STRENGTHENING COOPERATION AGAINST INTERNATIONAL TERRORISM

Proceedings of the Vienna 2004 Follow-Up Meeting to the United Nations Counter-Terrorism Committee Special Meeting of 6 March 2003 on Strengthening Practical Cooperation against International Terrorism between Regional and International Organizations

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Preface

Javier Rupérez

Executive Director, Counter-Terrorism Committee of the Security Council of the United Nations

It is my distinct honor to present this publication, which summarizes the deliberations of the third Coordination Meeting between the Counter-Terrorism Committee of the Security Council of the United Nations and international, regional and sub-regional organizations, which took place in Vienna under the auspices of the OSCE with the cooperation of the UNODC, between 11th and 12th March 2004.

International cooperation, amongst States and amongst the above-mentioned organizations, is of special importance in the global fight against terrorism in which the international community is engaged. Only a coordinated effort can defeat the scourge of terrorism, which threatens to destroy the very bases of our civilization.

In this regard, the United Nations is committed to coordinating this global effort and helping its Member States to have in place the appropriate legislation and administrative machinery which would permit them to confront this menace with due recognition to the rule of law and with full respect for human rights and individual liberties.

For this reason, after the tragic occurrences of September 11, 2001, which shook the world, the Security Council approved Resolution 1373 and created the Counter-Terrorism Committee to monitor its implementation. With the passage of time and, given the urgency to accelerate and deepen the work carried out until then, in April 2004, the Security Council approved Resolution 1535, which created the Counter-Terrorism Executive Directorate, which I have the honor to head. In this manner, the Committee can in short time rely on a tool that will permit it to take forward the politics and directives necessary for the international community to take action in a coordinated manner with regard to the prevention of, and fight against, terrorism.

In this task, the contributions of international, regional and sub-regional organizations, through programs of assistance, have a special value, and that is why the CTC invited them to participate from the very beginning. These coordination meetings, the third of which is reflected in this publication, will be a valuable precedent for the future of our joined efforts.

Every organization has a role to fulfill in this global effort, in accordance with its specific reach or geographical scope, specialties and mandates. For the United Nations, the Counter-Terrorism Committee and its Executive Directorate, their unwavering contributions are vital. For this reason, whatever we can do to strengthen our cooperation will contribute decisively to the success of our joint mission.

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1 Prior to his appointment as Executive Director of the Counter Terrorism Executive Directorate, Mr. Rupérez served as Ambassador of Spain to Washington (2000 to 2004). He held a number of postings in the diplomatic service of his country, including in Ethiopia and Poland. He was Spanish Ambassador to the Conference on Security and Cooperation in Europe (CSCE -- later OSCE). Mr. Rupérez also served as ambassador of Spain to the North Atlantic Treaty Organisation (NATO). From 1976 to 1977, he served as Chef de Cabinet to the Minister for Foreign Affairs. Mr. Rupérez has a longstanding parliamentary experience, having been deputy and senator in the Spanish Parliament from 1979 to 2000. He has been a protagonist of the so-called “parliamentary diplomacy”, having been part of Spain’s first delegation to the Parliamentary Assembly of the Council of Europe. He has been a member of the Spanish delegation to the General Assembly on several occasions, both as a diplomat and a parliamentarian. He has participated in the Parliamentary Assemblies of the OSCE and NATO, and presided over the Assemblies of both Organizations. Mr. Rupérez holds degrees in law and journalism.
CONTRIBUTIONS OF DAY I
Welcoming Address by Ambassador

Ivo Petrov
Chairman of the Permanent Council OSCE Chairmanship-in-Office

It is my utmost pleasure to welcome you at the Follow-up Conference of the UNCTC Special Meeting with International, Regional and Sub-Regional Organizations, hosted by the OSCE in co-operation with the UNODC. I am very pleased to see that we have a great attendance not only from our partner organizations, but also from a large number of OSCE participating States and UN Member States. This interest is a good sign, promising serious follow-on activities in the area of counter-terrorism. May I offer my warmest greetings to all of you who are here to do some very important work.

