasing awareness and understanding of the Global Strategy among member states. In 2007, one year after the General Assembly adopted the Global Strategy, DPA worked with the Organization of the Islamic Conference (OIC) to organize an international conference in Tunisia to spread understanding and commitment of the strategy, attended by more than two hundred political and religious leaders as well as experts, NGO representatives, and representatives from civil society groups.⁴⁴

Though DPA's work is not directly related to counterterrorism capacity building, it supports important initiatives that contribute to the broader objectives of the first pillar of the Global Strategy, which addresses "the conditions conducive to the spread of terrorism,"⁴⁵ by enhancing states' capabilities to prevent and resolve violent conflict that may engender terrorism and violent extremism. For example, DPA holds a joint program with The United Nations Development Programme (UNDP) on Building National Capacity for Conflict Prevention to provide assistance to governments, political parties, and civil society. This joint program provides technical and financial resources to governments, political parties, and civil society for the development of effective tools for the peaceful settlement of disputes. Additionally, the program provides seed assistance for concrete conflict prevention initiatives on the ground. To ensure system-wide coherence in prevention, DPA convenes the Executive Committee on Peace and Security and participates in the Inter-Department Framework for Coordination on Early Warning and Preventive Action.

Additionally, DPA has created a website—UN Peacemaker—which provides assistance and guidance to negotiators and other practitioners engaged in mediation or conflict resolution. It also provides a database of peace agreements, informational and technical literature, and guidelines for managing peace processes, which can be

accessed at <http://peacemaker.unlb.org>.

The institutionalization of the CTITF Office within DPA provides greater opportunities for collaboration and information sharing between staff members in order to develop more effective approaches to implementing the Global Strategy.⁴⁶ Though operating largely as an independent unit, CTITF Office staff members are regular participants in DPA briefings and have greater access to desk officers working on countries or regions where terrorism and violent extremism may be of particular concern, and vice versa.

Department of Public Information (DPI)

Location:

New York, USA

Contact Information:

Department of Public Information
United Nations
New York, NY 10017
USA

Focal Points:

Mr. Hiro Ueki
Chief of Section
Tel: +1 212 963 5150
E-mail: ueki@un.org

Ms. Elizabeth Scaffidi
Information Officer
Tel: +1 212 963 5834
E-mail: scaffidi@un.org

Mr. Janos Tisovszky
Deputy Director (Focal point in Europe)
Tel: +32 (0)2 788 84 85
E-mail: tisovszky@un.org

Website: www.un.org/en/hq/dpi/

Year of Establishment: 1946

CTITF Working Group Membership:

- Preventing and Resolving Conflicts
- Countering the Use of the Internet for Terrorist Purposes
- Preventing and Responding to WMD Terrorist Attacks
- Supporting and Highlighting Victims of Terrorism

The Department of Public Information (DPI) serves as the public face of the United Nations and works with its constituent bodies, partners, nongovernmental organizations, educational institutions, and the media to ensure that its core values and messages are conveyed to the broader public. To fulfill this function, DPI manages a global network of UN information centers (UNIC) that disseminate UN news throughout the world. Additionally, DPI manages the UN website (www.un.org), UN Radio, the UN News Center, and UN Television. DPI also works with UN bodies to produce a myriad of publications.

In this role, DPI is also responsible for publicizing the work of the United Nations on countering terrorism. It maintains the website www.un.org/terrorism which serves as a primary portal for online information regarding the CTITF and its activities and publications. DPI also provides communications support to the CTITF and its members, compiles the weekly news bulletin on global terrorism incidents and issues, produces videos and other publicity materials, and contributes to the formulation and implementation of a communications strategy for the world body on issues relating to terrorism.

In 2007 at the Symposium on Advancing Implementation of the United Nations Global Counter-Terrorism Strategy in Austria, a DPI official noted that

DPI's worldwide network of over 60 country offices has been disseminating information on the strategy, reaching out to their respective audiences. This global network is in fact a collection of local audiences that allows for more specific and targeted outreach which can encourage a broader support for the strategy in all geographic regions.⁴⁷

As part of its efforts to increase the understanding of UN counterterrorism efforts among member states and the general public,

DPI created a public-information work plan for the Counter-Terrorism Committee and its Executive Directorate from 2006 onward.⁴⁸ In targeting member states, the stated goal is to “demystify issues surrounding the Committee’s work, in particular country visits. It will emphasize that the Committee wants to assist member-states in their efforts to implement relevant Security Council resolutions to combat terrorism.”⁴⁹

To this end, DPI produced a number of fact sheets in 2006, including *The Role of the Counter-Terrorism Committee and its Executive Directorate in the International Counter-Terrorism Effort*,⁵⁰ *The Counter-Terrorism Committee and its Executive Directorate*,⁵¹ *Country Visits*,⁵² and *The Counter-Terrorism Committee and Human Rights*.⁵³ In addition, DPI created an information kit on the work of the CTITF in September 2010 and assists with the production of the quarterly CTITF newsletter, *The Beam*, available at www.un.org/terrorism.

DPI, through its Educational Outreach Section, has also organized a series of seminars entitled “Unlearning Intolerance,” aimed at examining different manifestations of intolerance and discussing how they can be addressed through education and access to information. Although is not a counterterrorism initiative, this is particularly salient to Pillar I of the UN Global Counter-Terrorism Strategy, which recognizes that “national and religious discrimination, political exclusion, [and] socio-economic marginalization” contribute to conditions conducive to the spread of terrorism.⁵⁴ Issues covered by seminars to date have included anti-Semitism, Islamophobia, the role of the media, preventing genocide, editorial cartoons, and the role of art in changing attitudes towards the environment.

As a member of various working groups of the CTITF, DPI supports their work by providing guidance and advice on strategic communications and public outreach and creating related communications materials. For example, as a member of the Working Group on Preventing and Resolving Conflicts, DPI contributes to the formulation of a communications strategy and provides support to the UN Regional Center for Preventive Diplomacy for Central Asia (UNRCCA). DPI also assisted the Working Group on Preventing and Responding to WMD Terrorist Attacks in the production of its reports

and is an active participant in the Working Group on Countering the Use of the Internet for Terrorist Purposes.

DPI is also actively involved in the production of a film series on repentant terrorists, produced in cooperation with the Al-Qaida and Taliban Sanction Monitoring Committee. DPI's UNTV has produced two films in 2010 and 2011. The first film, entitled *The Terrorist Who Came Home*, is based on an Algerian fighter who chose to renounce violence and rejoin mainstream society; the second film, *Second Chance for Saudi Terrorist*, focuses on the Saudi government's effort to rehabilitate former terrorists. An additional film is planned for release in 2012.⁵⁵

An effective communications strategy for the United Nations is an invaluable tool for the CTITF entities as well as the UN leadership to communicate the world body's values and comparative advantages in worldwide efforts to counter terrorism and violent extremism to the broader public. The tools developed by DPI and its global reach allow it to communicate UN norms, values, and activities to global audiences.⁵⁶ Enhancing this global reach will be necessary to expand awareness of the Global Strategy, which is currently not well known outside of New York and Vienna.⁵⁷ DPI is in a unique position to develop a broad media campaign to raise awareness of the Global Strategy and promote the consensual view it is based upon.

Department of Safety and Security (DSS)

Location:

New York, USA

Contact Information:

Department of Safety and Security
United Nations
New York, NY 10017
USA

Focal Points:

Mr. Gregory Starr
Under-Secretary-General
Tel: +1 917 367 3158
Fax: +1 917 367 9011
E-mail: starr@un.org

Mr. Gerard Martinez
Director, Regional Operations
Tel: +1 917 367 3061
Fax: +1 917 367 9011
E-mail: martinezg@un.org

Website: <https://dss.un.org/dssweb/>

Year of Establishment: 2005

CTITF Working Group Membership:

- Strengthening the Protection of Vulnerable Targets (lead)

The Department of Safety and Security (DSS) serves as the central coordinating department at UN headquarters responsible for formulating policy recommendations, responding to emergency situations, coordinating inter-agency safety programs, and making decisions related to relocation/evacuation of UN staff members.⁵⁸ In order to fulfill this function, DSS cooperates with host governments to ensure safety and security of UN staff, assesses the safety of local conditions in order to advise UN staff accordingly, responds to emergency situations involving UN staff, and determines the processes for security clearance.

Established in 2005 in response to deficiencies outlined in the 2003 *Independent Panel on Safety and Security of UN Personnel in Iraq*, DSS brought together a number of preexisting security functions in one entity. Though not directly involved in countering terrorism, DSS is the lead actor coordinating the safety and security of United Nations staff, assets, and operations at all United Nations duty stations around the world, taking into account various threats, including terrorism.

As a member of the Counter-Terrorism Implementation Task Force, DSS—together with the International Criminal Police Organization (INTERPOL) and the UN Interregional Crime and Justice Research Institute (UNICRI)—co-chairs the Working Group on the Protection of Vulnerable Targets. The working group works closely with member states, international, regional and subregional organizations, the private sector, and other partners to identify and share best practices to prevent terrorist attacks on vulnerable targets. DSS has been collaborating with other UN entities and the NGO community to collect and analyze data on security incidents relating to terrorism in order to identify emerging threats and develop effective responses.⁵⁹

In this working group, DSS is also working closely with INTERPOL, which has established a referral center for states to facilitate the exchange of knowledge, resources, experts, technical assistance, and best practices to protect vulnerable targets. During the centers nearly two years of operation, 134 states have contributed inputs.⁶⁰ Moreover, DSS is working with INTERPOL and the UN Office for the Coordination of Humanitarian Affairs (OCHA) to develop stronger emergency response capacities for security threats,

including terrorism.⁶¹

Additionally, DSS has worked with UNICRI to produce a handbook to facilitate the establishment of public-private partnership (PPP) projects at a national and local level to prevent terrorist attacks. This handbook is also part of UNICRI's broader efforts to promote PPP initiatives to strengthen the protection of vulnerable targets.⁶²

Prompted by attacks on the United Nations in Algiers, UN Secretary-General Ban Ki-moon commissioned the Independent Panel on Safety and Security of United Nations Personnel and Premises Worldwide on February 5, 2008. The panel had a broader mandate to focus on "strategic issues vital to delivery and enhancement of the security of United Nations personnel and premises and the changing threats and risks faced by it."⁶³ Reflecting on why the UN had increasingly become a target of attacks, the report suggested that

A growing part of the public no longer perceives the UN as impartial and neutral. At the core of this issue is the perception that the United Nations has become an instrument of powerful Member States to advance agendas that serve their own interests, rather than those of the global community of nations....This perception has a negative impact on the security of UN personnel, its activities, and its premises.⁶⁴

This observation underscores the importance of perceptions of legitimacy regarding the UN's role in international counterterrorism initiatives and the value of an effective communications strategy that conveys that UN's efforts to address global terrorism are derived from the organization's core values and principles, as enshrined in the UN Charter, and that the actions of all its bodies are in accordance with them.⁶⁵

Ensuring the safety of UN staff is paramount for the UN to carry out its many activities in the field and at headquarters. DSS has learned a great deal from assuming this responsibility, and has much to contribute in strengthening international and national policies and practices to secure the safety of civilians.

Expert Group of the 1540 Committee

Location:

New York, USA

Contact Information:

United Nations

300 East 42nd Street

Suite IN-03098A

New York, NY 10017

USA

Fax: + 1 917 367 9358

E-mail: Rotating Coordinator: 1540experts@un.org

Website: www.un.org/sc/1540

Year of Establishment: 2005

CTITF Working Group Membership:

- Preventing and Responding to WMD Terrorist Attacks
- Border Management Related to Counter-Terrorism

United Nations Security Council Resolution 1540 was adopted under Chapter VII of the UN charter on April 28, 2004 to address proliferation of nuclear, chemical, and biological weapons and their means of delivery, with a focus on proliferation by non-state actors. The resolution was sponsored by the United States and the United Kingdom because they believed that existing international law did not address the threat of non-state actors acquiring weapons of mass destruction (WMDs) for the commission of a terrorist act.⁶⁶ Much of this concern

arose from revelations in late 2003 that the A. Q. Khan Network in Pakistan had been selling nuclear information, materials and/or technology to Iran, Libya, and North Korea and engaging with vendors and middle men, sparking fears that Al Qaida or another terrorist organization may have purchased the materials as well.⁶⁷

The resolution was adopted unanimously after months of negotiations. The responsibility for implementation of resolution 1540 rests on states.⁶⁸ As the Comprehensive Review of the 1540 Committee points out, “effective implementation means enforcing the law, not just adopting it, and building appropriate capacities.”⁶⁹ As with UN Security Council Resolutions 1267 and 1373, a “committee of the whole” was established encompassing all fifteen sitting members of the Security Council, and supported by the UN Department of Political Affairs (DPA) and the UN office of Disarmament Affairs (ODA).⁷⁰ The 1540 Committee is composed of three subcommittees that share the task of considering national reports submitted by states. Beginning with its eighth program of work on February 1, 2009, the committee established four working groups in the following areas:

- Monitoring and national implementation
- Assistance
- Cooperation with international organizations, including Security Council committees 1267 and 1373
- Transparency and media outreach⁷¹

Several states expressed concerns about the burdens imposed by the resolution on already strained capacities and the resolution’s failure to address nuclear-weapons disarmament. Moreover, some states objected to the Security Council once again taking on a legislation role, as it had in resolution 1373 by requiring all states, under Chapter VII of the UN Charter, to take specific measures to address the threat from terrorists in their territory.⁷² In order to assuage some states’ concerns, this resolution, unlike UN Security Council Resolution 1373, recognizes that states may require assistance in implementing the provisions of the resolution.

Among its obligations, Resolution 1540 calls upon states, for the

first time ever, to take effective measures against the proliferation of WMD and related materials, and their means of delivery. This includes refraining from providing any form of support to nonstate actors attempting to develop, acquire, manufacture, process, transport, or transfer nuclear, chemical, or biological weapons or their means of delivery; adopting and enforcing laws to prohibit such proliferations; and taking measures to control these items.

Some states also raised objections to the resolution's emphasis on nonproliferation of nuclear technologies, which they felt was not compatible with states' commitment to promote scientific and technological exchange for peaceful purposes in the Biological and Toxin Weapons Convention (BTWC).⁷³

In August 2004, the committee set up guidelines for the preparation of national reports pursuant to paragraph 4 of Resolution 1540, which stipulated that states were expected to submit their first reports no later than October 28, 2004, documenting steps they had taken or intended to take to implement the resolution.⁷⁴ Of the 192 member states, fifty-nine states met the deadline, with the EU also making a submission. By April 2011, twenty-four states, mainly from the African region, had not yet reported.

Drawing from the experiences of other Security Council committees, the 1540 Committee recognized the need for independent expertise and set up an expert group, appointed by the Secretary-General and approved by the committee in May 2005. The Expert Group of the 1540 Committee has up to eight experts appointed to assist the committee in assessing states' progress in implementing Resolution 1540, by reviewing the reports submitted by states. A number of reporting states have requested technical assistance in order to meet the requirements of the resolution. In response, the committee has acted as a clearinghouse by providing a list of states' needs and details of those states and international organizations offering assistance.

Resolution 1810 (2008), which extended the committee's mandate for the second time, urged the committee to strengthen its role in providing technical assistance through "such means as assistance,

templates, actions plans, or other information submitted to the 1540 Committee.”⁷⁵ In 2010, the committee adopted revised procedures for responding to requests for assistance, including distributing the request within one week to the appropriate donors and acting as an informal matchmaker between states and donors.⁷⁶ Experts supporting the 1540 Committee brief the Working Group on Assistance every two months on the progress made by states and the extent to which their requests for assistance have been met.⁷⁷

As country reports reflect a range of capacities in fulfilling the obligations of the resolution, the Expert Group developed a matrix with 382 fields representing the requirements of the resolution for each state. The experts have used a range of available information, including national government reports, official government reports and other information made available by intergovernmental organization to perform assessments of states’ counterterrorism capabilities using matrices. The matrix system has helped the committee to identify areas where there are gaps in enforcement in order to facilitate technical assistance in those areas. In the spirit of transparency, and with the consent of states, the matrices are posted on the committee’s website where respective countries can review and respond by supplying additional or up to date information to the committee. According to the 2009 background papers prepared by the Expert Group as part of the Comprehensive Review on the Status of Implementation of Resolution 1540, “the Matrix has become the basis for informed dialogue between the 1540 Committee and individual States, including evolving as a format that States use in preparing reports to the Committee.”⁷⁸

However, feedback from member states documented in the *Comprehensive Review of the Status of the Implementation of Resolution 1540 (2004)*, indicated that some states found the matrix system overly complex and called for the development of a more user-friendly matrix.⁷⁹

The 2009 background papers prepared by the expert committee also illuminate a number of challenges facing the 1540 Committee. One significant challenge is the wide variety of approaches adopted by states to fulfill their obligations under Resolution 1540, especially

since the 1540 Committee has been unable to explore sufficiently the differences between these approaches.⁸⁰ Moreover, states determine on a national basis what constitutes “appropriate” and “effective” practices, and the committee does not create specific standards, although it does encourage states to share experiences and lessons learned. In addition, the committee’s limited ability to monitor the impact of Resolution 1540 on states’ execution and enforcement of laws has led some to criticize the committee’s reporting system for promoting “paper compliance,” arguing that an arrangement that ensures greater accountability is needed.⁸¹

Indeed, the final paper for the comprehensive review, which drew on discussions over three days of open meetings from September 30–October 2, 2009, offered several recommendations to help address various challenges and facilitate states’ implementation of Resolution 1540. They include: increasing outreach efforts (such as country visits); enhancing the facilitation of technical and legal assistance; and strengthening cooperation with regional, subregional, and multilateral institutions, among other recommendations.⁸²

As a member of the CTITF focused primarily on preventing the proliferation of weapons of mass destruction, the 1540 Committee is a core member of the CTITF Working Group on Border Management Related to Counter-Terrorism as well as the Working Group on Preventing and Responding to WMD Terrorist Attacks. In its capacity as a member of the Working Group on Preventing and Responding to WMD Terrorist Attacks, the Expert Group of the 1540 Committee works to enhance coordination and information exchange with other UN entities and relevant international organizations such as the International Atomic Energy Agency (IAEA) and the Organization for the Prohibition of Chemical Weapons (OPCW), both of which are co-chairs of this working group. As a member of the Working Group on Border Management, the Expert Group helps to provide guidance to member states on counterterrorism border-control measures.

On April 20, 2011, the Security Council unanimously adopted Resolution 1977 (2011), which reaffirms Resolution 1540 and calls on states to implement measures to address the serious challenge and threat posed by the proliferation of weapons of mass destruction and

their means of delivery, in particular by nonstate actors. Security Council Resolution 1977 extends the mandate of the 1540 Committee for a period of ten years, until 2021. The Security Council thus recognizes that full implementation of Resolution 1540 by all states is a long-term task that will require continuous efforts at national, regional, and international levels.