The fight against terrorism remains a tremendous challenge. We have continued to witness horrific terrorist attacks in many parts of the world, including in some OSCE participating States. That is why counter-terrorism is and will remain high on the agenda of the OSCE during the Bulgarian Chairmanship of the Organization, as was the case with previous Chairmanships. This year Bulgaria has placed particular importance on the implementation of OSCE documents and commitments. What is called for are practical robust measures to fight terrorism, to be implemented to a large extent in co-operation with other international agencies.

The OSCE, as a regional arrangement under Chapter VIII of the UN Charter, conducts its anti-terrorism activities under the aegis of the UN and in close co-ordination with the UNCTC. In this respect the OSCE has maintained close contact and co-ordination with the UNCTC, as demonstrated by the important address of Ambassador Arias, Chairman of the CTC, to the OSCE Permanent Council in November last year, which charted important areas where CTC saw a special need for the increased contribution of regional organizations in the global anti-terrorism effort.

With the pragmatic approach that is so characteristic of our Organization, we have concentrated our efforts on concrete areas where we can make a real difference - airport security, policing, combating shoulder-fired missiles, secure travel documents, to name but a few. Our Organization is not sparing any efforts and resources to support the implementation of UN Security Council Resolution 1373 and other pertinent resolutions within its region by employing its comparative advantages and in close co-operation with other international, regional and sub-regional organizations and initiatives.

That is why regular exchanges of views between our organizations like this one are of great importance for achieving unified and concerted global action, required for the success of the fight against terrorism. Therefore we are pleased by the positive assessment of the UNCTC on the way the OSCE is contributing to the implementation of the relevant international documents in this area and fulfilling the role of regional organizations in the fight against terrorism, mandated to them by the UNSCR and the CTC in its special meetings, as well as on the achieved level of co-ordination and interaction with other international, regional and sub-regional organizations and initiatives.

Indeed, the OSCE has strengthened its working relations with the UNCTC and other international organizations and should continue to do so in the future. Special mention goes to OSCE’s joint work with the UNODC in the area of anti-terrorism legislation. Significant in this respect is the progress that the OSCE has accomplished on ratification and implementation of the 12 universal anti-terrorism Instruments - ratification rate for the 55 OSCE participating States has risen considerably – from 65% on 11 September 2001, to 83% as of 11 January 2004. So far a total of 25 participating States (i.e. 45%) have become party to all 12 instruments. This has only been accomplished through our close collaboration with UNODC.

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2 Prior to his current assignment, Mr. Petrov served as Representative of the Secretary-General of the United Nations (UN) for Tajikistan and Head of the UN Tajikistan Office of Peace-Building (UNTOP), from June 2000 to July 2002. From 1999 to 2001, he held the post of Special Representative of the Secretary-General of the UN for Tajikistan and was Head of the UN Mission of Observers in Tajikistan (UNMOT). Mr. Petrov joined his country’s Ministry of Foreign Affairs in 1974 as Attaché. From 1975 to 1988, he served with the Conference on Security and Cooperation in Europe (CSCE) as German desk officer. From 1990 to 1999, he was Head of the CSCE Department and Head of the European Integration Department Abroad. He served as First Secretary in the Embassy of Bulgaria in Bonn (1986-1990) and Ambassador and Permanent Representative of Bulgaria to the UN, OSCE and other international organizations in Vienna (1993-1998). Born in 1948 in Bulgaria, Mr. Petrov graduated from the Technical University in Sofia in 1972 and attended the Diplomatic Academy in Moscow (1982-1984).
In our efforts to combat terrorism we give due regard to the respect for human rights. With reference to this, I would like to draw your attention particularly to the Bucharest Plan of Action for Combating Terrorism which aims to “establish a framework for comprehensive action to be taken by participating States and the Organization as a whole to combat terrorism, fully respecting international law, including the international law of human rights and other relevant norms of international law”. We appreciate that this provision is one of the elements of the Vienna Declaration to be adopted at the end of your discussions tomorrow.

OSCE’s Office for Democratic Institutions and Human Rights, which has played a major role in this respect, continues encouraging and supporting legislative implementation of UN Security Council Resolution 1373 and the 12 Instruments. ODIHR also conducts analyses of human rights protection in measures against terrorism, and in general works closely with the UN Office of the High Commissioner for Human Rights and the Council of Europe on matters related to terrorism and human rights.

The OSCE documents on anti-terrorism recognize the close link between terrorism and trans-national organized crime, trafficking in drugs, human beings and arms, and money laundering. The Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA) has undertaken a number of initiatives designed to implement the recommendations contained in the Bucharest Plan of Action, as well as those in the Bishkek Programme of Action. Specifically, the Bishkek document highlighted the importance of the creation of anti-money laundering structures and legislation. In this regard, the UNODC Global Programme against Money Laundering and the Office of the Co-ordinator of OSCE Economic and Environmental Activities co-operate closely on activities aimed at combating money laundering and suppressing the financing of terrorism.

Also the ability of national police services to respond efficiently and appropriately to such issues is crucial to the efforts to successfully prevent and combat terrorism. In this respect, the OSCE through its Strategic Police Matters Unit (SPMU) is engaged in activities supporting participating States in strengthening law enforcement institutions in fighting the various aspects of trans-national organized crime, developed in co-operation with other relevant organization in this area.

The list of co-operative activities between the OSCE and other organizations is long, so let me conclude by saying that we all consider it a recognition of OSCE’s ability to interact successfully with other organizations that the CTC has supported the idea to convene this meeting here.

Therefore I wish to you all on behalf of the Bulgarian Chairmanship-in-Office of the OSCE fruitful work in further enhancing the interaction between organizations.
Opening Statement

Jan Kubiš
OSCE Secretary General

As Ambassador Petrov has just noted, counter-terrorism remains high on the agenda of the OSCE Bulgarian Chair as it has with previous Chairs. Our relationship with the United Nations Office of Drugs and Crime and other international organizations is absolutely critical to our anti-terrorism efforts. As such, it is indeed a pleasure to host this UNCTC Special Meeting together with UNODC here in Vienna.

This is not the first, but the third major counter-terrorism conference that the OSCE has organized or co-hosted since the beginning of this year. The concrete results are worth sharing with you:

The OSCE Action against Terrorism Unit, in co-operation with ICAO and with the support of Canada held in January 2004 the first-ever intergovernmental workshop on the threat that shoulder-fired missiles pose to our airports. Experts from NATO, the Collective Security Treaty Organisation (CSTO), ICAO, the EC, France, the United Kingdom, and the United States made presentations on the threat that Man Portable Air Defense Systems, or MANPADS, pose to civil aviation.

Last week, the OSCE and ICAO, with U.S. support, hosted a two-day technical workshop on safeguarding travel documents against fraudulent use. As with the MANPADS workshop, OSCE and international community interest and participation was very high. Passport issuing and immigration authorities from 47 OSCE capitals joined five international organizations -- UNODC, INTERPOL, OECD, UNHCR and the International Organization for Migration. Sub-regional travel document workshops, such as the one funded by the German Government in 2003, are also being held in collaboration with international organizations.

These focused expert technical workshops are producing in concrete results. The MANPADS conference caused many national governments in the OSCE region to immediately undertake efforts to better safeguard their airports against this threat. Similarly, last week’s workshop on safeguarding travel documents was so successful that ICAO is now planning to approach other regional organizations represented here today on undertaking similar collaborative workshops in your respective regions.

We are working with other international organizations on other terrorism concerns. The International Atomic Energy Agency is working with us to better address the ongoing problem that illicit radiological materials – materials that can be used in the making of radiological dispersion devices or “dirty bombs” – continue to pose in the OSCE region.

To further the ratification and implementation of UN Security Council Resolution 1373 and the 12 universal conventions and protocols related to terrorism, UNCTC, UNODC and OSCE experts met with representatives from Turkey and eight countries of the Caucasus and Central Asian regions in February in Antalya, Turkey. Again, the results were concrete, with all participating countries agreeing to continue efforts on ratification and implementation. Five countries requested joint OSCE-UNODC bilateral assistance.