International Atomic Energy Agency (IAEA)

Location:

Vienna, Austria

Contact Information:

International Atomic Energy Agency

PO Box 100

A-1400 Vienna

Austria

E-mail: official.mail@iaea.org or NuclearSecurity@iaea.org

New York office:

International Atomic Energy Agency

1 United Nations Plaza, Room DC-1-1155

New York, NY 10017

USA

E-mail: iaeany@un.org

Geneva office:

International Atomic Energy Agency

United Nations, Room B 426

Palais des Nations, CH-1211 Geneva 10

Switzerland

Focal Point:

Mr. Geoffrey Shaw

Director, New York Office and Representative to the United Nations

Tel: +1 212 963 6012

Fax: +1 212 963 3684

E-mail: shawg@un.org

Website: www.iaea.org

Year of Establishment: 1957

CTITF Working Group Membership:

- Preventing and Responding to WMD Terrorist Attacks (lead)

The International Atomic Energy Agency (IAEA) is an autonomous international organization made up of 151 member states, established to promote the peaceful use of nuclear energy and to ensure that nuclear energy is not used for military purposes.⁸³ According to the IAEA statute (1956), the functions of the IAEA include:

- taking action needed to promote research on, development of, and practical applications of nuclear energy for peaceful purpose (Article III. A.1);
- providing material, services, equipment, and facilities for such research and development, and for practical applications of atomic energy (Article III. A.2);
- fostering and exchange of scientific and technical information (Article III.A.3);
- encouraging the exchange and training of scientists and experts in the field of peaceful uses of atomic energy;
- establishing and administering safeguards to ensure that any nuclear assistance or supplies with which IAEA was associated should not be used to further any military purposes—and applying such safeguards, if so requested, to any bilateral or multilateral arrangement (Article III.A.6);
- establishing or adopting nuclear safety standards (Article III.A.6).

Though an independent international organization, the IAEA maintains a close working relationship with the United Nations. According to its own statute, the IAEA must “conduct its activities in accordance with the purposes and principles of the United Nations to promote peace and international co-operation, and in conformity with policies of the United Nations furthering the establishment of safeguarded worldwide disarmament and in conformity with any

international agreements entered into pursuant to such policies.”⁸⁴ Moreover, the IAEA must report on its activities to the General Assembly annually and, as appropriate, to the UN Security Council.

The IAEA’s framework for nuclear security includes international legal instruments that are both binding and nonbinding, which it encourages states to sign and adopt. The binding documents include the *Convention on the Physical Protection of Nuclear Material* (1980) and its amendment, the *International Convention for the Suppression of Acts of Nuclear Terrorism* (2005), and the comprehensive safeguards agreements and additional protocols. The nonbinding international instruments include the IAEA Code of Conduct on Safety and Security of Radioactive Sources and the IAEA Supplementary Guidance on the Import and Export of Radioactive Sources. In addition, the IAEA has circulated a document entitled “The Physical Protection of Nuclear Material and Nuclear Facilities,” containing recommendations for states to implement voluntarily. Moreover, the IAEA is entrusted with responsibilities under a number of other treaties and agreements that states have adopted related to nuclear materials, including providing the safeguarding system established under the *Nuclear Non-Proliferation Treaty* (1970).⁸⁵

Through its Nuclear Security Programme (NSP), the IAEA provides training, human resource development, assistance, and technical advice to states and facilitates the exchange of information and lessons learned. This includes assisting states in establishing an effective regulatory infrastructure, improving physical protection at facilities with nuclear and other radioactive materials, strengthening capabilities at borders to detect and respond to illicit nuclear trafficking and establishing preparedness to respond to acts of nuclear or radiological terrorism.⁸⁶ The IAEA also offers a number of advisory services to aid states in assessing the effectiveness of their nuclear security arrangements and identifying any necessary enhancements.

After the September 11th terrorist attacks, the agency conducted a thorough review of its activities and programs relevant to preventing acts of terrorism involving nuclear and radioactive materials and developed the Nuclear Security Plan for 2002-2005. This was followed by subsequent plans for 2006-2009 and 2010-2013. The latter focuses on three key areas of nuclear security: prevention, detection, and

information coordination and response. Moreover, it seeks to move away from ad hoc interventions and towards providing long-term, sustained improvements to nuclear security.⁸⁷

The National Security Plan also provides a vehicle through which the IAEA supports multilateral counterterrorism efforts, in particular, Pillars II and III of the UN Global Counter-Terrorism Strategy, which focus on preventing and combating terrorism, and strengthening states' capacities to do so. In particular, the IAEA focuses on terrorism in the context of preventing the spread of nuclear weapons and radioactive material, and assists states, upon request, in improving their nuclear security capacities.⁸⁸ To this end, the IAEA supports states in improving their capacities to prevent, detect, and respond to the illegal use or transfer of nuclear and other radiological materials as well as the protection of nuclear installations.

As part of these efforts, the IAEA has provided a platform for the exchange of best practices and legislative assistance through a number of activities. For example, in May 2009, the agency hosted a workshop on implementing legislation on nuclear security for the League of Arab States in Vienna. In 2009, the IAEA's training courses on nuclear security reached more than 120 countries.⁸⁹ The IAEA has also given equipment upgrades to a number of states to fulfill their obligations to combat nuclear terrorism.⁹⁰

Another tool to address the illicit use of WMDs is the agency's Illicit Trafficking Database, created in 1997 in order to track unauthorized activities and events involving nuclear and other radioactive material outside of regulatory control. As of September 2010, the database had 111 participating states.⁹¹

The IAEA leads the Counter-Terrorism Implementation Task Force's Working Group on Preventing and Responding to a WMD Terrorist Attack. In this capacity, the IAEA has worked to strengthen an interagency response to a terrorist attack using chemical, biological, radiological, or nuclear weapons (CBRN) or materials. To that end, the working group produced a report in 2010 entitled *Interagency Coordination in the Event of a Nuclear or Radiological Terrorist Attack: Current Status, Future Prospects*.⁹² The report offers three recommendations to improve international capacities to respond to a terrorist

attack using nuclear or radiological materials. In November 2011, the Working Group produced its second report on institutional response capacities to chemical and biological terrorist attacks. The report, for the first time, analyzed at the international level the potential of the UN and international organizations to respond to biological and chemical terrorism and identified ways to strengthen these capacities.

International Civil Aviation Organization (ICAO)

Location:

Montreal, Canada

Contact Information:

International Civil Aviation Organization (ICAO)

999 University Street H3C 5H7

Montreal, Quebec

Canada

E-mail: ctitf@icao.int

Focal Point:

Mr. Jiefang Huang

Legal Officer

Tel: +1 514 954 8219 ext 8035

Fax: +1 514 954 8032

E-mail: Jhuang@icao.int

Website: www.icao.int

Year of Establishment: 1947

CTITF Working Group Membership:

- Strengthening the Protection of Vulnerable Targets
- Preventing and Responding to WMD Terrorist Attacks
- Supporting and Highlighting Victims of Terrorism
- Border Management Related to Counter-Terrorism

The International Civil Aviation Organization (ICAO) was established to set standards for the safe and orderly development of international civil aviation by developing treaties and international standards, recommending best practices, and offering guidance to states.⁹³ Today its objectives include aviation safety, security, environmental protection, and sustainable development of air transport.⁹⁴

Concern over aviation security and terrorism has become increasingly salient in the last decade, in large part as a result of the attacks on September 11, 2001. However, aviation security has been an area of international concern since 1944, when the International Civil Aviation Organization (ICAO) was established with a membership of fifty-two states (currently 191).

Shortly after the establishment of the ICAO, its assembly adopted a resolution that brought into force its relationship with the UN, making the ICAO a specialized agency of the United Nations. As such, the ICAO and the UN have benefitted from each other through an increased ability to deliver and facilitate technical assistance to member states.

As early as 1959, the ICAO Legal Committee recommended a convention to fill the gap in jurisdiction for offenses that had taken place over the high seas, in response to an increase in the number of aircraft hijackings. The resultant *Tokyo Convention* had only a modest impact, in part because several critical states implicated in hijackings refused to become signatories to the convention.⁹⁵ Subsequent conventions however, imposed more serious penalties on hijackers and defined a set of punishable offenses. This included the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970.

The ICAO greatly expanded its work on counterterrorism issues in the 1980s, in response to a surge in attacks targeting aircrafts. In 1986, the ICAO established a fifteen-member expert body, known as the Aviation Security Panel. The panel actively reviewed relevant standards, recommended practices (SARPs) and technical advice.⁹⁶ This approach also reflected several states' preferences to pursue measures to counter the threat of terrorism through more technically-focused agencies rather than the General Assembly or Security

Council, where the debate regarding terrorism had become increasingly politicized. For example, Victor Comras notes, the US State Department made it a policy to refer cases of airline hijacking to the ICAO rather than the Security Council.⁹⁷

Since the September 11th terrorist attacks on the US, protecting against civil aviation security threats has become a more prominent focus for the agency. The ICAO Security Panel has addressed regulatory gaps by amending the standards and recommended practices contained in Annex 17 to the 1971 *Convention on International Civil Aviation* (1944), established to address the unlawful seizure of aircraft. The amendment adopted in December 2001 includes various definitions and new provisions addressing the applicability of the annex to domestic operations, international cooperation on threat information, in flight security personnel and protection of the cockpit, management of response to acts of unlawful interference, and more. In addition, The Aviation Security and Facilitation Policy (FSP) Section of ICAO published a five-volume manual to assist contracting states in implementing Annex 17 of the convention by providing guidance on the application of SARPs and conducting seminars and workshops for airport security and other relevant actors.

Through its Implementation Support and Development Programme (ISD), the ICAO provides assistance to states by encouraging the exchange of information and facilitating capacity-building assistance to improve aviation security. Additionally, the ICAO provides standardized training to states through eighteen aviation security training centers, which help states to

- upgrade technological security features of travel documents,
- implement the ICAO Minimum Security Standards for Handling and Issuance of Machine Readable Passports and Other Documents,
- enhance capabilities and improve cross-border cooperation in detecting and preventing the use of fraudulent and counterfeit travel documents, and
- reduce the possibility of such lost and stolen passports being used for terrorist and other criminal purposes.⁹⁸

The development of the Comprehensive Aviation Security Strategy (ICASS) over 2011-2016 and the results of a initial audit of aviation security underscore the need for enhanced state-capacity building. In addition, recognizing the transnational and fluid nature of aviation security challenges, the ICASS highlights “addressing new and existing threats” as an area requiring greater focus. This will build on past efforts of the ICAO, which, In 2007, established a Special Sub-Committee of the Legal Committee to focus on new and emerging threats to civil aviation.

In 2010, the ICAO Legal Committee drafted the Beijing Convention and Protocol, which criminalize the use of a civil aircraft as a weapon as well as using dangerous materials such as biological, chemical, and nuclear substances to attack aircraft or other targets on the ground. The Beijing Convention includes the *Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation* and the *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft*. These instruments were drafted at the Beijing conference to succeed and improve provisions of the 1971 *Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation* (Montreal Convention) and its amending Airports Protocol of 1988 which had become outdated in dealing with the terrorist threat.

The Aviation Security Panel’s Working Group on Threat and Risk, which evaluates new threats, has developed a risk assessment tool known as the “Global Risk Context Statement,” that provides states with the necessary tools to conduct their own risk assessments. In addition, the ICAO has worked with the Security Council’s 1540 Committee to develop a plan of action for protection against nuclear terrorism.

The ICAO participates in five working groups of the Counter-Terrorism Implementation Task Force (listed above). As part of its contributions to the Working Group on Supporting and Highlighting Victims of Terrorism, the ICAO prepared two draft conventions addressing compensation for third parties who are victims of unlawful interference of an aircraft, which was adopted at a May 2009 diplomatic conference under the auspices of the IAEA.⁹⁹ Furthermore, the International Civil Aviation Compensation Fund was set up by

ICAO to provide compensation to victims of terrorist attacks. Among its contributions to the other working groups, the ICAO has helped to the develop of relevant regulations and security measures on cross-border movements for the Working Group on Border Management Related to Counter-Terrorism.

International Maritime Organization (IMO)

Location:

London, England

Contact Information:

International Maritime Organization

4, Albert Embankment

London

SE1 7SR

United Kingdom

Tel: +44 (0)20 7735 7611

Fax: +44 (0)20 7587 3210

Focal Point:

Mr. Harmut Hesse

Senior Deputy Director

Tel: 44-(0)20-7587-3112

Fax: 44-(0)20-7587-3210

E-mail: hhesse@imo.org

Website: www.imo.org

Year of Establishment: 1959

CTITF Working Group Membership:

- Border Management Related to Counter-Terrorism
- Protection of Human Rights While Countering Terrorism
- Strengthening the Protection of Vulnerable Targets
- Integrated Assistance for Countering Terrorism
- Preventing and Responding to a Weapons of Mass Destruction Attack

The International Maritime Organization (IMO) is a specialized agency of the United Nations tasked with coordinating “safe, secure, and efficient shipping on clean oceans.”¹⁰⁰ The first international organization of its kind, the IMO consists of an assembly, which is made up of all member states and is the highest governing body; a council, elected by the assembly for two-year terms; and five committees composed of representatives of member states: the Maritime Safety Committee, the Marine Environment Protection Committee, the Legal Committee, the Technical Co-operation Committee, and the Facilitation Committee. The committees are supported by a number of subcommittees.

The IMO is a technical organization, with most of its work carried out by its committees and subcommittees. The IMO has promoted the adoption of fifty conventions, and more than 1,000 codes and recommendations related to maritime security and other issues of international shipping.¹⁰¹ The rapidly changing procedures for shipping have made it especially important for the IMO to ensure that conventions and codes are up-to-date. For instance, the *International Convention for the Safety of Life at Sea (SOLAS)* has been amended six times since it entered into force in 1965 (in 1966, 1967, 1968, 1969, 1971, and 1973).

In response to the attacks on the United States on September 11, 2001, there was increased concern over the threat posed by transnational terrorist and criminal groups to the safety of ships and their crew members. With strong advocacy by the US representatives to the IMO (the US Coast Guard), the IMO, in 2002, agreed upon mandatory security measures in the form of the International Shipping and Port Facilities Security (ISPS) Code—an amendment to the 1974 *SOLAS Convention*. These measures require governments to gather and assess information related to security threats and exchange such information with other governments. It also requires states to have a methodology for security assessments to ensure that there are plans and procedures in place to respond to a security threat. The amendment was adopted in 2004 and now has 159 member signatories representing 99 percent of the world's merchant fleet (around 40,000 ships) engaged in international voyages. In addition, approximately 10,000 port facilities globally have developed compliant

security plans.¹⁰²

Additionally, the IMO is implementing a new mandatory long-range tracking and identification (LRIT) system to permit the tracking of ships globally. The adoption of two new protocols (effective July 28, 2010) to the *Convention on the Suppression of Unlawful Acts Against the Safety of Navigation* (SUA), have extended the scope of the convention to cover new offenses, such as using ships in a manner that causes death or serious injury, and the unlawful carriage of weapons or material that could be used as, or used to develop, weapons of mass destruction.

In order to help states develop and strengthen their capacities to ensure maritime security, the IMO has conducted country needs assessments and advisory missions. It has also conducted national and regional seminars, workshops, and courses that have resulted in the training of approximately 6,000 individuals. These initiatives aim to promote greater understanding and implementation of SOLAS and the ISPS Code.¹⁰³

For the IMO, membership in the Counter-Terrorism Implementation Task Force offers an opportunity to build on prior cooperation with other UN entities involved in maritime security issues and provide member states with a more integrated approach to implementing the UN's Global Counter-Terrorism Strategy. The IMO has interacted with the Security Council through a briefing on piracy off the coast of Somalia. It has also worked with the Counter-Terrorism Committee on efforts to enhance maritime security among states, and to discuss the implications of such efforts in the broader fight against global terrorism. In particular, the IMO has worked with the Counter-Terrorism Executive Directorate of the Counter-Terrorism Committee on country visits. IMO also cooperates with other CTITF entities on initiatives in the Gulf of Aden (Djibouti Code of Conduct implementation) and West and Central Africa (Integrated Coast Guard network capabilities).

International Monetary Fund (IMF)

Location:

Washington D.C., USA

Contact Information:

International Monetary Fund
700 19th Street NW
Washington, D.C. 20431
USA
E-mail: amlcft@imf.org

International Monetary Fund Office United Nations
885 Second Ave, 26th Floor
New York, NY 10017
USA

Focal Points:

Mr. Nadim Kyriakos-Saad
Deputy and Senior Counsel, Financial Integrity Group
Legal Department
Tel: +1 202 623 4286
Fax: +1 202 589 4286
E-mail: nkyriakossaad@imf.org

Mr. Joseph Myers
Senior Counsel
Legal Department
Tel: +1 202 623 9829
Fax: +1 202 589 4286
E-mail: jmyers@imf.org

Mr. Chady El-Khoury
Consulting Counsel, Financial Integrity Unit
Legal Department
Tel: +1 212 623 8328
E-mail: celkhoury@imf.org

Website: www.imf.org

Year of establishment: 1944

CTITIF Working Group Membership:

- Tackling the Financing of Terrorism (lead)

The International Monetary Fund (IMF) is an intergovernmental organization consisting of 187 countries that focuses on promoting global monetary cooperation. Through its activities, the IMF also aims to facilitate international trade, secure financial stability, increase employment, reduce poverty, and promote sustainable economic growth. Like the World Bank, the IMF was created at Bretton Woods following the Great Depression, in an effort to avoid a repeat of the financial calamity that had characterized the preceding decade. Its founders envisioned the IMF as an institution that could manage national trade deficits to avoid devaluation, monitor participating states' financial systems, and provide loans to stabilize exchange rates.

In response to increased international concern over criminal and terrorist groups using legitimate financial institutions to move and store assets, the IMF has broadened its work to include countering the financing of terrorism (CFT) and anti-money-laundering (AML) operations. The IMF defines the financing of terrorism as “the financial support, in any form, of terrorism or those who encourage, plan or engage in it.”¹⁰⁴ According to the IMF, the potential negative impact of terrorist financing and money laundering on member states' financial systems gives the organization a particular interest in addressing these issues. These illegal activities, they say, can undermine the integrity and stability of financial institutions and systems, discourage foreign investment, and distort international capital flows.¹⁰⁵

The relatively small amounts of money involved in planning and carrying out a terrorist attack (the 2005 London bombings, for example, only cost the planners \$15,000¹⁰⁶) make the detection of terrorist financing a complex task, especially in light of the decentralization of funds, off-shore tax havens, and a number of countries with unregulated financial systems and limited bank supervision. The 9/11 Commission Report following the September 11th terrorist attacks revealed that \$300,000 of funds put towards the attacks had passed through the US banking system, illustrating the difficulty of combating terrorist financing in even the most advanced banking systems. Nonetheless, the IMF has expanded its efforts in this area using its comparative advantage as an international institution with near universal membership.

Prior to 2001, the IMF's counter-terrorism work focused predominantly on anti-money laundering operations. In 2000, the fund was developing a module for the *Anti-Money Laundering Report on Standards and Codes* as well as expanding its work on countering money laundering. Following the 9/11 attacks and the growing international focus on transnational terrorist groups, however, the IMF added the issue of terrorist financing to its efforts and established a specialized group within its legal department, called the Financial Integrity Group (FIG), composed of thirty professionals, to provide assistance to states on AML and CFT. Additionally, as early as November 17, 2001 the International Monetary and Financial Committee of the Board of Governors of the IMF adopted a communiqué that, inter alia, called on member states to ratify and implement the relevant counterterrorism instruments, including the *International Convention for the Suppression of the Financing of Terrorism* (1999).¹⁰⁷

In 2004, the IMF Executive Board agreed to make AML/CFT assessments and technical assistance a regular part of the IMF's work and to cover the full scope of the Financial Action Task Force (FATF) recommendations.¹⁰⁸ The IMF's contributions in this area are undertaken in collaboration with the UN, FATF, and the FATF-style regional bodies (FSRBs) by conducting AML/CFT assessments, providing technical assistance, including through the multi-donor Topical Trust Fund, and by assisting in policy development and

research. All of the Fund's technical assistance is "provided on a voluntary, cooperative, and uniform basis. It is confidential and based on international standards [the FATF's 40+9 recommendations on money laundering and terrorist financing]."¹⁰⁹ In addition to providing technical assistance and assessing progress, the IMF provides a forum for sharing information, developing common approaches to issues, and promoting desirable policies, standards, and lessons learned in AML and CFT among its 187 members.

As the IMF has itself pointed out, there are difficulties and potential dangers to applying international standards to all domestic situations, without due regard for the circumstances and legal systems within respective countries. In countries where an unregulated banking system known as hawala exists alongside a conventional banking system, the IMF and the World Bank has been making efforts to register dealers and keep records in order to minimize abuse of these systems by terrorists and other actors.¹¹⁰ In systems that lack a supervisory capacity to monitor these regulations or in countries experiencing conflict, enforcing these regulations can be difficult. Moreover, the necessity of these informal systems must be taken into account, since they are often providing financial services to the poor for whom the formal banking system can be prohibitively expensive. Therefore, the IMF has tried to work with national governments to be flexible in dealing with compliance of the unregulated banking systems to avoid depleting societies of a vital component of survival.

Along with the World Bank and the UN Office on Drugs and Crime, the IMF is leading the Counter-Terrorism Implementation Task Force Working Group on Tackling the Financing of Terrorism. This working group finalized and published a report entitled *Tackling the Financing of Terrorism* in October 2009, which contains a total of thirty-six findings and forty-five recommendations that are intended to help UN member states increase the effectiveness of efforts to combat the financing of terrorism. These findings and recommendations cover five broad areas:

1. the criminalization of terrorist financing,
2. the enhancement of domestic and international cooperation,
3. value transfer systems,

4. nonprofit organizations, and
5. the freezing of assets.

Following the finalization of the report by the working group, the fund staff prepared an action plan containing proposals for moving forward in the implementation of the report's recommendations, which was approved by the working group.¹¹¹

International Criminal Police Organization (INTERPOL)

Location:

Lyon, France

Contact Information:

INTERPOL

200, quai Charles de Gaulle,

69006 Lyon

France

New York Office:

Office of the Special Representative of INTERPOL

One United Nations Plaza

DC-1 Suite 2610,

New York, NY 10017

USA

Focal Points:

Mr. Michael Olmsted

INTERPOL Special Representative to the United Nations in New York

Tel: +1 917 367 3485

E-mail: m.olmsted@Interpol.int

Ms. Kim Ellen Marcus

Assistant Director, Office of the Special Representative of INTERPOL
to the UN

Tel: +1 917 367 4325

E-mail: k.marcus@Interpol.int

Website: www.Interpol.int

Year of Establishment: 1923

CTITF Working Group Membership:

- Strengthening the Protection of Vulnerable Targets (lead)
- Border Management Related to Counter-Terrorism (co-chair)
- Preventing and Responding to WMD Terrorist Attacks
- Tackling the Financing of Terrorism
- Countering the Use of the Internet for Terrorist Purposes
- Protecting Human Rights While Countering Terrorism

The International Criminal Police Organization, or INTERPOL, is an independent multilateral organization with a general assembly made up of 188 member countries and an executive committee made up of thirteen elected members. As the world's largest international police organization, INTERPOL facilitates police cooperation across borders, even where diplomatic relationships do not exist between countries.¹¹² Established as an institution to focus on criminal, rather than political issues (as indicated in Article 3 of its constitution), INTERPOL has been active in working with its member countries to address criminal and police issues relating to terrorism. As part of these efforts, INTERPOL facilitates the exchange of best practices and operational information about the organization and methods of active terrorist networks through its Fusion Task Force (a forum for counterterrorism experts). Additionally, it is involved in:

- maintaining a range of global databases including information on wanted individuals (fingerprints, photos, DNA profiles, etc.) and stolen and lost travel documents (SLTD);
- coordinating the circulation of alerts and warnings on suspected or wanted terrorists;
- assisting the UN Security Council with the implementation of the sanctions regimes, most extensively the al-Qaida and Taliban sanctions regime, by circulating relevant information to law enforcement authorities worldwide;
- assisting member countries, upon request, in their investigations in the aftermath of terrorist acts by deploying on-site incident response teams (IRTs);

- assisting member countries in the preparation, coordination, and implementation of security arrangements for major events through deployment of a major event support team (IMEST).

INTERPOL is particularly engaged with the work of the UN Security Council's Al Qaida Sanctions Committee (formerly Al Qaida and Taliban Sanctions Committee) in developing INTERPOL-UN "special notices," issued for individuals and entities that are subject to sanctions through the freezing of assets, travel bans, and arms embargoes.¹¹³ These special notices alert law-enforcement officers to the names of those listed under the Al Qaida sanctions regime and also constitute a request to each law-enforcement authority to cooperate with INTERPOL and the UN by undertaking the actions specified in the notice against the person or entity concerned.¹¹⁴ As of 2010, such special notices have been published on more than 330 individuals and thirty entities.¹¹⁵

INTERPOL also signed an agreement with the UN Department of Peacekeeping Operations (DPKO) to assist in enhancing police capacities in peace operations and has partnered with DPKO and the United Nations Office for West Africa (UNOWA) to launch an initiative in support of the Economic Community of West African States' (ECOWAS) action plan against transnational organized crime. This project is expected to promote a more collaborative regional approach to addressing criminality and strengthening policy capacities and information sharing mechanisms.¹¹⁶ Additionally, INTERPOL is a frequent participant in country visits conducted by the Security Council's Counter-Terrorism Committee Executive Directorate (CTED), in order to assess states' efforts to implement UN Security Council Resolution 1373.¹¹⁷

Immediately following the attacks of September 11, 2001, which INTERPOL's Secretary-General Ronald Noble deemed "an attack against the entire world and its citizens," INTERPOL announced the creation of the 11 September Task Force.¹¹⁸ This task force was established to coordinate international criminal police intelligence received at INTERPOL's headquarters related to the terrorist attacks in the United States. INTERPOL also issued fifty-five Red Notices for terrorists who had committed, or were connected to, the attacks and

increased its circulation of Blue Notices—requests for information about or the location of a suspect, of which nineteen directly concerned the suspected 9/11 hijackers.¹¹⁹

Additionally, a command and coordination center (CCC) was established at INTERPOL's general secretariat to serve as the first point of contact for any member country in need of assistance or faced with a crisis situation. States are requested to send information about incidents to the CCC so that pertinent developments can be passed along to relevant member countries and INTERPOL can provide the necessary support. A new financial and high-tech crimes subdirectorates was also created specializing in money laundering and the financing of terrorism.

In April 2002, INTERPOL announced the creation of a terrorism watch list, which provides direct access to information on fugitive and suspected terrorists for law-enforcement authorities. Also that year, a new internet-based global communications project called I-24/7 was announced. I-24/7 is a secure global communications system that connects law-enforcement officials in all of INTERPOL's 188 member countries,¹²⁰ providing them with the means to share crucial information in real time, 24 hours a day, seven days a week. The initiative was designed to promote information sharing and the exchange of early warnings concerning terrorism and related international crimes among INTERPOL's member countries.

INTERPOL has been active in the area of chemical, biological, radiological, nuclear, and explosive (CBRNE) materials and weapons, where it works to raise awareness of the threat, counter proliferation, develop police training programs, and strengthen the enforcement of existing legislation as a complement to international treaties. As part of these efforts, INTERPOL has developed a *Bio-Terrorism Incident Pre-Planning and Response Guide* and also conducted several “train-the-trainer” workshops on the topic, bringing together police officers, healthcare and customs officials and prosecutors. These sessions serve to identify effective strategies for prevention and response, and promote more active subregional cooperation.¹²¹ Moreover, INTERPOL has worked closely with the UN Office for Disarmament Affairs (UNODA) in developing its biocrimes database, which will “gather information relating to biological cases in which criminal

intent is identified and/or where lessons can be drawn, such as biocrimes, acts of bioterrorism, hoaxes and 'grey area' incidents. It will contain practical information and standard operating procedures for law enforcement officers handling biocrime incidents."¹²²

An active member of the Counter-Terrorism Implementation Task Force, INTERPOL participates in a number of its working groups. In particular, INTERPOL is one of three leading entities in the Working Group on Strengthening the Protection of Vulnerable Targets and co-chairs the Working Group on Border Management Related to Counter-Terrorism. In the former, INTERPOL established a referral center that aims to identify focal points and experts in member countries and to facilitate the development and sharing of best practices and resources for the protection of vulnerable targets. The latter working group focuses on key issues of border management as they relate to international counterterrorism efforts, including the illegal cross-border movement of people; control of open borders; and the movement of cash, goods, and weapons, and aviation and maritime security.

In addition to its work with the United Nations, INTERPOL also maintains active working relationships with other international partners such as Europol, ASEANAPOL, and the Arab Interior Ministers' Council, to promote cooperation in policing terrorism and other international crimes.

Office for Disarmament Affairs (UNODA)

Location:

New York, USA

Contact Information:

United Nations Office for Disarmament Affairs

220 East 42nd street, Suite DN-2510

New York, NY, 10017

USA

E-mail: UNODA-web@un.org

Weapons of Mass Destruction Branch:

Office for Disarmament Affairs

Weapons of Mass Destruction Branch

220 East 42nd street, Room DN-3501

New York, NY 10017

USA

Focal Points:

Ms. Gabriele Kraatz-Wadsack

Chief, Weapons of Mass Destruction Branch

Tel: +1 212 963 3633

Fax: +1 212 963 8892

E-mail: kraatz-wadsack@un.org

Website: www.un.org/disarmament/

Year of establishment: 1982

CTITF Working group Membership:

- Preventing and Responding to WMD Terrorist Attacks
- Border Management Related to Counter-Terrorism

The United Nations Office of Disarmament Affairs (UNODA) provides substantive and organizational support for norm-setting in the area of disarmament and nonproliferation through the work of the General Assembly and its First Committee, the Disarmament Commission, the Conference on Disarmament, and other bodies. UNODA also promotes strengthening of the disarmament regime in respect to weapons of mass destruction, including chemical and biological weapons, as well as conventional weapons, especially landmines and small arms. The UNODA is also involved in the development of practical measures to foster the postconflict disarmament and demobilization of former combatants and support their reintegration into mainstream society. The office consists of five branches:

- Conference on Disarmament (CD) Secretariat & Conference Support Branch (Geneva)
- Weapons of Mass Destruction Branch (WMD)
- Conventional Arms (including Practical Disarmament Measures) Branch (CAB)
- Regional Disarmament Branch (RDB)
- Information and Outreach Branch (IOB)

In the context of counterterrorism activities, UNODA supports efforts aimed at denying terrorists the means to carry out attacks using chemical, biological, radiological, and nuclear (CBRN) weapons and to strengthen states' capacities to prevent terrorists' use of weapons of mass destruction (WMD) and their means of delivery. To that end, UNODA provides support to the Security Council's 1540 Committee and relevant measures to implement the 2006 UN Global Counter-Terrorism Strategy (henceforth, *Global Strategy*).¹²³ UNODA is actively engaged in areas related to the committee's outreach activities, assistance, and capacity building; it cooperates with international, regional, and subregional organizations (IROs); and interacts with

civil society in order to promote and facilitate the implementation of UN Security Council Resolution 1540. Since 2006, the office has organized a number of regional and subregional seminars and workshops on the implementation of Resolution 1540 with the participation of 136 different countries.

In response to a recommendation outlined in the Global Strategy, UNODA maintains a roster of experts and laboratories, as well as technical guidelines and procedures, which are available to the UN Secretary-General to investigate any alleged use of CBRN weapons.¹²⁴ The first training course for experts from the roster, hosted by the government of Sweden in 2009 and organized in cooperation with UNODA, resulted in the establishment of a core team of experts trained to perform relevant fact-finding missions. UNODA maintains close cooperation with international organizations to enhance the capabilities of this investigative mechanism. Additionally, the UN and the World Health Organization have concluded a special memorandum of understanding that outlines specific areas and modalities of cooperation in the preparation and conduct of investigations.¹²⁵

The Global Strategy also invites the UN system to develop “together with Member States, a single comprehensive database on biological incidents, ensuring that it is complementary to the biocrimes database contemplated by the International Criminal Police Organization.”¹²⁶ Consequently, ODA has developed, together with UN member states and the International Criminal Police Organization (INTERPOL), a single comprehensive database on biological incidents or “biocrimes.”¹²⁷ A template of the Biological Incident Database (BID) has been developed as a tool for collating reports, lessons learned, and information about assistance available to affected states. The reporting of bio-incidents is guided by a distinction between three types of incidents: outbreaks of disease due to natural causes, outbreaks of disease due to accidents, and incidents related to deliberate misuse of biological agents.¹²⁸ ODA has briefed member states on several occasions about the progress made on this tool and has developed a secure web-based pilot platform for data entry by member states on a trial basis.¹²⁹

Represented by its WMD branch, ODA is a member of the CTITF

Working Group on Preventing and Responding to WMD Terrorist Attacks, which is led by the International Atomic Energy Agency (IAEA) and co-chaired by the Organization for the Prohibition of Chemical Weapons (OPCW).¹³⁰ The working group has produced two reports; the first launched in September 2010 during the second biennial review of the Global Strategy, focusing on interagency coordination in the event of a nuclear or radiological terrorist attack. The report examines the experiences of established regimes and protocols for nuclear or radiological security. The second report, released in November 2011, examines the institutional response capabilities in the event of a terrorist attack using chemical or biological materials for the first time at the international level, and recommends ten ways to enhance and coordinate the currently disparate response mechanisms. UNODA is also a member of the CTITF Working Group on Border Management Related to Counter-Terrorism.

Office of the High Commissioner for Human Rights (OHCHR)

Location:

Geneva, Switzerland

Contact Information:

Office of the United Nations High Commissioner for Human Rights
Palais Wilson
52 rue des Pâquis
CH-1201 Geneva
Switzerland

CTITF Liaison:

Office of the United Nations High Commissioner for Human Rights
One UN Plaza
New York, NY 10017
USA

Focal Points:

Nikolaus Schultz
Human Rights Officer
Tel: +1-917-367-4291
Fax: +1-212-963-4097
Email: schultzn@un.org

Mr. Charles Radcliffe
Chief, Global Issues Section
Tel: +1 212 963 4953
E-mail: radcliffe@un.org

Website: www.ohchr.org

Year of Establishment: 1993

CTITF Working Group Membership:

- Protecting Human Rights While Countering Terrorism (lead)
- Border Management Related to Counter-Terrorism
- Countering the Use of the Internet for Terrorist Purposes
- Supporting and Highlighting Victims of Terrorism
- Preventing and Resolving Conflicts

With a staff of 850, including some 240 international human rights officers serving in UN field missions,¹³¹ the Office of the High Commissioner for Human Rights (OHCHR) is tasked with promoting and monitoring adherence to all UN human rights treaties, including the “International Bill of Rights,” which includes the *United Nations Declaration of Human Rights* (UDHR) and the two main international human rights treaties.¹³² Additionally, OHCHR plays a strong role in mainstreaming human rights throughout UN programs and developing relevant international norms. OHCHR also provides expertise and support to UN monitoring mechanisms, including the Human Rights Council, and provides technical and legislative assistance to states upon request.

To assist states in developing more human rights-compliant counterterrorism measures, OHCHR provides technical and legislative assistance and training upon request, develops tools to assist practitioners, reviews reports submitted to the Human Rights Council, conducts research and analysis, and publishes information on human rights and counterterrorism, including information on what constitutes a “public emergency” that allows states to temporarily derogate from their human rights obligations. The office also works closely with the Special Rapporteur on protecting human rights while countering terrorism on many of these issues, and regularly updates the Human Rights Council on its work.

OHCHR has provided advice to states on their obligations in areas such as detainment in the context of counterterrorism; issues relating to the absolute prohibition of torture; the impact on counter-

terrorism on economic, social, and cultural rights; and challenges in complying with human rights while countering terrorism, including accountability, ending impunity, and effective remedies.¹³³

The more assertive approach to counterterrorism adopted by the Security Council following the attacks of September 11, 2001—and encapsulated in Security Council Resolutions 1267, 1373, and 1624, for example—prompted a call for greater integration of human rights work in the Security Council’s counterterrorism efforts.¹³⁴ OHCHR observed that “most countries, when meeting their obligations to counterterrorism by rushing through legislative and practical measures, have created negative consequences for civil liberties and fundamental human rights.”¹³⁵ Moreover, critics noted that the sweeping obligations placed on states under Resolution 1373 required far-reaching measures to counter terrorism without offering guidance on compliance with human rights in their implementation and without providing a definition for terrorism.¹³⁶

The strong lobbying for a greater human rights focus in the Security Council body overseeing implementation of these resolutions known as the Counter-Terrorism Committee (CTC) by Mary Robinson and Sergio Viera de Mello, when each served as High Commissioner for Human Rights, was reflected in UN Security Council Resolution 1456 (2003), which stated that

States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee, and humanitarian law.¹³⁷

Though passed under Chapter VI of the UN Charter, and therefore nonbinding on states, this effort by the Security Council improved communication between OHCHR and members of the CTC.¹³⁸

However, many questions remained regarding how human rights would be incorporated into the work of the committee. To some extent, these were addressed through the 2005 appointment of a senior human rights officer within the CTC’s supporting body, the Counter-Terrorism Committee Executive Directorate (CTED), which

has enabled more active engagement between the two regimes and a greater human rights focus in CTED's work.¹³⁹ The importance of incorporating human rights into the council's counterterrorism work was reaffirmed most recently in Security Council Resolution 1963 (2010), which renewed CTED's mandate and urged a greater focus on the issue.¹⁴⁰

Additionally, the 2006 UN Global Counter-Terrorism Strategy made explicit the importance of protecting and promoting human rights in all counterterrorism efforts, highlighting it as a core tenet of the General Assembly's approach to addressing global terrorism. Dedicating its fourth pillar of action to protecting and promoting human rights, the Global Strategy called for "the strengthening of the operational capacity of the Office of the United Nations High Commissioner for Human Rights, with a particular emphasis on increasing field operations and presences."¹⁴¹

An active member of the Counter-Terrorism Implementation Task Force, OHCHR participates in several CTITF working groups (listed above), and leads the Working Group on Protecting Human Rights While Countering Terrorism, whose aim is primarily to assist states in implementing the human rights aspects of the Global Strategy, in particular Pillar IV. This working group has developed a set of Basic Human Rights Reference Guides to support member states in strengthening the protection and promotion of human rights while countering terrorism. In 2010, the working group launched the first two of the reference guides, the first on stopping and searching of persons and the second on protecting security infrastructure. Future guides will cover the principle of legality in national counterterrorism legislation and the proscription of organizations. The reference guides are expected to provide guidance for national action, serve as a checklist, and address capacity-building needs of states.¹⁴²

Office of Legal Affairs (OLA)

Location:

New York, USA

Contact Information:

Office of Legal Affairs

Codification Division

United Nations, Room M-13078

New York, NY 10017

USA

Focal Points:

Mr. Trevor Chimimba

Senior Legal Officer, Codification Division

Tel: +1 917 963 0350

E-mail: chimimba@un.org

Ms. Mona Khalil

Senior Legal Officer, Office of Legal Counsel

Tel: +1 917 367 4496

E-mail: khalil36@un.org

Year of Establishment: 1946

Website: www.un.org/en/law/

CTITF Working Group Membership:

- Protecting Human Rights While Countering Terrorism
- Border Management Related to Counter-Terrorism
- Supporting and Highlighting Victims of Terrorism

The Office of Legal Affairs (OLA) of the United Nations Secretariat provides unified central legal services for UN headquarters and other organs of the United Nations. Pursuant to Article 102 of the UN Charter, OLA registers, publishes, and serves as a depository of international treaties. OLA also promotes the strengthening, development, and codification of international public and trade law, as well as the international legal order for the seas and oceans. The office is organized into organizational units working towards these objectives—namely, the Office of the Under-Secretary-General for Legal Affairs, Office of the Legal Counsel, General Legal Division, Codification Division, Division of Ocean Affairs and the Law of the Sea, International Trade Law Division (Vienna), and the Treaty Section. The Under-Secretary-General of the OLA is also the legal council of the United Nations.¹⁴³

The first international counterterrorism instrument was adopted in 1963 under the auspices of the International Civil Aviation Organization (ICAO). The UN General Assembly had been involved in counterterrorism issues since the early 1970s, and the legal framework addressing international terrorism has developed significantly since. Today there are fourteen universal counterterrorism instruments and four amendments addressing terrorism adopted under the auspices of the United Nations and its specialized agencies.¹⁴⁴ The Secretary-General currently serves as a depository for five universal counterterrorism instruments. The UN Security Council has also adopted a number of legally binding resolutions relevant to addressing international terrorism.