We are also learning from your experiences.

I especially note the good work of the Organisation of American States on a number of fronts, including the establishment of a counter-terrorism national points of contact network. This idea was adopted by the OSCE last December by OSCE Ministers, resulting in the establishment of an OSCE counter-terrorism network in February 2004.

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3 Mr. Kubiš is Secretary General of the Organization for Security and Co-operation in Europe since June 1999. At the end of 2001, he was re-appointed for a second and final term as Secretary General, which he will complete in 2005. Mr. Kubiš was born in Bratislava, Slovakia on 12 November 1952. He graduated from the Moscow State Institute for International Affairs (International Economic Relations) in 1976. He joined the Foreign Ministry in 1976 and later became Head of Section, Security and Arms Control. After the fall of the communist regime in Czechoslovakia, he was promoted and served from 1990-1991 as Deputy Head of the Czechoslovak Embassy, Head of Political Section in Moscow. In 1992 he became Chairman of the CSCE Committee of Senior Officials, under the Czechoslovak CSCE Chairmanship. In 1994 he was Special Ministerial Envoy and Slovak Chief Negotiator on the Pact for Stability in Europe (Ministerial Meeting, Paris). From July 1994 until June 1998 he served as Director of the Conflict Prevention Centre at the Organization for Security and Co-operation in Europe, Vienna.
This is exactly how “best practice” sharing between our respective organizations can benefit us all. Yet sharing best practices alone is not enough. We look to the leadership of the United Nations and, in particular, the Counter-Terrorism Committee of the Security Council, to give cohesion to our respective efforts. Without UNCTC’s help and guidance, the danger of overlap and wasting precious resources is great. At the same time, we must be flexible enough to adapt our efforts to meet new or emerging threats.

I am pleased that under the dynamic leadership of the Spanish Chair of the UNCTC, Ambassador Arias, we have for the first time included focus on current and emerging terrorist threats such as MANPADS.

As continuing terrorist attacks grimly demonstrate, the global threat of terrorism remains all too real. News of these terrible events invariably report the numbers of dead and injured. Then the event passes. The victims are not heard from. And they are often forgotten.

Earlier this year, in Madrid, OSCE participated in the first international gathering of Victims of Terrorism hosted by the Government of Spain. There, the faces and voices of victims of terrorism were heard. It is sad that today, more names of victims of the most horrendous terrorist outrage in Madrid were added.

The concrete achievements of the organizations represented here at this conference will demonstrate our common commitment and shared determination that such victims of terrorism will not be forgotten.

Our actions must speak, not just our words. This meeting shall move us resolutely forward in this direction.
Opening Statement

Antonio Maria Costa 4

Executive Director, United Nations Office on Drugs and Crime

I am pleased to see that so many of you have accepted the invitation to attend this meeting on “Strengthening Practical Co-operation between Regional and International Organizations” in the fight against terrorism. Each word in the well-chosen title of the Conference is crucial:

1. we talk about doing better a job which started not so long ago, whose results only now are starting to emerge: hence the notion of strengthening the work;
2. we talk about getting into result-based activities, so as to see even better and more concrete results: hence the notion of practical work;
3. we talk about working together, as no institution, no country on its own could accomplish what is a global undertaking: hence the notion of cooperation;
4. we talk about addressing issues which are rooted in the reality of many countries: hence the notion of capitalizing on regional expertise, in an international setting.

In the audience I do not only recognize the usual suspects – colleagues in institutions, centers and committees dealing with terrorism, money laundering, trafficking, drugs and crime. I am particularly pleased to see here organizations also active in the field of development. This is great their presence is evidence of the growing realization that violence (whether motivated by the greed of criminals or the ideological infatuation of terrorists), violence stands in the way of economic growth and sustainable development. Of course, the converse is also true: in the ideal world of the United Nations – a world with better economic performance everywhere, more equitable sharing of the planet’s resources, and greater availability of health and education for all – well in this sort of world, greed and infatuation will not motivate as many soldiers of violence as today.