OLA provides legal assistance to UN bodies working on counterterrorism and briefings on relevant issues of international law. In particular, OLA has been assisting the Al-Qaida Sanctions Monitoring Committee (formerly Al Qaida and Taliban Sanctions Committee or the 1267 Committee) to address some due-process concerns regarding the listing and de-listing of individuals on the sanctions list.¹⁴⁵

OLA also provides substantive services to the Sixth Committee of the General Assembly and the Ad Hoc Committee, established by the General Assembly in resolution 51/210 (1996), primarily to further develop a comprehensive legal framework of conventions dealing with international terrorism,¹⁴⁶ and thereafter to consider the elaboration of

a comprehensive convention on international terrorism. It was through the work of the Sixth Committee that the *1994 Declaration on Measures to Eliminate International Terrorism*, together with its 1996 supplement, was first elaborated.¹⁴⁷ Since 2000, the Ad Hoc Committee has held an annual two-week sessions and the Sixth Committee, in the framework of a working group, have been elaborating a comprehensive convention against international terrorism throughout the rest of the year during the regular sessions of the General Assembly, but these efforts have been delayed because of some outstanding issues surrounding the draft convention.

Negotiations over an international comprehensive convention against terrorism are ongoing, despite reinvigorated multilateral efforts following the September 11th attacks, because states continue to disagree over a few key issues: the unresolved question of the definition of terrorism, the scope of the convention (differentiating between terrorism and resistance of foreign occupation/right of peoples to self-determination), the relationship of the comprehensive convention to existing and future counterterrorism treaties,¹⁴⁸ and the inclusion of “state terrorism” in the convention, which some states argue is not adequately covered by international humanitarian law.¹⁴⁹

OLA, through its Codification Division, publishes a number of publications, including *International Instruments Related to the Prevention and Suppression of International Terrorism* and, under its Legislative Series, *National Laws and Regulations on the Prevention and Suppression of International Terrorism*. OLA disseminates information pertaining to the various treaties primarily through the activities of its Treaty Section.¹⁵⁰ Through its annual treaty event, the Treaty Section has been responsible for encouraging states to become party to the relevant international treaties, including on the prevention and suppression of international terrorism. Training programs and seminars for delegates and government officials are also conducted on treaty practice.¹⁵¹

Additionally, given OLA’s role as the Secretariat to the 1982 United Nations *Convention on the Laws of the Sea*, with a division dedicated to this area, OLA has taken a role in strengthening states’ legal frameworks for addressing maritime security issues, which now include threats posed by transnational terrorists and other armed

groups. OLA offers information and legal assistance to states to strengthen maritime security and convenes conferences and meetings to facilitate a discussion among states on this issue.

As a member of the Counter-Terrorism Implementation Task Force, OLA participates in the Working Groups on Protecting Human Rights While Countering Terrorism, Supporting and Highlighting Victims of Terrorism, as well as the Working Group on Border Management Related to Counter-Terrorism.

Organization for the Prohibition of Chemical Weapons (OPCW)

Location:

The Hague, Netherlands

Contact Information:

Organization for the Prohibition of Nuclear Weapons

Johan de Wittlaan 32

2517 JR The Hague

The Netherlands

Focal Point:

Mr. Krzysztof Paturej

Director, Office of Special Projects (OSP)

Tel: +31(0)70 41 63 077

Fax: +31(0)70 41 63 499

E-mail: paturej@opcw.org

Website: www.opcw.org

Year of Establishment: 1997

CTITF Working Group Membership:

- Preventing and Responding to WMD Terrorist Attacks (co-chair)

The Organization for the Prohibition of Chemical Weapons (OPCW) is an autonomous international organization established to implement the *Chemical Weapons Convention* (CWC). The convention aims to eliminate an entire category of weapons of mass destruction (WMD) by prohibiting the development, production, acquisition, stockpiling, retention, transfer, or use of chemical weapons by states

parties. Pursuant to the convention, states are obligated to take the necessary steps to enforce the prohibition of these actions in respect of persons (natural or legal) within their jurisdiction.

The OPCW's main policymaking organ, the Conference of the States Parties, consists of all 188 members of the OPCW and is led by an executive council made up of forty-one states elected for a period of two years. The Executive Council of the OPCW established an open-ended working group in December 2001 and a technical secretariat to support its operation as a platform for the exchange of information and expertise among states. By promoting awareness of chemical-security best practices and fostering cooperation among relevant professionals and national representatives, the OPCW is engaged in lessening the threat posed by chemical weapons.

The organization is supported by a staff of approximately 500 people, headed by a director-general who is appointed by the Conference of the States Parties. The OPCW provides a forum for consultation and cooperation for the states parties. Among its other functions, it also:

- provides technical assistance, upon request, on implementing the CWC;
- conducts technical-assistance visits involving direct on-site help in setting up national authorities and drafting legislative and administrative measures;
- promotes awareness about the requirements of the CWC and trains relevant national authorities;
- maintains a degree of readiness to provide assistance in the case of any use or threat of use of chemical weapons.

The Relationship Agreement signed in 2000 between the United Nations and the OPCW formalizes a close association between the two bodies while at the same time recognizing the independent status of the latter. The UN Secretary-General Ban Ki-moon and OPCW Director-General Mr. Ahmet Üzümcü have agreed to strengthen the existing cooperation between their two organizations in order to promote the international community's goals in the field of international peace and security.¹⁵²

The OPCW contributes to multilateral counterterrorism initiatives through its efforts to promote universal adherence to the CWC and eliminate the threat posed by chemical weapons. Although the OPCW and its verification regime were not designed specifically to fight terrorism or detect the small-scale production, transfer, or use of toxic materials by nonstate actors like terrorist groups, the CWC regime offers states useful tools with which they can address the threat. Among these tools are the OPCW's technical assistance program and its facilitation of information exchange and international cooperation in the areas of prevention, mitigation, and response, and safety and security at chemical plants. Moreover, in recent years, the OPCW has increased assistance to states and activities that support national capacity building, particularly to prevent the misuse of the release of toxic chemicals.

One example of the OPCW's activities to support the development of states' capacities to prevent terrorists' access to toxic chemicals was a table-top exercise undertaken in 2010. This produced a model environment for preventing and responding to a toxic release of chemicals resulting from a malicious act. As a follow up to this exercise, the OPCW will also produce a manual which can be used as a basis for similar exercises in other regions.¹⁵³

To test the OPCW's readiness to deliver requested assistance to a state, the organization also regularly arranges field exercises with the participation of teams and units from various member states. One such initiative, ASSISTEX 3, was conducted in Tunis to test the procedures in place to respond to a request for assistance under Article X of the convention and the organization's readiness and ability to mount a rapid response.¹⁵⁴

As the leading international organization devoted to preventing the misuse of toxic chemicals with close ties to the chemical industry, the OPCW also serves as a forum for dialogue on chemical security between governments and the private sector. The OPCW has further developed its role as a platform for raising awareness, disseminating best practices, and promoting the exchange of ideas and expertise in order to support the safe and secure production, transportation, and storage of chemicals.

However, experts have noted that the world for which the CWC was developed has changed, with nonstate actors supplanting superpower arsenals as a source of WMD threats, and have therefore challenged the relevance of the CWC as it stands. To address this dilemma, Sergey Batsanov, an expert on the convention, argued in 2006 that governments need to take a more comprehensive approach to addressing threats posed by WMDs.

Just in the area of nonproliferation, efforts to prevent the terrorist use of WMD cannot be effective if governments continue to maintain intellectual and policy firewalls between the various classes of WMD.¹⁵⁵

The OPCW's expertise in chemical weapons was recognized as making an important contribution to counterterrorism in 2005 when it became a member of the Counter-Terrorism Implementation Task Force. As a member of the CTITF, the OPCW has played a role in the elaboration, development, and now implementation of the United Nations Global Counter-Terrorism Strategy, which encourages "the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons to continue their efforts, within their respective mandates, in helping States to build capacity to prevent terrorists from accessing nuclear, chemical or radiological materials, to ensure security at related facilities and to respond effectively in the event of an attack using such materials."¹⁵⁶

As the co-chair of the CTITF Working Group on Preventing and Responding to WMD Terrorist Attacks, (alongside the International Atomic Energy Agency),¹⁵⁷ OPCW led efforts to evaluate current institutional capacities to respond to a biological or chemical terrorist attack for the first time at an international level, which resulted in the second report of the Working Group titled, "Interagency Coordination in the Event of a Terrorist Attack Using Chemical or Biological Weapons and Materials." The report identifies existing mechanisms for responding to such an attack and provides ten recommendations to provide a more coordinated response to a terrorist attack using these materials. The first report of the Working Group, released in August 2010, led by the IAEA, explored inter-agency coordination in responding to a nuclear or radiological terrorist attacks.

Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism

Focal Point:

Mr. Ben Emmerson

Email: srct@ohchr.org

Year of establishment: 2005

Website:

www.ohchr.org/EN/Issues/Terrorism/Pages/SRTerrorismIndex.aspx

CTITF Working Group Membership:

- Protecting Human Rights While Countering Terrorism
- Supporting and Highlighting Victims of Terrorism

The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism was appointed by the Commission on Human Rights in 2005 and upheld by the newly established Human Rights Council a year later. This role was created in response to an identified need to monitor and assist states in complying with their human rights obligations while countering the threat of terrorism. In particular, the Commission on Human Rights highlighted the need for a “special procedure with a multidimensional mandate to monitor states’ counter-terrorism measures and their compatibility with human rights law.”¹⁵⁸

Martin Scheinin, a Finnish law professor and a longstanding member of the UN Human Rights Committee,¹⁵⁹ was the first person appointed to this position, in 2007.¹⁶⁰ His responsibilities as Special Rapporteur included the identification, promotion, and exchange of

best practices relating to counterterrorism measures that are compliant with states' human rights obligations under international law. The Special Rapporteur also reports regularly on findings and recommendations to the Human Rights Council and the General Assembly. The mandate of the Special Rapporteur encourages the development of regular dialogue on possible areas of cooperation with governments, relevant United Nations entities and partners, as well as nongovernmental organizations and other regional or subregional institutions.

To these ends, the Special Rapporteur conducts country visits, with the host state's consent, to allow a closer examination of human rights compliance in states' counterterrorism practices. Despite budgetary constraints, which have limited the number and substance of consultations, the Special Rapporteur has conducted a number of state visits. Among the countries visited between 2005 and 2011 are Azerbaijan, Brazil, China, Denmark, Egypt, Equatorial Guinea, Georgia, Greece, Indonesia, Israel and the Occupied Palestinian Territories, Jamaica, Jordan, Kazakhstan, Moldova, Mongolia, Nepal, Nigeria, Paraguay, Spain, Sri Lanka, Togo, Tunisia, Turkey, Uruguay, USA, and Uzbekistan.

Reports from these visits have indicated that the current definition of terrorism is too vague, allowing some states to implement counterterrorism practices that have led to undue restrictions on freedoms of expression, religion, and association, for example.¹⁶¹ Consequently, the Special Rapporteur has highlighted the importance of a strict definition of terrorism, especially given its legal implications for states, individuals, and organizations.

The annual reports of the Special Rapporteur have highlighted a number of key issues where counterterrorism efforts impinge on fundamental rights and freedoms.¹⁶² For example, one report reflects on the impact of the "War on Terror" on freedom of association and peaceful assembly, privacy, and due process in the context of placing individuals or entities on terrorist lists at the UN and other international institutions.¹⁶³ Another report examines challenges to refugee law and asylum caused by global measures to counter terrorism, and the right to a fair trial in the context of prosecuting terrorist suspects, including the jurisdiction of military and special courts.¹⁶⁴

Professor Scheinin's August 2010 report reflected on the approaching tenth anniversary of the September 11th attacks and proposed putting Security Council Resolutions 1267, 1373, and 1624 under a single resolution to streamline states' reporting mechanisms under a single framework. Scheinin also argued that such a resolution should not fall under the legally binding Chapter VII of the UN Charter. He argued that the Security Council, in past counterterrorism resolutions, had provided an inadequate legal basis for the mandatory and permanent Security Council resolutions "of a quasi-legislative or quasi-judicial nature."¹⁶⁵ As with some of the other findings presented in the Special Rapporteur's reports, this conclusion did not meet with universal approbation among the UN membership, who questioned whether he had exceeded his mandate in examining the validity of the council's Chapter VII measures.¹⁶⁶

After the tenure of Professor Sheinin, Ben Emmerson began his appointed position as the Special Rapporteur on August 1, 2011. Mr. Emmerson was formerly the Special Adviser to the Prosecutor of the International Criminal Court and Special Adviser to the Appeals Chamber of the Extraordinary Chambers in the Courts of Cambodia, with twenty-five years practicing and publishing on international human rights and humanitarian law. Mr. Emmerson is continuing the work of his predecessor to ensure respect for human rights in states' counterterrorism policies, and has committed to paying proportionate attention to the rights of victims of terrorism during his tenure. This is reflective of the 2006 UN Global Counterterrorism Strategy, which counts among the "conditions conducive to the spread of terrorism," the "dehumanization of victims of terrorism in all its forms and manifestations, lack of rule of law and violations of human rights..."¹⁶⁷

The Special Rapporteur is a member of the CTITF, and a member of the Working Groups on Protecting Human Rights While Countering Terrorism as well as the Working Group on Supporting and Highlighting Victims of Terrorism. The former has published two Basic Human Rights Reference Guides on "Security Infrastructures" and on "Stopping and Searching of Persons" as part of a series of CTITF publications, launched at the International Peace Institute in September 2010. These guides are intended to assist states in

developing human rights-compliant measures in a number of areas relating to counterterrorism work, and to provide examples of good practices. They provide relevant reference materials, which might include human rights treaties and conventions, UN reports, legal norms, and references to comments, jurisprudence, and conclusions from human rights mechanisms.¹⁶⁸

United Nations Development Programme (UNDP)

Location:

New York, USA

Contact Information:

United Nations Development Programme
304 East 45th Street, 10th Floor
New York, NY 10017
USA

Focal Points:

Mr. Olav Kjørven
Assistant Secretary General and Director
Tel: +1 212 906 5021
E-mail: olav.kjorven@undp.org

Shelley Inglis
Policy Advisor/Team Leader, Rule of Law: Access to Justice and
Security, Democratic Governance Group
UNDP/BDP
Tel: +1 212 906 5310
Fax: +1-212 906 5857
E-mail: shelley.inglis@undp.org

Year of Establishment: 1965

Website: www.undp.org

CTITF Working Group Membership:

- Preventing and Resolving Conflicts
- Preventing and Responding to WMD Terrorist Attacks
- Strengthening the Protection of Vulnerable Targets
- Border Management Related to Counter-Terrorism

The United Nations Development Program (UNDP) was established in 1965 to work with states, at their request, to strengthen their capacities to address a number of development challenges, including:

- Poverty reduction
- Democratic governance
- Crisis prevention and recovery
- Environment and energy
- HIV/Aids
- Women's empowerment

Much of UNDP's work—such as strengthening the rule of law; harmonizing national laws with international norms and standards; training administrative, parliamentary, and law-enforcement officials; and developing country-specific projects to overcome development challenges—contributes to promoting human development and improving socioeconomic opportunities. These efforts play an important role in mitigating “conditions conducive to the spread of terrorism” as identified in Pillar I of the UN Global Counter-Terrorism Strategy.¹⁶⁹

Although UNDP does not work directly on counterterrorism activities, UNDP's support for democratic governance that enables political participation, ensures public policy for pro-poor growth, combats corruption, and safeguards human rights, security, and justice, continues to be the primary way in which UNDP targets the drivers of violence and fragility that can lead to violence.

Additionally, UNDP's efforts to empower women and minorities and to promote human rights can also contribute to Pillar IV of the UN's Global Counter-Terrorism Strategy, concerning “measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism,” underscored more

recently in UN Security Council 1963 in 2010.¹⁷⁰ Moreover, UNDP's endeavors to support better educational standards and facilities, which is thought to contribute to combating the incitement to terrorism, encapsulated in UN Security Council Resolution 1624, by promoting tolerance and intercultural dialogue.

UNDP also often serves as a central focal point for UN activities in the approximately 166 countries in which it is represented. Consequently, UN entities on country visits, including those by the Security Council's subsidiary committees or members of the CTITE, often hold meetings with the local office in order to explore potential areas for follow-up or coordination.

In countries like Kenya and Afghanistan, UNDP has worked with the broader UN community and local partners to boost law and order and support national efforts to address terrorism and money laundering. In Kenya, for example, UNDP was engaged in a Danish-funded project in cooperation with the UN Office on Drugs and Crime (UNODC) and the Kenyan National Counter-Terrorism Centre (NCTC), under the Office of the President, "to assist in the development of national counter-terrorism and anti-money-laundering legislation and regulations in line with international standards and norms, and to strengthen Kenya's capacity to implement the said legislation on counter-terrorism under the broad framework of respect for civil liberties and human rights by training the judiciary, prosecutors and investigators in the application of the legislation."¹⁷¹ As a part of this initiative, UNDP organized sensitization and awareness-raising seminars and training workshops for judicial and security officials, assisted in the establishment of the Financial Investigation Unit, and produced informational materials for national dissemination.¹⁷²

In Afghanistan, UNDP has been entrusted with the management of the Law and Order Trust Fund set up by the United Nations in May 2002, together with the Afghan Ministry of Interior as the executing agency. The fund is supported by the government of Switzerland, which has contributed 3.7 million Swiss francs (as of 2010). It focuses on financing and supporting the national police force in Afghanistan. Specifically, it contributes to the nationwide payment of police-staff salaries and the acquisition of nonlethal equipment, and develops

administrative and institutional capacities as well as the department facilities.¹⁷³

As a member of the CTITF with expertise in development and a comprehensive field presence, UNDP is a member of four working groups of the task force. Though critics in the past have remarked on UNDP's reluctance to engage in counterterrorism,¹⁷⁴ UNDP has acknowledged the link between counterterrorism and human development for achievement of the Millennium Development Goals, eradication of poverty, and the prevention of and recovery from violence and conflict. UNDP's approach to the task force continues to be that human development, including resolving and preventing organized violence, can contribute to discouraging terrorist activity.

United Nations Educational, Scientific and Cultural Organization (UNESCO)

Location:

Paris, France

Contact Information:

United Nations Educational, Scientific, and Cultural Organization
Place de Fontenoy
75352 Paris 07-SP
France

United Nations Educational, Scientific, and Cultural Organization
Two United Nations Plaza
New York, NY 10017
USA
E-mail: ct@unesco.org

Focal Point:

Ms. Susan Bilello
Senior Public Information and Liaison Officer
UNESCO Office in New York
Tel: +1 212 963 4386
Fax: +1 212 963 8014
E-mail: bilello@un.org

Year of Establishment: 1946

Website: www.unesco.org

CTITF Working Group Membership:

- Countering the Use of the Internet for Terrorist Purposes
- Presenting and Resolving Conflicts

The United Nations Educational, Scientific and Cultural Organization (UNESCO) is an international organization that focuses on promoting peace, development, and intercultural dialogue through education, the sciences, culture, communication, and information. As two of its global priority areas, UNESCO focuses on Africa and gender equality. Moreover, among its overarching goals are the attainment of quality education for all, addressing emerging social and ethical challenges, and fostering cultural diversity and a “culture of peace.”¹⁷⁵

UNESCO’s governing body, the General Conference, is made up of 195 member states; of these, fifty-eight are elected to the Executive Board by conference members. UNESCO has a strong field presence, with nearly a third of its staff in field offices, numbering approximately 2,100.

Following the attacks of September 11, 2001, UNESCO’s General Conference adopted Resolution 39, in which it expressed “its firm conviction that, based upon its mandate and within its areas of competence—education, science, culture and communication—UNESCO has a duty to contribute to the eradication of terrorism, drawing on its character as an intellectual and ethical organization, and invites the Director-General to take appropriate action through UNESCO programmes and studies.”¹⁷⁶

Four years later, in 2005, the director-general delivered a *Status Report of UNESCO’s Contribution to International Action against Terrorism through Education, the Sciences, Culture and Communication and Information*. This report reflected on the activities and challenges faced by UNESCO in addressing the emerging threats of terrorism and violence born of intolerance, hatred, and extremism, and acknowledged that

in order to generate results, activities in the context of international cooperation must move beyond agreement about general principles...towards concrete and programmatic activities that can transform the dialogue from the conference hall into policies

and practices with consequences for how people live together, interact with each another and understand one another.¹⁷⁷

Significantly, the *Status Report* also observed that though UNESCO's contribution to international counterterrorism efforts might be modest in a long-term and global perspective, "the earlier the Organization's impact can be brought to bear, the more effective it may well be in any dissuasion strategy."¹⁷⁸ Consequently much of UNESCO's work has been of a preventive nature, seeking to sensitize policymakers and civil society representatives to the importance of effective dialogue and constructive pluralism. Through activities focusing on the delivery of quality education and intercultural engagement, UNESCO contributes to mitigating some of the "conditions conducive to the spread of terrorism" outlined in Pillar I of the UN Global Counter-Terrorism Strategy.¹⁷⁹

To that end, UNESCO has organized special events, such as one in 2005 dedicated to dialogue among civilizations, cultures, and peoples, in which the presidents of Iran and Algeria participated. In the same year, UNESCO worked with the Organization of the Islamic Conference, the Arab League Educational, Cultural and Scientific Organisation (ALECSO), the Danish Centre for Culture and Development, and the Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures to convene the broad-based, expert-level Conference on Fostering Dialogue among Cultures and Civilizations through Concrete and Sustained Initiatives. One outcome of this conference was the Rabat Commitment, which sets out detailed action proposals to improve the quality of educational materials and teacher training to address negative stereotypes and promote better intercultural relations.¹⁸⁰

These plans reflect UNESCO's broader efforts to promote the development of textbooks and other educational materials that reflect the diversity of communities, learning styles, and needs of students in different countries. As UNESCO has noted, textbook revisions need to focus on the portrayal of gender stereotypes, the portrayal of other cultures and nations, and the role of the teacher in order to promote tolerance, dialogue, and a respect for diversity. UNESCO also facilitates a network of thirty-one university chairs on intercultural and interreligious dialogue, which convene regular interreligious

meetings.¹⁸¹

Moreover, UNESCO was designated the lead agency for the 2001-2010 International Decade for the Culture of Peace and Non-Violence for the Children of the World, which aims to assist civil society organizations in denouncing terrorist acts as inexcusable.¹⁸²

UNESCO is a member of the CTITF Working Groups on Countering the Use of the Internet for Terrorist Purposes and Preventing and Resolving Conflicts, where it works to share information and coordinate activities with other group members. However, UNESCO, like several other CTITF entities whose work is more focused on development-related issues, has been reluctant to be “linked too closely with the Security Council’s sometimes unpopular security-focused counterterrorism program.”¹⁸³ Nonetheless, UNESCO has recognized its potential role in contributing to multilateral efforts to prevent and combat terrorism and violent extremism and has developed initiatives, such as those listed above, to meet these aims.

United Nations Interregional Crime and Justice Research Institute (UNICRI)

Location:

Turin, Italy

Contact Information:

United Nations Interregional Crime and Justice Research Institute
Security Governance and Counter-Terrorism Laboratory

Viale Maestri del Lavoro 10

10127 Turin

Italy

E-mail: lab@unicri.it

Focal Points:

Mr. Francesco Cappè

Head of the Security Governance and Counter-Terrorism Laboratory

UNICRI Office on Dialogue and Innovation

Tel : +39 0583 418 506

Fax: +39 0583 719 405

E-mail: cappe@unicri.it

Year of Establishment: 1969

Websites: www.unicri.it

Security Governance/Counter-Terrorism Laboratory:

<http://lab.unicri.it/>

Centre on Public-Private Security Policies:

http://lab.unicri.it/lisbon_centre_ppp_security_policies.html

CTITF Working Group Membership:

- Protecting Human Rights While Countering Terrorism
- Supporting and Highlighting Victims of Terrorism
- Preventing and Responding to WMD Terrorist Attacks
- Countering the Use of the Internet for Terrorist Purposes.
- Strengthening the Protection of Vulnerable Targets

The United Nations Interregional Crime and Justice Research Institute (UNICRI) is one of the United Nations five Research and Training Institutes. It is mandated to engage with states, nongovernmental organizations, and experts to develop policies and programs in the field of crime prevention and criminal justice.

UNICRI is governed by a board of trustees, staffed by experts in the management of research, training, technical cooperation, and documentation, and supported by consultants selected according to project requirements. Its main offices are in Turin, Italy, but the other UNICRI Security Governance and Counter Terrorism Laboratory offices are based in Lucca (Italy) and Lisbon (Portugal), and UNICRI liaison desks are located at UN headquarters in New York and Geneva.

UNICRI's work focuses primarily on Pillars I and II of the UN Global Counter-Terrorism Strategy, "addressing conditions conducive to the spread of terrorism" and "preventing and combating terrorism."¹⁸⁴ In this context, UNICRI is involved in a broad variety of issues, such as countering the appeal of terrorism, promoting private-public partnerships for the protection of vulnerable targets, promoting engagement with civil society, and examining the security implications of advances in biotechnology and trafficking in chemical, biological, radiological, and nuclear weapons (CBRN).

Given these areas of interest, UNICRI is a member of several working groups of the UN Counter-Terrorism Implementation Task Force, within which it has undertaken a series of projects designed to bring together experts, practitioners, and governments to develop creative responses to criminal and other security threats, such as terrorism. For example, building on the work of a former working group it led on "addressing radicalization and extremism that lead to terrorism," UNICRI launched a Center on Policies to Counter the Appeal of Terrorism in Lucca, Italy in 2010, which is run in close

cooperation with the CTITE.¹⁸⁵ Among the objectives of this center are the establishment of a searchable web-based database containing information about different strategies employed by states to counter the appeal of terrorism, the production of an annual analytical report, and the organization of a series of workshops bringing together key stakeholders to exchange lessons learned and best practices.

As a co-chair of the Working Group on Strengthening the Protection of Vulnerable Targets, UNICRI produced a report on how public-private partnerships can contribute to protecting “soft targets” from criminal and terrorist acts, published in January 2009 and disseminated in cooperation with the International Criminal Police Organization’s (INTERPOL) Referral Center.¹⁸⁶ Some ideas for the report were tested in Kenya and Mexico, with the support of the UN Department of Safety and Security (DSS) and in cooperation with The Inter-American Committee on Terrorism (CICTE), in order to examine the application of the report’s findings to real-time situations.

UNICRI also promotes the role of public-private partnerships through its International Permanent Observatory on Major Events Security (IPO) and the implementation of two regional initiatives. One of these, EU-SEC, is implemented in Europe with support from the European Commission and in cooperation with Europol and twenty-four regional states. The second is IPO Americas, a joint project between UNICRI and CICTE, supported by the government of Canada and the Organization of American States (OAS). Building on these experiences, UNICRI has designed three additional regional platforms: IPO Africa, IPO Asia-Pacific, and IPO Gulf and Middle East.¹⁸⁷

Another example of UNICRI’s work related to counterterrorism is a project examining present and future security implications of advances in biotechnology, focusing primarily on the dual-use potential of synthetic biology and nanobiotechnology and their implications for criminal or terrorist activities. Along similar lines, UNICRI is cooperating with the European Commission to create Chemical, Biological, Nuclear, and Radiological (CBRN) Centers of Excellence, to help states mitigate the threat posed by these weapons. These centers will aim to work with international and regional organi-

zations, and states, to develop tailored assistance packages to address their specific needs.

Examining another area where efforts to address criminality and terrorism overlap, UNICRI began to undertake a comprehensive program on witness protection in 2006 based on a regional operative approach. Initially devoted to Latin America, this program focused on improving the skills of public prosecutors and other relevant law-enforcement officials investigating criminal and terrorist acts, as well as working with witnesses and victims to develop appropriate support mechanisms.¹⁸⁸

In addition to co-chairing the CTITF Working Group on Strengthening the Protection of Vulnerable Targets, UNICRI is also a member of the Working Groups on Supporting and Highlighting Victims of Terrorism, Preventing and Responding to WMD Terrorist Attacks, Countering the Use of the Internet for Terrorist Purposes, Protecting Human Rights While Countering Terrorism, and Border Management Related to Counter-Terrorism. UNICRI also participates in the CTITF project on Integrated Assistance for Countering Terrorism (I-ACT), which aims to map the assistance being received by countries and identify counterterrorism capacity gaps that still need to be addressed.¹⁸⁹

United Nations Office on Drugs and Crime (UNODC)

Location:

Vienna, Austria

Contact Information:

United Nations Office on Drugs and Crime
Vienna International Centre
PO Box 500, 1400 Vienna
Austria

Liaison Office:

United Nations Office on Drugs and Crime
United Nations
One United Nations Plaza
New York, NY 10017 (USA)
E-mail: unodc.tpb@unodc.org

Focal Points:

Ms. Cecilia Ruthström-Ruin
Chief
Terrorism Prevention Branch (TPB)
Tel: +43 1 26060 4207
E-mail: cecilia.ruthstrom-ruin@unodc.org

Ms. Jo Dedeyne-Amann
Policy Coordination Officer
Office of the Chief
Terrorism Prevention Branch (TPB), Division for Treaty Affairs
(DTA)
Tel: +43 1 26060 4282
E-mail: jo.dedeyne@unodc.org

Simone Monasebian
Representative
New York Liaison Office
Tel: +1 212 963 4185
E-mail: monasebian@un.org

Year of Establishment: 1997

Website: www.unodc.org

CTITF Working Group Membership:

- Tackling and Financing Terrorism (lead)
- Preventing and Resolving Conflicts
- Supporting and Highlighting Victims of Terrorism
- Countering the Use of the Internet for Terrorist Purposes
- Preventing and Responding to WMD Terrorist Attacks
- Protecting Human Rights While Countering Terrorism
- Border Management Related to Counter-Terrorism

The United Nations Office on Drugs and Crime (UNODC) is mandated to assist states in addressing drug control, crime, and terrorism prevention. To that end, UNODC promotes and facilitates the ratification of relevant international legal instruments, conducts research and analysis to inform policymaking, and provides states with technical assistance to develop and implement relevant legislation in accordance with international human rights norms.

Though headquartered in Vienna, UNODC's 450 staff members are spread over twenty field offices and liaison offices in Brussels and New York. UNODC's work is governed by the Commission on Crime Prevention and Criminal Justice, which was created by the UN Economic and Social Council in 1992 to address issues relating to international action to combat national and transnational crimes, including organized crime and money laundering, and to improve the efficiency of criminal justice systems.

UNODC's work on terrorism prevention builds on a longstanding engagement by the office and its earlier, bureaucratic iterations on issues relating to the criminal aspects of terrorism, through its

mandated focus on crime prevention and criminal justice. For example, prior to 1997, the United Nations Programme on Crime Prevention and Criminal Justice provided substantive input and services for related discussions of the Crime Commission. In 1997, the Terrorism Prevention Branch was established as a two-person team within the Centre for International Crime Prevention (CICP) to focus on the provision of substantive services to intergovernmental bodies and to conduct research and analysis. In December 2001, the General Assembly reaffirmed the role of the center in supporting states' efforts to address terrorism and encouraged the center to contribute to the efforts of the United Nations as a whole to address this evolving challenge.¹⁹⁰ TPB was expanded in 2002 and now includes twenty-five staff members at headquarters and in field offices.¹⁹¹

TPB's primary tasks include providing assistance to requesting states to help them ratify and implement all the available international legal instruments against terrorism and develop their domestic legislation and criminal justice processes accordingly. As part of these efforts, TPB also provides capacity-building assistance to strengthen the abilities of states' criminal justice system and assists states with implementation of the international legal instruments against terrorism. TPB also facilitates international cooperation on issues relating to crime and terrorism.¹⁹²

Since January 2003, TPB has been delivering specialized counterterrorism technical assistance within the framework of its Global Project on Strengthening the Legal Regime Against Terrorism, which provides an overall framework for their delivery of technical assistance. The Global Project utilizes a four-pronged approach:

- 1) tailor-made support to countries, upon request, to help analyze their legislative gaps;
- 2) knowledge sharing and stocktaking workshops at the regional and subregional level;
- 3) technical assistance focused on the ratification and implementation of the universal legal instrument; and
- 4) partnerships with other relevant entities to avoid duplication of efforts.

Among some of the accomplishments of the Global Project, UNODC points to the following quantitative results:¹⁹³

- Member states, with which TPB has conducted technical cooperation activities since 2002, undertook an estimated 467 new ratifications of the universal antiterrorism instruments.
- In January 2003, when the Global Project started, 26 countries had ratified all of the twelve initial universal instruments; by December 2008, 102 countries had ratified all of them.
- Some 62 countries have new or revised counterterrorism legislation in different stages of adoption.
- Approximately 7,700 criminal-justice officials from some 100 countries have undergone capacity-building training, provided in whole or in part by UNODC, to implement the legal counterterrorism regimes.

Given its mandate and range of activities, UNODC's work focuses primarily on Pillars II, III, and IV of the 2006 UN Global Counter-Terrorism Strategy (henceforth, *Global Strategy*), which respectively focus on preventing and combating terrorism, strengthening states' counterterrorism capacities, and ensuring the respect for human rights in all these efforts.¹⁹⁴ UNODC is an active member of the Counter-Terrorism Implementation Task Force and a number of its working groups (listed above).

One of its projects with the CTITF has been the conceptualization and development of the Integrated Assistance for Countering Terrorism I-ACT initiative: an interactive information system that maps identifies states counterterrorism gaps and assistance needs, which then form the basis for country-specific plans for assistance delivery.

UNODC is also a member of the Working Group on Supporting and Highlighting Victims of Terrorism. Drawing from the agencies experience providing legal assistance to victims during criminal justice procedures, UNODC was a lead author of the working group's report exploring best practices in criminal justice responses to terrorism entitled, "The Criminal Justice Response to Support Victims of Acts of Terrorism," published in November 2011.

As a co-chair of the Working Group on Tackling the Financing of Terrorism, alongside the International Monetary Fund (IMF) and the World Bank, UNODC contributed substantively and organizationally to a report, and a series of accompanying roundtables, to assist states in effectively implementing international standards to combat the financing of terrorism. The report, entitled Tackling the Financing of Terrorism, was launched in Vienna in October 2010, at the occasion of the International Workshop of National Counter-Terrorism Focal Points. UNODC is also contributing to the development of an implementation plan, based on the report.

UNODC is also an active member of the Working Groups on Countering the Use of the Internet for Terrorist Purposes; Protecting Human Rights While Countering Terrorism; and Border Management Related to Counter-Terrorism, which held its first meeting in December 2010.

The World Bank

Location:

Washington D.C., USA

Contact Information:

The World Bank
1818 H Street, NW
Washington, DC 20433
USA

Focal Point:

Mr. Emile Van der Does de Willebois
Senior Financial Sector Specialist
Tel: +1 202 458 8679
Fax: +1 202 522 2433
E-mail: evanderdoes@worldbank.org

Website: www.worldbank.org

Year of Establishment: 1944

CTITF Working Group Membership:

- Tackling the Financing of Terrorism (co-chair)

The World Bank is a specialized agency of the UN, established along with the International Monetary Fund (IMF) at the 1944 Bretton Woods Conference. The World Bank aims to promote social and economic development by providing a combination of financial resources, technical support, advice and analysis, training, and coordination of development assistance.¹⁹⁵

The World Bank is made up of two unique institutions: the

International Bank for Reconstruction and Development (IBRD) and the International Development Association (IDA). They are supported by complementary work undertaken by the International Finance Corporation (IFC), the Multilateral Investment Guarantee Agency (MIGA), and the International Centre for Settlement of Investment Disputes (ICSID). Together, these institutions aim to fight poverty by offering development assistance to middle- and low-income countries. This takes the form of low-interest loans, interest-free credits, and grants for investments in areas such as education, health, public administration, infrastructure, financial and private sector development, agriculture, and environmental and natural resource management.

The World Bank comprises 187 member states and is managed by a Board of Governors and twenty-four executive directors, representing the five largest shareholders (France, Germany, Japan, the United Kingdom, and the United States) and twenty other member countries.

Through its efforts to assess worldwide compliance with international standards of anti-money laundering (AML) and countering the financing of terrorism (CFT), and by promoting stronger institutional capacities and governance in developing countries, the World Bank focuses primarily on Pillars II and III of the UN Global Counter-Terrorism Strategy. These pillars address states' obligations to prevent and combat terrorism and to develop stronger capacities to do so.¹⁹⁶

The World Bank's provision of technical assistance and policy research also contribute to these strategic objectives.¹⁹⁷ To this end, the World Bank has performed hundreds of technical-assistance missions on a country or regional basis. These missions have focused on developing measures to combat money laundering and financing of terrorism, building capacities of financial-intelligence units, and improving oversight of the financial sector and its players.¹⁹⁸ An example of a common way in which the World Bank contributes to states' efforts to implement Pillars II and III of the Global Strategy took place in Honduras in 2003; the Bank conducted an analytic review of Honduran counterterrorism legislation and contributed recommendations to improve their legal framework for counterterrorism.