Development, Terrorism and Related Forms of Crime

In order to represent concretely my Office’s contribution to counter-terrorism, let me first mention a recent survey, based on case studies from all continents (but Australia) that has identified factors which make nations “hospitable” to transnational crime and terrorism. Among the environmental factors conducive to organized violence are the following:

1. widespread corruption
2. weak legislation
3. poor law enforcement
4. non-transparent financial institutions
5. bad economic conditions
6. inadequate rule of law
7. porous borders
8. weak political establishment
9. geographic location (e.g. along arms- or narcotics-trafficking routes)
10. geopolitical issues (e.g. territorial disputes).

I am sure you too have such a list in mind, covering more or less the same elements. My point is not about producing the right list of pro-violence factors. Rather, my point is that the same factors that make countries prone to both terrorism and transnational crime are also the factors that need to be overcome to allow a country to enter sustainable development. The majority of the factors are domestic while a few others are shared with neighbouring states.

This list, or rather, this sort of contextual analysis, provides a good starting point to reflect on what needs to be done about international cooperation in criminal matters in general, and terrorism in particular. It can serve as checklist of where we have to strengthen common defences. Today, many

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4 Mr. Antonio Maria Costa (Italy) was appointed in May 2002 as Executive Director of the United Nations Office on Drugs and Crime (UNODC) and as Director-General of the United Nations Office in Vienna at the level of Under-Secretary-General of the United Nations. He holds a degree in political science from the University of Turin and a Ph.D. in economics from the University of California at Berkeley. From 1969 to 1983, Mr. Costa served as a senior economist in the United Nations Department of International Economics and Social Affairs in New York. In 1992 he joined the European Bank for Reconstruction and Development as Secretary-General.
of the points emerging from this analysis are already addressed by the international community; many organizations here present, are indeed contributing. Yet, there is more to be done. Let me therefore outline what we, at the United Nations *Office on Drugs and Crime* have been, and will be, doing:

1. **Corruption**, especially in high places, is a major problem. Here news is, prospectively, good. We have assisted Member States in the successful negotiation of the first ever comprehensive Convention against Corruption which was opened last December for signature. Over one hundred states have already signed it, and the first ratification has already taken place. Building on this historic success (I do not believe it is an exaggeration to call it this way), we are now launching a major program for immediate implementation of some of the elements of the convention – especially in the area of prevention, training and institution building. We have already identified a number of countries (and regions) where the problem is most seriously felt and where the impact – including on curtail the environmental precursors to violent crime – is more likely to be felt.

2. **Weak legislation.** Our *Office* sends out technical assistance teams to strengthen members states’ institutional (and legislative) resilience in the field of drugs, crime, trafficking in human beings, corruption and terrorism. In the last sixteen month alone, the UNODC’s Global Programme against Terrorism has provided legislative assistance to 34 states on a bilateral basis, while meeting with representatives of another three dozens States in multilateral workshops and regional meetings. We have reviewed with them what needs to be done to meet the obligations of Security Council resolution 1373 and the international conventions and protocols related to the prevention and suppression of international terrorism.

3. **Poor law enforcement:** capacity-building in the criminal justice systems must be promoted more vigorously. This being one of the *Office’s* main mandates, we have developed projects in a number of countries, from Lebanon to Afghanistan, from Nigeria to Brazil. We are now considering a major mentorship program for criminal justice officers whereby seasoned practitioners from countries with strong law enforcement histories, will serve for limited (yet repetitive) periods of time in the Ministries of Justice of requesting countries. The goal is to transfer know-how in areas like mutual legal assistance, while preserving the rule that in charge of law enforcement is a national task, mentors being there only to help.

4. **Murky financial institutions.** They are a problem, both a cause and a consequence of poor accountability and money laundering. Law enforcement succeeds only if supported by an environment of financial probity. We believe in, and act assisting countries in setting up Financial Intelligence Units and placing our mentors there, on assignments similar to the ones mentioned earlier.