Despite these efforts, three main challenges confront the World Bank in its attempts to address the financial components of terrorism, as pointed out by banking regulatory expert Paul Allen Schott.¹⁹⁹ First, there is the unresolved question of an international definition for “terrorism”, which makes it difficult to combat “terrorist financing.” The 1999 United Nations *Convention for the Suppression of the Financing of Terrorism* does offer a definition, however, which has become the standard adopted by most countries in their CFT efforts.²⁰⁰ Second, the use of alternative remittance systems like hawala in regions where people have relatively limited access to more formalized and affordable financial transfer mechanisms is difficult to monitor and regulate. Third, the secretive nature of money laundering and terrorist financing do not lend themselves to external analysis or documentation. Consequently, reliable estimates of the size of money-laundering and terrorist-financing challenges on a global scale are hard to come by.²⁰¹

Although the World Bank focuses primarily on Pillars II and III of the Global Strategy, certain components of the Bank’s work also focus on the Pillar I, which urges states to address the “conditions conducive to the spread of terrorism.”²⁰² In particular, the 2011 World Development Report published by the World Bank focuses on the interrelationships between conflict, security, and development, and argues that strengthening legitimate national institutions and governance in order to provide citizen’s with security, justice, and employment is vital to breaking the cycle of armed and criminal violence.²⁰³

The World Bank serves as the co-chair of the Counter-Terrorism Implementation Task Force’s Working Group on Tackling the Financing of Terrorism. The World Bank was the lead author of the working group’s report *Tackling the Financing of Terrorism* and as a follow up to that report published three issues papers: *New Technologies, New Risks: Innovation and Countering the Financing in Terrorism*; *Alternative Remittance Systems and Terrorism Financing Issues in Risk Management*; and *Nonprofit Organizations and the Combating of Terrorism Financing, A Proportionate Response*.²⁰⁴ These delve into several key topics covered by the working group: emerging technological innovations, informal value transfer systems,

and nonprofit organizations. The papers provide both an overview of the types of risks involved and provide recommendations on how countries can mitigate the risks while ensuring other public goods (access to finance, the development of new technologies, a flourishing civil society, etc.) are not unduly affected.

World Customs Organization (WCO)

Location:

Brussels, Belgium

Contact Information:

World Customs Organization

Rue du Marché 30, B-1210

Brussels, Belgium

Telephone: +32 2 2099 211

Fax: +32 2 2099 262

E-mail: information@wcoomd.org

Focal Points:

Mr. Allen Bruford

Deputy Director

Tel: +32 2 2099 341

Fax: +32 2 2099 493

E-mail: Allen.Bruford@wcoomd.org

Mr. Norbert Steilen

Technical Attaché

Tel: +32 2 2099 353

Fax: +32 2 2099 493

E-mail: Norbert.Steilen@wcoomd.org

Mr. Giorgio Sinovich

Technical Attaché

Tel: +32 2 2099 254

Fax: +32 2 2099 493

E-Mail: Giorgio.Sincovich@wcoomd.org

Year of Establishment: 1952

Website: www.wcoomd.org

CTITF Working Group Membership:

- Border Management Related to Counter-Terrorism (co-chair)

The World Customs Organization (WCO) is an intergovernmental organization that aims to improve coordination among customs administrations around the world as they facilitate trade and ensure the security of their borders. Specifically, the WCO aims to do the following:

- Set international standards to facilitate cross-border trade
- Secure the international trade supply chain
- Harmonize and simplify customs procedures aimed at facilitating trade
- Strengthen the security of the supply chain
- Foster the exchange of information between customs administrations
- Provide capacity building through training and assistance

In order to coordinate global customs procedures, the WCO promotes and provides guidance for implementing the 1974 *Kyoto Convention*, which was adopted to harmonize and simplify international customs procedures.²⁰⁵ The revised *Kyoto Convention*, which came into force in 2006, offers legal provisions and controls to implement the procedures of the convention and also addresses more up-to-date issues facing customs administrations in greater detail, including electronic commerce.²⁰⁶

The WCO coordinates its activities with a number of United Nations entities working on issues of trade and security, including the International Maritime Organization (IMO), the UN Conference for Trade and Development (UNCTAD), the UN Educational, Scientific and Cultural Organization (UNESCO), and the UN Economic Commission for Europe (UNECE).

Though the WCO's work is not directly linked to security threats and counterterrorism, the 9/11 attacks prompted greater emphasis on supply chain security and terrorism among its membership.²⁰⁷ Consequently, the organization initiated a number of programs aimed at reducing the vulnerability of global trade to terrorist attacks. For example, in June 2002, the WCO adopted a resolution noting the threat of terrorism to global trade, and established a Task Force with the private sector called the Joint Customs/Industry Task Force on Security and Facilitation of the Global Supply Chain, to offer guidance and recommendations on coordinating and improving the methods of customs administrations to secure the supply chain. This Task Force produced a package of technical measures, including the Customs Guidelines on Integrated Supply Chain Management, which calls for the application of a risk assessment to the interoperable supply chain.²⁰⁸

These efforts culminated in the adoption of the SAFE Framework of Standards in 2005, in which the WCO set forth voluntary standards for securing international trade as a minimum threshold for member states to adopt. Established after seven meetings between June 2004 and April 2007 by the High Level Strategic Working Group comprised of twelve WCO members, the SAFE Framework focuses on the technical aspect of customs security, primarily through the adoption of risk assessments. The SAFE Standards draw from the WCO's *International Convention on the Simplification and Harmonization of Customs Procedures* (1973), and focuses on four main areas: (1) a commitment to harmonize advance electronic cargo information, (2) the application of a risk assessment, (3) the examination of outbound high-risk cargo by the country of export, and (4) the establishment of supply chain security operators.²⁰⁹

Despite near-universal commitment to these standards (with 162 states committing to date), the costs and technical complexities of the SAFE Framework have led some states to pursue a more gradual and phased implementation process. Consequently, the WCO has initiated a number of capacity-building programs to assist states in this endeavor, including, most notably, the Columbus Programme—Aid for Safe Trade. This program aims for full implementation of the SAFE Framework through needs assessment, planning and implementation

(including donor matchmaking), and monitoring progress and evaluating results.²¹⁰

The WCO also provides capacity-building assistance to support implementation of UN Security Council Resolution 1540 (2004), which aims to prevent nonstate actors from obtaining weapons of mass destruction (WMD), by offering specific training sessions. The WCO's Secretariat assists its members in the implementation of Recommendation IX of the Nine Special Recommendations of the Financial Action Task Force (FATF), which is a critical component of the provisions of UN Security Council Resolution 1540 because it focuses on the transportation of currency suspected to be related to terrorism.²¹¹ Furthermore, the WCO is developing a Correlation Table to assist customs/border-control officers in determining which goods are subject to the 1540 resolution regime and to improve customs' risk-profiling processes.²¹²

Additionally, the WCO Secretariat provides resources to states to assist them with border security. For example, the Secretariat offers a databank on advanced technology, which provides guidance on securing international trade through the supply chain and a list of companies and products that customs administrations might encounter in their work. The Secretariat also assists customs administrations in detecting transnational organized crime through its World Customs Enforcement Network (CEN). This network facilitates the exchange of information with other organizations by providing a database of illegal products, examples of concealment methods, and its own communication systems. The communication systems include CENcomm, a secure platform for international exchange of operational information and intelligence and the National Customs Enforcement Network (NCEN), a national database for enforcement and intelligence purposes with a platform to exchange information with other customs administrations.²¹³

The WCO's inclusion in the UN Counter-Terrorism Implementation Task Force is based primarily on its efforts to enhance international security by strengthening national customs administrations tasked with regulating trade and movements across their borders. These objectives are reflected in Pillars II and III of the UN Global Counter-Terrorism Strategy, which respectively urge states to

take measures to prevent and combat terrorism and the international community to help strengthen state capacities to do so.²¹⁴ The WCO is a co-chair of the CTITF Working Group on Border Management Related to Counter-Terrorism, together with the International Criminal Police Organization (INTERPOL) and the Counter-Terrorism Committee Executive Directorate (CTED). This working group is currently compiling a compendium of counterterrorism-related border-control instruments, standards, training materials, and recommended practices.²¹⁵

World Health Organization (WHO)

Location:

Geneva, Switzerland

Contact Information:

World Health Organization
20 Avenue Appia, CH-1211
Geneva 27
Switzerland

World Health Organization Office in the UN
1 Dag Hammarskjöld Plaza
New York, NY 10017
USA

Focal Point:

Mr. Andrey V. Pirogov
Assistant Director General
Executive Director
Tel: +1 212 963 6004
Fax: +1 212 963 8565
E-mail: apirogov@whoun.org

Website: www.who.org

Year of Establishment: 1948

CTITF Working Group Membership:

- Preventing and Responding to WMD Terrorist Attacks
- Border Management Related to Counter-Terrorism

The World Health Organization (WHO) is the United Nations specialized agency responsible for directing and coordinating the multilateral response to emerging international health challenges.²¹⁶ Its primary functions include: shaping the research agenda and providing substantive inputs regarding health issues, monitoring developments and trends related to international health, articulating policy, and setting global norms and standards.

The WHO has over 8,000 public health experts in 147 countries, and six regional offices to advise states' ministries and provide assistance in areas such as HIV/AIDS, chronic diseases, tuberculosis, malaria, and maternal health. Moreover, the WHO strengthens the preparedness of states at risk of public health emergencies and supports countries responding to or recovering from a crisis through its Humanitarian Health Action Programme.²¹⁷

In addition, the WHO provides a framework for detecting, assessing, notifying, and responding to threats to public health through its International Health Regulations (IHR), which are binding on its 194 states parties. These regulations define the rights and obligations of countries to report public health events, and outline follow-up procedures for the WHO.²¹⁸ The WHO also provides technical assistance to states to ensure implementation of these standards.

The issue of states' responsiveness to a public health crisis in the wake of a chemical, biological, and/or radiological terrorist attack has become increasingly salient in the WHO's work in the past decade. Participants at the Fifty-Fifth World Health Assembly in May 2002 underlined the WHO's growing attention to the implications of these types of attacks on public health. It was noted that chemical, biological, and radiological agents can be disseminated through a number of mechanisms, including food and water supply, and that the WHO should expand its role in assisting states to build the capacities of national health systems to respond to these threats.²¹⁹

The WHO now provides this kind of guidance to states. Most of the organization's work directed towards global health security and emerging threats takes place within its Health Security and Environment Cluster. This cluster has produced manuals on the

public-health management of chemical incidents. Additionally, a 2002 report entitled *Terrorist Threats to Food* explores prevention and response systems for the deliberate contamination of food.²²⁰ The WHO also works to build state capacity by providing technical assistance and training to states. For example, The WHO has created a network called the Radiation Emergency Medical Preparedness and Response Network (REMPAN), which includes more than forty specialized institutions worldwide that offer training and technical assistance to requesting public-health institutions, helping them to prepare for a public health emergency in the case of a radiological attack.²²¹

Concern over emerging threats to public health, including the outbreak of Severe Acute Respiratory Syndrome (SARS) in 2003, catalyzed the revision of the International Health Regulations, which were completed in 2007 after several years of negotiations. According to David Heymann, the assistant director general for the WHO's Health Security and Environment Cluster, "the revised regulations have dramatically changed the way that key public health events of international significance are handled by the international community."²²² The updates to the regulations reflect the transnational nature of threats to public health and identify specific capacity requirements that must be in place in each country within a fixed timeframe.

Moreover, in an effort to support greater collaboration on and preparedness for public health emergencies, the WHO maintains the Global Alert and Response System, which identifies and assesses public health threats and emergencies so that the organization can work with states and partners to coordinate an appropriate response.

The inclusion of the WHO in the Counter-Terrorism Implementation Task Force reflects recognition of the potential consequences of a terrorist attack on public health across state borders. This is further emphasized by the WHO's membership in two CTITF working groups: Preventing and Responding to WMD Terrorist Attacks and Border Management Related to Counter-Terrorism. As a member of the Working Group on Preventing and Responding to WMD Terrorist Attacks, the WHO has contributed to a report on *Interagency Coordination in the Event of a Nuclear or*

Radiological Terrorist Attack: Current Status, Future Prospects. Within the report, the WHO notes its coordination with the International Atomic Energy Agency (IAEA) on medical responses to nuclear or radiological incidents.²²³ As a member of the Working Group on Border Management Related to Counter-Terrorism, the WHO is contributing to the development of a comprehensive compendium for legal, institutional, and practical issues related to counterterrorism.²²⁴

Working Groups of the Counter-Terrorism Implementation Task Force

Border Management Related to Counter-Terrorism

Website:

www.un.org/terrorism/border_management.shtml

Members:

Co-chairs

- Counter-Terrorism Executive Directorate (CTED)
- World Customs Organization (WCO)
- INTERPOL

Core entities:

- International Civil Aviation Organization (ICAO)
- International Maritime Organization (IMO)
- Office of the High Commissioner for Human Rights (UNOHCHR)
- United Nations Interregional Crime and Justice Research Institute (UNICRI)
- UN Office of Disarmament Affairs (UNODA)
- Experts of the 1540 Committee
- Al-Qaida Analytical Support and Sanctions Monitoring Group (1267 Monitoring Team)
- UN High Commissioner on Refugees UNHCR (observer)
- International Organization for Migration (IMO)

Other member entities:

- Department of Peacekeeping Operations (DPKO)
- Organisation for the Prohibition of Chemical Weapons (OPCW)
- United Nations Development Programme (UNDP)
- World Health Organization (WHO)
- UN Department of Economical and Social Affairs (DESA)

Purpose:

The Working Group on Border Management Related to Counter-Terrorism aims to build state capacity to address cross-border terrorist activity. Its program of work is separated into three clusters: (1) production of a compendium of counter-terrorism related border control instruments, standards, recommendations and practices by theme and organization, (2) development of a coordinated border management infrastructure (or template), and (3) organization of regional events in order to engage with member states and provide implementation of a coordinated border-management approach.²²⁵

The working group held its inaugural meeting on January 11 and 12, 2011 in Brussels, Belgium at the World Custom Organization's (WCO) headquarters. Relevant members discussed specific initiatives and their respective timelines for completion, including a compendium of standards and guidelines (which is underway), engagement with membership through workshops and delivery of a border-management framework, and developing a model border-management system and related promotional material.²²⁶

The working group directs its activities at a number of key themes, led by different members:

- Mobility and processing of people (IOM)
- Integrity and security of document issuing process (ICAO)
- Movement of cash and other bearer negotiable instruments (WCO)
- Movement and processing of goods (WCO)
- Movement of small arms, light weapons, ammunition, explosives & CBRN (UNICRI supported by inputs from WCO, ODA and the 1540 Committee)
- Maritime security (IMO)
- Aviation security (ICAO)
- Early warning and alert systems (Co-chairs)
- Control of the land open border (Co-chairs)
- The overarching need for respect for human rights (OHCHR, UNCHR)

To date, the working group has largely focused on the compilation of a compendium of counterterrorism related border-control instru-

ments, standards, training materials, and recommended practices, which will become a “one-stop guide for member states concerning all legal, institutional and practical aspects related to border control.”²²⁷

Countering the Use of the Internet for Terrorist Purposes

Website:

www.un.org/terrorism/internet.shtml

Members:

- Al-Qaida Analytical Support and Sanctions Monitoring Team (1267 Monitoring Team) (lead)
- Counter-Terrorism Implementation Task Force Office (lead)
- Counter-Terrorism Committee Executive Directorate (CTED)
- Department of Public Information (DPI)
- International Criminal Police Organization (INTERPOL)
- Office of the High Commissioner for Human Rights (OHCHR)
- Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism
- United Nations Educational, Scientific and Cultural Organization (UNESCO)
- United Nations Interregional Crime and Justice Research Institute (UNICRI)
- United Nations Office on Drugs and Crime (UNODC)

Additional Partners:

International Telecommunication Union (ITU)

Purpose:

The Working Group on Countering the Use of the Internet for Terrorist Purposes was established in accordance with the UN Global Counter-Terrorism Strategy, in which member states pledged to “coordinate efforts at the international and regional level to counter terrorism in all its forms and manifestations on the Internet” and to “use the Internet as a tool for countering the spread of terrorism.”²²⁸ As such, the working group addresses challenges posed by terrorist-related activities on the internet, including radicalization, recruitment,

training, operational planning, and fundraising.²²⁹ The working group also seeks ways to use the internet as a counterterrorism tool by offering counternarratives to those promulgated online by terrorists and their supporters.

Led by the Al-Qaida Analytical Support and Sanctions Monitoring Team (henceforth, 1267 Monitoring Team) and the Counter-Terrorism Implementation Task Force office, the working group has undertaken a series of initiatives towards these objectives. In November 2008, the group engaged with stakeholders (representatives of the internet sector, civil society, policymakers, etc.) at a meeting to discuss the nature of the threat and international action to combat it. In addition, the group has assembled data on existing measures for countering terrorism on the internet based on responses to a letter of inquiry sent to UN member states and a number of other, open sources. This information formed the basis for the working group's February 2009 report, which provides an overview of the approaches taken by member states to counter terrorist activities on the internet. The report provides an analytical framework to categorize different aspects of the issue, and recommends actions for the United Nations.²³⁰

In 2010, the working group organized two expert meetings to discuss countering terrorist activities on the internet, the first hosted by the German Foreign Office and the second in collaboration with Microsoft.²³¹ These discussions have expanded in 2011 to consider countering the appeal to terrorism on the internet through counternarratives, with a conference in Riyadh, Saudi Arabia bringing this to the forefront.

The working group's Leads have also undertaken efforts to fulfill the objectives of the working group in their respective mandates. The 1267 Monitoring team, for instance, has been working with the UN Department of Public Information (DPI) to produce documentaries on repentant terrorists. The first film, entitled *The Terrorist Who Came Home*, is based on an Algerian fighter who chose to renounce violence and rejoin mainstream society; the second film, *Second Chance for Saudi Terrorist*, focuses on the Saudi government's effort to rehabilitate terrorists. An additional film is planned for release in 2012.²³²

Supporting members of the working group have also undertaken measures to address the challenges of countering terrorism on the internet. For example, the UN Office on Drugs and Crime (UNODC) has taken steps to address the challenges of cybercrime in the context of terrorism, by providing states with training and assistance to improve related national legislation and state capacities. To this end, UNODC organized an open-ended Intergovernmental Expert Group on Cybercrime conference in January 2011.

Preventing and Resolving Conflicts

Website:

www.un.org/terrorism/conflict_prevention.shtml

Members:

- Department of Political Affairs (DPA) (lead)
- Counter-Terrorism Committee Executive Directorate (CTED)
- Department of Peacekeeping Operations (DPKO)
- Executive Office of the Secretary-General (EOSG)
- Office of the High Commissioner for Human Rights (OHCHR)
- Office of Legal Affairs (OLA)
- United Nations Development Programme (UNDP)
- United Nations Educational, Scientific and Cultural Organization (UNESCO)
- United Nations Office on Drugs and Crime (UNODC)

Purpose:

The Working Group on Preventing and Resolving Conflict is led by the Department of Political Affairs (DPA) with the aim of integrating UN counter-terrorism objectives into the UN's work on conflict prevention and resolution. Moreover, pursuant to the 2006 UN Global Counter-Terrorism Strategy (henceforth, Global Strategy), which identifies the peaceful resolution of conflicts as key to global counter-terrorism efforts,²³³ the working group focuses on strengthening efforts to prevent and end conflict. The Global Strategy calls for relevant parties

To continue to strengthen and make best possible use of the capacities of the United Nations in areas such as conflict prevention, negotiation, mediation, conciliation, judicial settlement, rule of law, peacekeeping and peacebuilding, in order to contribute to the successful prevention and peaceful resolution

of prolonged unresolved conflicts. We recognize that the peaceful resolution of such conflicts would contribute to strengthening the global fight against terrorism.²³⁴

To this end, the working group has developed an initiative with the UN Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA) to help implement the Global Strategy in this region. The working group is preparing a regional action plan to implement the strategy—the first regional initiative on implementation of the Global Strategy on the ground. The initiative is based on three expert-level meetings and the concluding ministerial summit, with a focus on assisting the governments of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan to enhance capacity building and prepare a regional action plan for implementation of the Global Strategy.²³⁵

The first meeting took place in Bratislava, Slovakia in December 2010 and focused on implementing Pillars I and IV of the Global Strategy, addressing the conditions conducive to terrorism and ensuring respect for human rights and the rule of law, respectively.²³⁶ The resultant report notes that the resolution of conflicts will involve addressing economic and political issues in the region such as the water/energy crisis inter-ethnic crisis, illegal migration, and the smuggling of drugs and weapons.²³⁷ The report also notes that instability in Afghanistan has intensified terrorism in Central Asia and offers some recommendations to strengthen security grounded in the rule of law.