5. **Poverty.** Of course, UNODC has no mandate in this area, and we are not looking for one. We cannot be blind. Poverty is not a justification for violence; yet, it is an ingredient. Some say, it is even a cause, by creating a social environment more prone to illegality. When the majority of people in regions like Central Asia, West Asia, Central America, the Caucasus, the Caribbean, East and Southern Africa, or in countries like Afghanistan and Haiti live on less than one hundred dollars a month, we should accept that the temptation to improve one’s living conditions at the expense of the rest of society is enormous. Yet it is not only question of mass poverty, and I wish to give you a quick example. The other day, in a meeting in Zambia about the devastating effect of HIV/AIDS, local ministers briefed us about the enormous impact the pandemic has on families, causing an unprecedented number of orphans across the globe -- tens of millions of them, mostly living in mass poverty, extremely vulnerable to drugs, crime and terrorism. Social deprivation is as bad as economic poverty.

6. **Inadequate rule of law in society.** The recent Report by the *Commission on Unleashing Entrepreneurship*, namely on ways and means of making business work for the poor, stressed that both laws and their respect do matter. Empirical evidence indeed shows that the strength of the rule of law is strongly correlated to the inflow of foreign investment and to the development of local entrepreneurship. No surprise that in the recent reorganization of my *Office*, we took into account that the administration of law is an essential factor for crime prevention, and also for development. Therefore we set up a new Rule of Law section.
Porous borders. The initiative undertaken in Paris last May, by the Foreign Ministers of the G8 -- the Paris Pact -- on the strengthening of border controls along the drug trafficking routes, has become an important component of UNODC’s work program. Similarly, our pilot project on containers and port security and other against drug trafficking address the issue of border control, a subject which will also be the theme of one of the panels of this follow-up meeting -- Working Group 3.

The last three point on the list -- lack of political will, geographic location and regional geopolitical issues - are factors beyond our competence and control. Still, we all are familiar with World Bank’s research about the context and the connotations of almost one hundred conflicts, civil strives and wide-spread violence (including recent cases of large scale terrorism) that took place worldwide in the past half a century. Evidence shows that most conflicts have indeed taken place where resources are more abundant; where geopolitical sensitivities are more strongly felt; where states institutions are weaker (if not collapsed); and where society has not yet tapped the potential for political and economic democracy.

The point I wish to make is that the UN Office on Drugs and Crime is actively tackling most of the factors that make certain regions, whether inside or outside national borders, more environmentally prone to large scale crime and terrorism. Although UNODC’s work is limited by the resources at our disposal, we believe the impact is there: as cost-effective as possible, without needlessly duplicating efforts undertaken better by others. To integrate efforts and create synergies is what we are here for today.

The Need for Multilateral Surveillance

Terrorism is not thriving in a vacuum. It is a social evil related to others. By attacking these, we contribute to make countries less hospitable to situations that radicalize (young) people and drive them into the arms of those who preach and practice violence.

We need a multi-pronged approach to fight terrorism. Trafficking – whether in drugs, in firearms, in human beings or in their organs – corruption and money-laundering, precede and accompanies terrorist crimes. Terrorists operate in the same black markets where organized crime is active. Sometimes organized criminal groups and terrorist groups work together on an ad hoc basis; more often terrorist groups develop criminal in-house capabilities, paralleling and matching those of organized crime groups, without much cooperation or even in competition with the purely criminal mafias. Either way, we can weaken terrorist groups by going forcefully after their profit-oriented criminal activities.

In the past, efforts to combat terrorism have not taken into account that violence by terrorists and by common criminals are related to one other. The funding is often the same; the logistics also. And so are the recruitment campaigns. Yet, there have been instances where law enforcement officers who searched for drugs would disregard terrorist pamphlets and hate literature in the premises they searched; similarly, those searching for terrorists, whether in the urban setting of Karachi or in the rural areas of Afghanistan, have been less interested in traces of drugs, in which suspected terrorists were involved.

We cannot neglect one task in favour of the other. They are connected, not necessarily in one and the same country but certainly across borders. We need multilateral surveys and monitoring to keep the relation between ideology-driven terrorism and profit-driven crime under control. With the help of an integrated effort that compares crimes in different countries and examines their linkages to terrorist organizations, we are more likely to be able to deprive terrorists of their criminal sources of income. Perhaps there is another new role here for the revitalized Counter Terrorism Committee of the United Nations.