The second meeting took place in Dushanbe, Tajikistan in March 2011 and focused on Pillar II of the Global Strategy, on preventing and combating terrorism and providing a platform for governments in the region to identify best practices and gaps in their counterterrorism efforts. The resultant report offers recommendations on enhancing legal and international instruments, improving law enforcement cooperation for prevention and combating terrorism, countering the financing of terrorism, countering the use of the internet for terrorist purposes, and responding to attacks using WMDs and denying illicit trafficking.²³⁸

The third expert meeting took place in Almaty, Kazakhstan on

July 21-22nd, focusing on Pillar III of the Strategy on building states' capacity to prevent and combat terrorism. Participants offered recommendations for the elaboration of a joint action plan to implement the Global Strategy in Central Asia, which was adopted at a ministerial meeting in Ashgabat, Turkmenistan in November 2011.²³⁹

The working group has also drafted guidelines for UN mediators on the implications of terrorism for peacemaking and the ramifications that conflict can have on the Global Strategy. These issues require a careful balance by UN mediators as they consider how to handle conflict situations with elements of terrorism. The guidelines point out terrorism-related factors that UN peacemakers may take into consideration in peace negotiations or peace agreements.²⁴⁰ Furthermore, the guidelines discuss the relevance of counterterrorism for the work of UN peacemakers; lays out existing international legal and strategic guidelines on counterterrorism for reference by UN peacemakers; and underline the security implications of terrorism for UN missions, especially mediation efforts that may be seen as potential targets for terrorism.

Preventing and Responding to WMD Terrorist Attacks

Website:

www.un.org/terrorism/wmd.shtml

Members:

- International Atomic Energy Agency (IAEA) (lead)
- Organization for the Prohibition of Chemical Weapons (OPCW) (co-chair)
- UN Office for Disarmament Affairs (UNODA)
- United Nations Interregional Crime A and Justice Research Institute (UNICRI)
- World Health Organization (WHO)
- Expert Staff of the 1540 Committee
- International Criminal Police Organization (INTERPOL)
- United Nations Development Programme (UNDP)
- Department of Public Information (DPI)
- Department of Security and Safety (DSS)
- International Maritime Organization (IMO)
- United Nations Office on Drugs and Crime (UNODC)
- International Civil Aviation Organization (ICAO)

Additional Partners:

- United Nations Office for the Coordination of Humanitarian Affairs (OCHA)

Purpose:

Pursuant to the UN Global Counter-Terrorism Strategy, this working group addresses a number of areas to increase coordination among relevant UN and non-UN entities with regard to planning a response to an act using chemical, biological, radiological, or nuclear (CBRN) weapons or materials, and to facilitate rapid assistance to member states.²⁴¹

Led by the International Atomic Energy Agency (IAEA) and the Organization for the Prohibition of Chemical Weapons (OPCW), the working group has adopted a two-part work plan. The first part of the work plan aims to familiarize member states with the existing mechanisms to address these threats. To this end, the group first compiled experiences and lessons learned from states, to be taken forward into the second part of the work plan, in which the group suggests ways to enhance cooperation and coordination.

The working group convened a workshop, hosted by the IAEA in Vienna in March 2010 where representatives of the group's entities discussed their experiences with and capabilities for responding to a nuclear or radiological emergency, particularly in the context of a terrorist attack. The resultant report, entitled *Interagency Coordination in the Event of a Nuclear or Radiological Terrorist Attack: Current Status, Future Prospects* covers existing coordination capabilities in responding to a nuclear or radiological attack in the international system,²⁴² and offers recommendations for improving coordination in responding to this type of emergency, to be taken by individual entities of the working group within their respective mandates.²⁴³ The input to this report served as a guideline for subsequent phase of the working group's work on responding to a chemical or biological terrorist attack.

The Working Group's second workshop was titled "International response and mitigation of a terrorist use of chemical, biological and toxin weapons or materials" hosted by the Organization for the Prohibition of Chemical Weapons (OPCW) in The Hague in May 2011.²⁴⁴ At the workshop, participants analyzed for the first time at the international level the potential of the UN and international organizations to respond to biological and chemical terrorism, and identified ways to strengthen these capacities. Lead by OPCW, the working group collated the knowledge of a number of different actors in this area, including Interpol; the World Health Organization; and the World Organization for Animal Health. The working group also engaged with governments, private industries, and NGOs to gain their insights on chemical and biological security. The resultant report, *Interagency Coordination in the Event of a Terrorist Attack Using Chemical or Biological Weapons and Materials* was launched at the

International Peace Institute (IPI) in November, 2011. The report offers ten recommendations on strengthening a coordinated response in the event of such an attack, which is notably more difficult because there is no single agency tasked with responding to the threat.²⁴⁵ Indeed, unlike the nuclear and radiological fields, which are overseen by the International Atomic Energy Agency (IAEA), there is currently no equivalent in the biological and chemical fields. Consequently, the recommendations of the report highlight the need for an interagency mechanism to ensure effective operational coordination and information sharing on chemical and biological threats.

Protecting Human Rights While Countering Terrorism

Website:

www.un.org/terrorism/workgroup9.shtml

Members:

- Office of the High Commissioner for Human Rights (OHCHR) (lead)
- Counter-Terrorism Committee Executive Directorate (CTED)
- International Maritime Organization (IMO)
- Office of Legal Affairs (OLA)
- Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism
- United Nations Interregional Crime and Justice Research Institute (UNICRI)
- United Nations Office on Drugs and Crime (UNODC)

Additional Partners:

- International Committee of the Red Cross (ICRC)
- United Nations Office for the Coordination of Humanitarian Affairs (OCHA)
- United Nations High Commissioner for Refugees (UNHCR)

Purpose:

The mandate of the Working Group on Protecting Human Rights While Countering Terrorism is derived from the Pillar IV of the 2006 UN Global Counter-Terrorism Strategy: measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism.²⁴⁶ According to Secretary-General Ban Ki-moon, the Global Strategy “underlines that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but mutually reinforcing.”²⁴⁷

A number of states have failed to uphold human rights while implementing their counterterrorism obligations. Therefore, the Office of the High Commissioner for Human Rights (OHCHR) leads the working group in its efforts to support member states to implement the fourth pillar of the Global Strategy. The group works towards this goal by facilitating the exchange of information on human rights concerns in the context of counterterrorism, by promoting best practices, and by developing practical tools to assist states.²⁴⁸

In 2008, the working group organized an expert seminar on the impact of terrorism and counter-terrorism measures on the enjoyment of economic, social, and cultural rights (ESCR).²⁴⁹ The five-session seminar and resultant report focused on the effect of counterterrorism on ESCR, the link between ESCR and civil and political rights, means of monitoring the effects of counterterrorism on ESCR, and the linkages between conditions conducive to terrorism (as set forth in the first pillar of the Global Strategy) and ESCR.²⁵⁰

In the same year, the working group cooperated with the Special Rapporteur on the promotion and protection of human rights while countering terrorism to organize an expert meeting on international aviation law, to discuss best practices in the protection of human rights in counterterrorism policies in aviation.²⁵¹

The working group also focuses on specific areas of concern determined by an assessment conducted by the Special Rapporteur on the promotion and protection of human rights while countering terrorism and the Office of the High Commissioner for Human Rights (OHCHR). This assessment specifies ten counterterrorism areas addressing a variety of civil, political, social, and cultural rights that OHCHR and the Special Rapporteur feel require additional attention. These ten areas include

- detention,
- conformity of national counterterrorism legislation with international human rights law,
- proscription of organizations,
- sanctions against individuals or entities,

- interception of communications,
- stopping and searching of persons,
- searching of premises and seizure of documents or other property,
- designing of security infrastructure,
- demolition of housing or other private property,
- use of firearms, particularly in the context of suicide terrorism.

The working group has begun to develop a set of basic human rights reference guides to inform state authorities, UN agencies, and individuals on implementing human rights measures in these specific counterterrorism areas.²⁵² The first two human rights reference guides were launched in September 2010 and dealt with the stopping and searching of persons and security infrastructure. The guides are available on the internet and supported by a compilation of documents and relevant treaties and reports.²⁵³

The working group has developed additional tools to assist member states, including the OHCHR fact sheet, *Human rights, Terrorism, and Counter-Terrorism*, which illustrates the relationship between counterterrorism and human rights and highlights relevant standards and principals that must be respected.²⁵⁴ In addition, the working group has helped to develop the UN Office on Drugs and Crime Handbook on “Criminal Justice Responses to Terrorism,” which offers guidance on international standards and accepted practices to law-enforcement and criminal-justice officials as they respond to terrorism and related crimes.²⁵⁵

Strengthening the Protection of Vulnerable Targets

Website:

www.un.org/terrorism/vulnerable_targets.shtml

Members:

- Department of Safety and Security (DSS) (lead)
- International Criminal Police Organization (INTERPOL) (lead)
- United Nations Interregional Crime and Justice Research Institute (UNICRI) (lead)
- Department of Political Affairs (DPA)
- Department of Peacekeeping Operations (DPKO)
- International Civil Aviation Organization (ICAO)
- International Maritime Organization (IMO)
- United Nations Development Programme (UNDP)

Additional Partners:

- United Nations Office for the Coordination of Humanitarian Affairs (OCHA)

Purpose:

Among its recommended measures to prevent and combat terrorism described in Pillar II of the UN Global Counter-Terrorism Strategy,²⁵⁶ the General Assembly invites the UN to “step up all efforts to improve the security and protection of particularly vulnerable targets, such as infrastructure and public places.”²⁵⁷ Therefore, the Working Group on Strengthening the Protection of Vulnerable Targets aims to establish mechanisms to facilitate the sharing and development of best practices to protect “soft” targets.²⁵⁸

The Department of Safety and Security, the International Criminal Police Organization (INTERPOL), and the UN Interregional Crime and Justice Research Institute (UNICRI) lead the working

group. The working group has set up a referral center housed at INTERPOL's headquarters to facilitate the sharing of vulnerable-target protection resources using the organization's existing worldwide law-enforcement network. Moreover, the UN Department of Safety and Security (DSS) is collaborating with UN entities and the NGO community to compile and analyze data on security incidents relating to terrorism to identify emerging threats and take measures to mitigate them.²⁵⁹

INTERPOL is using its National Centre and Regional Bureaus to compile best practices in protecting vulnerable targets and contact information for ministry units and other relevant resources. It has gained input from a total of 134 states. INTERPOL offers assistance to states, upon request, to develop protection strategies through its network of experts identified through the Referral Centre.²⁶⁰ The center has also initiated an awareness campaign to keep member states up-to-date on the initiatives of the working group.

UNICRI has undertaken a number of initiatives to promote public/private partnerships in the security field. In 2007 it launched its program Enhancing Public-Private Partnerships to Protect Vulnerable Targets (2007) from its Centre on Public-Private Security Policies in Lisbon. After holding a number of workshops, experts meetings, and action-oriented analysis and testing events, UNICRI has published two works, a report on *Public Private Partnerships for the Protection of Vulnerable Targets: Review of Activities and Findings* (January 2009), and a *Handbook to Assist the Establishment of Public-Private Partnerships (PPP) to Protect Vulnerable Targets* (June 2009). UNICRI subsequently held workshops in Norway (June 2009), Portugal (February 2010), and Abu Dhabi (March 2010) in an effort to promote these partnerships.²⁶¹

UNICRI also promotes public-private partnerships through its International Permanent Observatory on Major Events Security (IPO), which includes two regional initiatives: EU-SEC, which is implemented in Europe in cooperation with Europol and twenty-four EU member states; and IPO Americas, implemented in cooperation with twenty-seven members of the Organization of American States (OAS).²⁶² Both of these regional initiatives aim to promote security cooperation and preparation among states at major events.

Supporting and Highlighting Victims of Terrorism

Website:

www.un.org/terrorism/victims.shtml

Members:

- Counter-Terrorism Implementation Task Force (CTITF) Office (lead)
- Department of Political Affairs (DPA)
- Department of Public Information (DPI)
- International Civil Aviation Organization (ICAO)
- Office of the High Commissioner for Human Rights (OHCHR)
- Special Rapporteur on the Protection and Promotion of Human Rights and Fundamental Freedoms While Countering Terrorism
- United Nations Office on Drugs and Crime (UNODC)
- United Nations Interregional Crime and Justice Research Institute (UNICRI)

Additional Partners:

- United Nations Office for the Coordination of Humanitarian Affairs (OCHA)

Purpose:

The Working Group on Supporting and Highlighting Victims of Terrorism was established in accordance with the UN Global Counter-Terrorism Strategy's commitment to consolidating national systems of assistance for victims of terrorism (with UN support to develop such systems), promoting international solidarity with victims of terrorism, and fostering the involvement of civil society in the global campaign to condemn terrorism.²⁶³

The initial step towards implementing this component of the Global Strategy took place in September 2008, when the Secretary-

General convened a symposium on supporting victims of terrorism, bringing together a range of stakeholders to discuss concrete ways to support and empower victims of terrorism for the first time on a global level.²⁶⁴ According to the Secretary-General's comments in the resulting report, *Supporting Victims of Terrorism*, the purpose of the symposium was to "provide a forum for discussing concrete steps to assist victims in coping with their experiences, to share best practices and to highlight measures already taken by Member States and non-governmental organizations (NGOs) to support and empower victims."²⁶⁵ The report also summarizes key themes discussed at the symposium and offers a set of recommendations made by participants.

The working group has devised a series of follow-up plans to this report, including:

- developing a virtual platform or web portal that can be used as a forum for victims, experts, government officials, service providers, and civil society to share information, resources, and best practices on supporting victims of terrorism;
- developing a study/guide of best practices for providing financial support to victims of terrorism, based on existing national practices;
- collaborating with the Global Survivors Network and the Centre on Global Counterterrorism Cooperation on a series of projects to support victims, beginning with a media training program for victims of terrorism;
- compiling a study on the rights of victims of terrorism based on a 2010 expert workshop.²⁶⁶

As planned, a study on the rights of victims has been undertaken, based on the discussions from a 2010 workshop in Siracusa, Italy, co-organized by the working group and the International Institute of Higher Studies in Criminal Justice. The workshop focused on supporting victims of terrorist crimes and related offences as defined in national and international law. The working group conducted a media-training workshop with the Center on Global Counterterrorism Cooperation in June 2011 for victims of terrorism

to strengthen survivor's communication with media.²⁶⁷ In November 2011 the working group launched a report on "The Handbook on Criminal Justice Response to Acts of Terrorism", led by the UN Office on Drugs and Crime (UNODC). The report is a substantive publication serving as a basis for the provision of technical assistance, upon request, for building the capacity of member states with regard to criminal justice aspects of supporting victims of terrorism.²⁶⁸

Members of the working group have also contributed to supporting victims of terrorism through their respective mandates. For instance, the International Civil Aviation Organization (ICAO) created the International Civil Aviation Compensation Fund in order to provide compensation to victims of terrorist attacks.²⁶⁹

Tackling the Financing of Terrorism

Website:

www.un.org/terrorism/financing.shtml

Members:

- International Monetary Fund (IMF) (lead)
- United Nations Office on Drugs and Crime (UNODC) (lead)
- World Bank (lead)
- Al-Qaida Analytical Support and Sanctions Monitoring Team (1267 Monitoring Team)
- Counter-Terrorism Implementation Task Force (CTITF) Office
- Counter-Terrorism Committee Executive Directorate (CTED)
- International Criminal Police Organization (INTERPOL)

Purpose:

The Working Group on Tackling the Financing of Terrorism reflects the UN Global Counter-Terrorism Strategy (henceforth, Global Strategy), which calls on specific bodies to “enhance cooperation with states to help them comply fully with international norms and obligations to combat money laundering and the financing of terrorism.”²⁷⁰ In the Global Strategy, states are encouraged to implement the Financial Action Task Force’s (FATF) Forty Recommendations on Money Laundering and Nine Special Recommendations on Terrorist Financing.

This working group is led by the International Monetary Fund (IMF), the World Bank, and the UN Office on Drugs and Crime (UNODC), who work with the supporting bodies listed above to examine the current strategies being undertaken to address various components of terrorist financing and recommend ways to increase effectiveness and ensure implementation of relevant international standards. The working groups works towards these objectives by

- reviewing available literature on the implementation of interna-

tional standards by member states for combating terrorism;

- reviewing statistical data and other relevant information regarding the implementation, and obstacles to the implementation, of international standards for combating the financing of terrorism;
- soliciting input from a range of experts within a variety of sectors and communities, including new ideas for effective implementation of international standards.²⁷¹

From February 2007 to December 2008, the working group conducted eight roundtable meetings with stakeholders (experts in the fields of banking, financial regulation, national security intelligence, financial intelligence, law enforcement, and criminal justice) from various regions. By 2008, the working group had also completed a literature and statistical review of implementation of relevant international standards by member states.²⁷²

In October 2009, the task force built on the knowledge gained from these meeting and published a report entitled *Tackling the Financing of Terrorism*, which contains thirty-six findings and forty-five recommendations to help member states enhance their efforts to combat terrorist financing. The report offers recommendations in five areas: (a) the criminalization of terrorist financing, (b) the enhancement of domestic and international cooperation, (c) value transfer systems, (d) nonprofit organizations and (e) the freezing of assets.

The IMF has prepared an action plan to implement the report's recommendations, and most of the entities participating in the working group have already integrated elements of the recommendations into their own work programs.²⁷³ For instance, the Al-Qaida Analytical Support and Sanctions Monitoring Team (1267 Monitoring Team) is cooperating closely with the Financial Action Task Force (FATF) and the Egmont Group,²⁷⁴ and liaises with the private sector to review and promote regulation of nonprofit organizations, suspicious activity/transaction reporting (SAR/STR) systems,²⁷⁵ remittance systems, new electronic cash transfer systems, and cash couriers.²⁷⁶

Endnotes

INTRODUCTION

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2. Marc Sageman, *Understanding Terror Networks* (Philadelphia, PA: University of Pennsylvania Press, 2004), p. 137.
3. Rolf Mowatt-Larssen, "Al Qaeda Weapons of Mass Destruction Threat: Hype or Reality," prepared for the Belfer Center for Science and International Affairs, January 2010.
4. Ken Menkhaus has in fact argued that "fragile states" pose a greater challenge than "failed states," which confront groups like al-Qaida with the same logistical and operational challenges faced by other external actors. See Ken Menkhaus, "State Failure and Ungoverned Spaces," *Adelphi Series*, Issue 412-413 (August 2010), Chapter 9: 171-188.
5. Naureen Chowdhury Fink, "Bombs and Ballots: Terrorism, Political Violence and Governance in Bangladesh," New York: International Peace Institute, February 2010, available at <http://ipinst.org/publication/policy-papers.html> .
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8. Ibid.
9. Kofi Annan, "A Global Strategy for Fighting Terrorism," keynote address to the closing plenary of the International Summit on Democracy, Terrorism and Security, Madrid, Spain, March 10, 2005, available at www.un.org/apps/sg/sgstats.asp?nid=1345 .
10. Conditions "conducive to terrorism" include: prolonged unresolved conflicts; dehumanization of victims of terrorism in all its forms and manifestations; lack of rule of law; violations of human rights; ethnic, national, and religious discrimination; political exclusion; socio-

- economic marginalization; and lack of good governance. See UN General Assembly Resolution 60/288 (September 20, 2006), *United Nations Global Counter-Terrorism Strategy*, UN Doc. A/RES/60/288.
11. UN Action to Counter-Terrorism, "Excerpts from the report on 2005 World Summit Outcome," available at www.un.org/terrorism/strategy-world-summit-outcome.shtml.
 12. Jonathan M. Winer, "The Growing Role of International Institutions in Counterterrorism and Law Enforcement," Council on Foreign Relations, November 5, 2003, available at www.cfr.org/world/growing-role-international-institutions-counterterrorism-law-enforcement/p6585.
 13. United Nations, *Report of the Policy Working Group on the United Nations and Terrorism*.
 14. Monika Heupel, "Adapting to Transnational Terrorism: The UN Security Council's Evolving Approach to Terrorism," *Security Dialogue*, No. 4 (December 2007): 477-499.
 15. UN Security Council Resolution 1390 (January 28, 2002), UN Doc. S/RES/1390.
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 17. Victor Comras, *Flawed Diplomacy: The United Nations and the War on Terrorism* (Washington, DC: Potomac Books, 2010), p. 115.
 18. Her mandate does not, however, allow her to examine existing appeals or those made by states. See UN Department of Public Information, "Press Conference to Present Ombudsperson of Security Council's 1267 Committee," July 15, 2010, available at www.un.org/News/briefings/docs/2010/100715_1267.doc.htm.
 19. UN Security Council Resolution 1368 (September 12, 2001), UN Doc. S/RES/1368 and UN Security Council Resolution 1373 (September 28, 2001), UN Doc. S/RES/1373.
 20. UN Security Council Resolution 1373.
 21. Heupel, "Adapting to Transnational Terrorism."
 22. UN Security Council Resolution 1535 (March 26, 2004), UN Doc.

- S/RES/1535.
23. UN Security Council Resolution 1963 (December 20, 2010), UN Doc. S/RES 1963.
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 26. Al-Qaida Sanctions Committee, "General Information on the Work of the Committee," available at www.un.org/sc/committees/1267/information.shtml.
 27. For details on the instruments and depositary information, see the website of the United Nations Office on Drugs and Crime, available at www.unodc.org/tldb/en/universal_instruments_list__NEW.html; for ratification status see: https://www.unodc.org/tldb/pdf/ratification_status_no_access.rtf
 28. Naureen Chowdhury Fink, discussions with UN member state official, New York, April 2011.
 29. Romaniuk, *Multilateral Counter-Terrorism*, p.68.
 30. UN General Assembly Resolution 66/10 (December 7, 2011), UN Doc. A/Res/66/10.
 31. Andrea Bianchi, "Assessing the Effectiveness of the UN Security Council's Anti-Terrorism Measures: The Quest for Legitimacy and Cohesion," *The European Journal of International Law* 17, No. 5 (2007): 881-919.
 32. United Nations, *Report of the High Level Panel on Threats, Challenges and Change*, UN Doc. A/59/565, December 2, 2004, p. 57, para. 204.
 33. IPI conversations with UN member state officials, New York, 2008-2011. See also International Peace Institute, "Global Terrorism," *IPI Blue Paper No. 4*, Task Forces on Strengthening Multilateral Security Capacity, New York, 2009, available at www.ipacademy.org/programs/coping-with-crisis/programslist/series/6.html.
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35. UN Security Council, Official Record of the 4950 meeting, UN Doc. S/PV.4950 (Resumption 1), April 22, 2004; quoted in part in Comras, *Flawed Diplomacy*, p. 162.
 36. Beth Elise Whitaker, "Compliance among weak states: Africa and the counter-terrorism regime," *Review of International Studies* 36, No.3 (2010): 639-662.
 37. Curtis Ward, "Building Capacity to Combat International Terrorism: The Role of the United Nations Security Council," *Journal of Conflict & Security Law* 8, No. 2 (2003): 289-305.
 38. Rosand, "The Security Council as 'Global Legislator,'" p. 559. However, Rosand also notes that to maintain the council's legitimacy, it should adopt certain "safeguards" when taking on a legislative role, such as (1) exercising such a power only on an exceptional basis, (2) making every reasonable effort to reflect the will of the international community, (3) establishing a "non-threatening body" like a committee to work with states to implement any "global legislation," (4) allowing states to exercise discretion in implementing measures in concordance with their domestic legal systems, (5) highlighting the emergency nature of the council-imposed measures and acknowledging that these may be more appropriately addressed in a multilateral treaty-making negotiation, and (6) the council should recognize international sensitivities about its role and clarify in the underlying resolution (passed under Chapter VII) that any enforcement action taken against noncompliers would require a second resolution (pp. 578-586).
 39. Ibid., p. 574 and Curtis A. Ward, "Building Capacity to Combat International Terrorism: The Role of the Security Council," *Journal of Conflict & Security Law* 8, No. 2 (2003): 289-305.
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appropriate. Furthermore, the court gave the EU three months to address the identified problems before the judgment took effect. But whatever the EU does, the court has issued a major challenge to the use of sanctions as an international counterterrorism tool.” See The Washington Institute, “Al Qaeda and Taliban Sanctions Threatened,” *Policy Watch* #1409, October 6, 2008, available at www.washingtoninstitute.org/templateC05.php?CID=2935 . However, the Eleventh Report of the Monitoring Team also notes that in the al-Qaida case it was determined that European law is distinct and equal to Chapter VII resolutions adopted by the Security Council, thereby challenging the legal authority of the Security Council in all matters. United Nations, *Eleventh Report of the Analytical Support and Sanctions Implementation Monitoring Team established pursuant to Security Council Resolution 1526 (2004) and extended by UN Security Council Resolution 1904 (2009) concerning Al-Qaida and the Taliban and associated individuals and entities*. UN Doc. S/2011/245, April 13, 2011, Section III, pp. 13-14.

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47. Edward C. Luck, “The Uninvited Challenge: Terrorism Targets the United Nations,” in *Multilateralism Under Challenge: Power, Institutional Order and Structural Change*, edited by Edward Newman, Ramesh Thakur, and John Tirman (Tokyo: United Nations University Press, 2006), p. 347.
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50. United Nations, 2005 World Summit Outcome, UN Doc. A/RES/60/1, October 24, 2005, para. 90.
51. Edward C. Luck, "The US, Counterterrorism, and the Prospects for a Multilateral Alternative," in *Terrorism and the UN: Before and After September 11*, edited by Jane Boulden and Thomas G. Weiss (Bloomington: Indiana University Press, 2004), pp. 80-81.
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55. C.S.R. Murthy, "The UN Counter-Terrorism Committee: An Institutional Analysis," *Friedrich Ebert Stiftung Briefing Paper* No. 15, September 2007, available at: <http://library.fes.de/pdf-files/iez/04876.pdf>.
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ENTITIES OF THE UN CTITF

1. For a full list of CTITF members, please see the contents page of this volume, in addition to the six "observer" entities, which include: The International Organization for Migration (IOM), The Office for the Coordination of Humanitarian Affairs (OCHA), United Nations Department for Economic and Social Affairs (DESA), United Nations Office of the Special Adviser on Africa (UNOSAA), United Nations High Commissioner for Refugees (UNHCR), United Nations Alliance of Civilizations (AOC).
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- Review: Stimulus for Renewed Counter-Terrorism Commitment,” *The Beam* Vol. 1 (September-December 2010), available at www.un.org/terrorism/pdfs/CTITF_beam_vol1_14oct.pdf .
5. UN General Assembly Resolution 60/288 (September 20, 2006), *United Nations Global Counter-Terrorism Strategy*, UN Doc. A/RES/60/288.
 6. For a more expansive analysis on the 2010 review, see Fink, Naureen Chowdhury, “Reviewing the UN’s Counterterrorism Efforts,” IPI Comment & Analysis, available at: www.ipinst.dreamhosters.com/news/comment-a-analysis/192-reviewing-the-uns-counterterrorism-efforts.html .
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 13. Ibid.
 14. As presented by the Secretary-General to the General Assembly in the Special Political Missions budget for 2010. IPI correspondence, member of the 1267 Monitoring Team, New York, April 2011.
 15. Jeremy Matam Farral, *United Nations Sanctions and the Rule of Law* (New York: Cambridge University Press: 2007), pp. 392-393.
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Implementing the Strategy, UN Doc. A/64/818, June 17, 2010, p. 18.

17. For more on this, see Eric Rosand, "The Security Council's Efforts to Monitor the Implementation of Al Qaida /Taliban Sanctions" *American Journal of International Law* 98, No. 4 (October, 2004), and Victor D. Comras, *Flawed Diplomacy: The United Nations and the War on Terrorism* (Dulles, Virginia: Potomac Books, 2010), chapter 5.
18. For a broader discussion on critiques of the UN's role in countering global terrorism, see the introduction to this volume.
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20. IPI conversations with member-state representatives, New York. See International Peace Institute, "Global Terrorism," *IPI Blue Paper* No.4, New York, 2009, available at www.ipinst.org/publication/policy-papers/detail/222-global-terrorism-ipi-blue-paper-no-4.html.
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 25. United Nations, *Eleventh Report of the Al-Qaida and Taliban Analytical Support and Sanctions Monitoring Team*, p. 7 para. 1.
 26. C.S.R. Murthy, "The UN Counter-Terrorism Committee: An Institutional Analysis," *Friedrich Ebert Stiftung Briefing Paper* No. 15, September 2007, p. 5, available at: <http://library.fes.de/pdf-files/iez/04876.pdf>.
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 32. For more on I-ACT see the entry on the Office of the Counter Terrorism Implementation Task Force in this Volume.
 33. United Nations, *Report of the Policy Working Group on the United Nations and Terrorism*, UN Doc. A/57/273-S/2002/875, August 6, 2002, para. 38.
 34. UN General Assembly Resolution 60/288 (September 20, 2006), *United Nations Global Counter-Terrorism Strategy*, UN Doc. A/RES/60/288, p. 4.
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45. UN General Assembly Resolution 60/288 (September 20, 2006), *United Nations Global Counter-Terrorism Strategy*, Annex Plan of Action, UN Doc. A/RES/60/288, p. 4.
46. For more on the responsibility of the CTITF, see the entry on the CTITF office in the volume.
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48. UN Counter-Terrorism Committee, "Communicating the Work of the Counter-Terrorism Committee and its Executive Work Plan," available at www.un.org/en/sc/ctc/docs/policypapers/policy_communications.pdf.
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56. For a more detailed discussion on the importance of an effective communications strategy to support UN efforts to combat interna-

- tional counterterrorism initiatives, see, International Peace Institute, "Global Terrorism," *IPI Blue Paper* No. 4, Task Force on Strengthening Multilateral Security Capacity, New York, 2009.
57. See, for example, James Cockayne et al., "An Opportunity for Renewal: Revitalizing the United Nations Counterterrorism Program, An Independent Strategic Assessment," The Center on Global Terrorism Cooperation, September 2010, p. ii, available at: www.globalct.org/images/content/pdf/reports/Opportunity_for_Renewal_Final.pdf.
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240. This includes questions such as: “Is there a terrorism dimension to the situation at hand? If so, who are the actors engaged in terrorist acts and what are their motivations? Should these elements be included in the negotiation process, if so how should they be engaged? What are the legal implications of doing so in light of the existing UN framework, both for the groups or individuals concerned and in terms of any state obligations that might apply?” UN Counterterrorism Implementation Task Force, Guidelines for UN Mediators-Terrorism, available at www.un.org/en/terrorism/ctitf/pdfs/web_wg_preventing_resolving_conflicts_guidance_for_mediators.pdf .
241. UN General Assembly Resolution 60/288 (September 20, 2006), *United Nations Global Counter-Terrorism Strategy*, UN Doc. A/RES/60/288, p. 5, para. 5.
242. Including regional organizations like NATO and the World Customs Organization.
243. Counter-Terrorism Implementation Task Force, “Interagency Coordination in the Event of a Nuclear or Radiological Terrorist Attack: Current Status, Future Prospects,” *CTITF Publication Series* (New York: United Nations, August 2010), available at www.un.org/terrorism/pdfs/10-48863%20CTITF%20WMD%20Working%20Group%20Report%20Interagency%20coordination%20web.pdf .
244. Website of the Counter-Terrorism Implementation Task Force Working Group on Preventing and Responding to WMD Terrorist

- Attacks, available at www.un.org/terrorism/wmd.shtml .
245. To view the video of the launch event, visit IPI's website at <http://www.ipinst.org/events/panel-discussions/details/329-new-ctitf-report-on-biological-and-chemical-threats-launched-at-ipi.html> .
246. UN General Assembly Resolution 60/288 (September 20, 2006), *United Nations Global Counter-Terrorism Strategy*, UN Doc. A/RES/60/288, p. 9.
247. United Nations Secretary-General, *United Nations Global Counter-Terrorism Strategy: Activities of the United Nations System in Implementing the Strategy*, UN Doc. A/64/818, June 17, 2010, p. 24, para. 118.
248. Website of the United Nations Counter-Terrorism Implementation Task Force Working Group on Protecting Human Rights While Countering Terrorism, available at www.un.org/terrorism/human_rights.shtml .
249. Economic, social and cultural rights refer to rights such as the right to work, education, culture, healthcare, housing, food, etc. They are sometimes referred to as positive rights, since they require action on the part of the government to fulfill. Often contrasted with civil and political rights, which require restraint on the part of the government (i.e., freedom of speech, assembly etc.), although this explanation is controversial since fulfillment of both sets of rights require action on the part of the state.
250. UN Counter-Terrorism Implementation Task Force, "Expert Seminar on 'The impact of terrorism and counter-terrorism measures on the enjoyment of economic, social and cultural rights (ESCR)'" Summary of Discussions, available at www.un.org/terrorism/pdfs/wg_protecting_human_rights.pdf .
251. UN Counter-Terrorism Implementation Task Force, "Working Group on Protecting Human Rights While Countering Terrorism," available at www.un.org/terrorism/human_rights.shtml .
252. United Nations Secretary-General, *United Nations Global Counter-Terrorism Strategy: Activities of the United Nations System in Implementing the Strategy*, UN Doc. A/64/818, June 17, 2010, p. 26, para. 128.
253. Website of the UN Counter-Terrorism Implementation Task Force Working Group on Protecting Human Rights While Countering

- Terrorism, available at www.un.org/terrorism/human_rights.shtml .
254. UN Counter-Terrorism Implementation Task Force Working Group on Protecting Human Rights While Countering Terrorism, “Workshop on ‘Developing Practical Tools,’” New York, September 16, 2008, available at www.un.org/terrorism/pdfs/Web-Developing%20Practical%20Tools.pdf .
255. UN Counter-Terrorism Implementation Task Force, “Working Group on Protecting Human Rights.” See also, United Nations Office on Drugs and Crime, “Handbook on Criminal Justice Responses to Terrorism,” *Criminal Justice Handbook Series* (New York: United Nations, 2009), available at www.icclr.law.ubc.ca/files/2009/Handbook%20on%20Crim%20Justice%20Response%20to%20Terrorism.pdf .
256. UN General Assembly Resolution 60/288 (September 20, 2006), *United Nations Global Counter-Terrorism Strategy*, Annex Plan of Action, UN Doc. A/RES/60/288, P. 17 Section IV.
257. UN General Assembly Resolution 60/288 (September 20, 2006), *United Nations Global Counter-Terrorism Strategy*, UN Doc. A/RES/60/288, p. 7, para. 18.
258. According to the UN Interregional Crime and Justice Research Institute “Soft” targets refers to unarmed/undefended targets such as places where groups of people routinely gather or reside including hotels and resorts, tourism or recreational facilities, parks and markets, shopping centers, train and bus stations, historical sites, cultural, religious and educational centers, multi-national company premises, and financial centers UNICRI website, available at http://lab.unicri.it/soft_targets.html .
259. UNICRI response to survey conducted for this volume.
260. UN Counter-Terrorism Implementation Task Force, “Working Group on Strengthening the Protection of Vulnerable Targets,” available at www.un.org/terrorism/vulnerable_targets.shtml .
261. Ibid.
262. Ibid.
263. UN General Assembly Resolution 60/288 (September 20, 2006), *United Nations Global Counter-Terrorism Strategy*, UN Doc. A/RES/60/288, (in multiple places)

264. United Nations Secretary-General, *United Nations Global Counter-Terrorism Strategy: activities of the United Nations system in implementing the Strategy*, UN Doc. A/64/818, June 17, 2010, p. 4, para. 15.
265. United Nations, *Supporting Victims of Terrorism* (New York, 2009), available at www.coe.int/t/dlapil/codexter/3_CODEXTER/Working_Documents/UN_Report_on_Supporting_Victims_of_Terrorism.pdf.
266. United Nations Secretary-General, *United Nations Global Counter-Terrorism Strategy: Activities of the United Nations System in Implementing the Strategy*, UN Doc. A/64/818, June 17, 2010, pp. 4-5.
267. UN Counter-Terrorism Implementation Task Force, "Working Group on Supporting and Highlighting Victims of Terrorism," available at www.un.org/terrorism/victims.shtml.
268. UNODC response to survey conducted for this volume.
269. United Nations Secretary-General, *United Nations Global Counter-Terrorism Strategy: Activities of the United Nations System in Implementing the Strategy*, UN Doc. A/64/818, June 17, 2010, p. 5, para. 18.
270. *Ibid.*, section III, para. 8.
271. UN Counter-Terrorism Implementation Task Force, "Tackling the Financing of Terrorism," *CTITF Publications Series* (New York: United Nations, October 2009), available at www.un.org/terrorism/pdfs/CTITF_financing_ENG_final.pdf.
272. UN Counter-Terrorism Implementation Task Force, "Working Group on Tackling the Financing of Terrorism," available at www.un.org/terrorism/workgroup5.shtml.
273. United Nations Secretary-General, *United Nations Global Counter-Terrorism Strategy: Activities of the United Nations System in Implementing the Strategy*, UN Doc. A/64/818, June 17, 2010, p. 14, para. 72.
274. The goal of the Egmont Group is to provide a forum for Financial Intelligence Units (FIU) around the world to improve cooperation in the fight against money laundering and financing of terrorism and to foster the implementation of domestic programs in this field. See www.egmontgroup.org.

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275. SARs are reports from financial institutions on suspicious activity related to money laundering, which generate leads for law-enforcement officials to investigate.
 276. Al-Qaida Analytical Support and Sanctions Monitoring Team response to survey conducted for this volume.

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777 United Nations Plaza New York, NY 10017-3521 USA

TEL +1-212-687-4300 FAX +1-212-983-8246

Freyung 3, 1010 Vienna, Austria

TEL +43-1-533-8881 FAX +43-1-533-8881-11

www.ipinst.org