In conclusion:

- we need to give more attention to the contextual factors that make both transnational crime and terrorism possible and at the same time make economic growth and sustainable development often impossible.
- We also need to consider whether there is not a need for a multilateral surveillance which looks at terrorism and related forms of crime in an integrated way.
Opening Statement

Ambassador Inocencio Arias 5
Chairman, Counter-Terrorism Committee of the Security Council

UNCTC Chairman Arias condemned the inhuman atrocity carried out in Madrid earlier that same day 6 and expressed appreciation for the sympathy and the attention demonstrated by the meeting participants. He thanked the OSCE for organizing the UNCTC conference in co-operation with the UNODC and viewed the OSCE and UNODC as two exemplary organisations serving in the global fight against terrorism. As a follow-up to the Special Meetings held in New York and Washington in 2003, this third event would improve co-operation among the international, regional and sub-regional organizations in the fight against terrorism, and in particular, further the UNCTC goal of ensuring implementation of UNSCR 1373 by all UN Member States.

Ambassador Arias noted that the central principles of his Committee’s work were equal treatment of states, transparency and, above all, co-operation. UNCTC does not have the capacity to provide counter-terrorism assistance directly to countries. It is the international, regional and sub-regional organizations that serve as critical resources to UNCTC in achieving the implementation of UNSCR 1373. The Committee’s role is to ensure that there will be neither a duplication of effort nor gaps in the global response.

In this regard, Chairman Arias said that UNCTC must become more efficient, competent and pertinent to global action against terrorism. To ensure that technical assistance could be provided in an effective manner, a profound and revitalizing reform of the Committee was underway and would soon be manifested in a UN Security Council resolution. This effort had two main objectives: 1) to improve the effectiveness of the Committee by establishing an Executive Directorate Unit under the leadership of an Executive Director; and 2) to reform the system of co-ordinating the counter-terrorism work of the international, regional and sub-regional organizations to enhance current levels of co-operation and to avoid duplication of activities.

Chairman Arias explained that the Committee aimed to achieve this goal through measures described in the draft Vienna Declaration, including establishment of a Matrix of Joint Activities, which would allocate roles to all organizations in order to increase the effectiveness of resource utilization. He highlighted that the Declaration, to be adopted at the conclusion of the Vienna Conference, would be vital to efforts of all the participants, contributing to the overall reform of UNCTC.

In conclusion, Ambassador Arias stated that the Committee, as part of the UN, benefits from the universal legitimacy of the organization, as it constitutes an effective tool for the global fight against terrorism. He noted that achievements would be severely limited without mutual assistance and co-operation of all the participating organizations, and consequently encouraged all to further enhance their efforts in this regard.

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5 Ambassador Inocencio F. Arias was at the time of this follow-up meeting Chairman, United Nations Counter-Terrorism Committee and Permanent Representative of Spain to the United Nations in New York. Previously, he served as State Secretary for International Cooperation (Deputy Minister) and for Iberoamerican Affairs (1991-93) and as Under-Secretary of the Ministry of Foreign Affairs (1988-91). In the Ministry of Foreign Affairs, Mr. Inocencio F. Arias was Director of the Ministry of Foreign Affairs Information Office and spokesman of the Department (1980 - 82 / 1985-88 / 1996-97). During his diplomatic career, he served in Bolivia, Algeria and Portugal. He has been professor of International Relations at the University Complutense and at the University Carlos III, both in Madrid. Mr. Inocencio Arias is the author of several publications on political issues and international relations. He has actively participated in numerous international conferences. Mr. Inocencio F. Arias was born in Albox (Spain) on April 20, 1940. He holds a degree in Law and joined the diplomatic service in 1967.

6 191 people were killed and more than 1800 wounded on March 11th 2004 by a series of 10 explosions aboard four commuter trains in Madrid.
Session I

Man Portable Air Defence Systems
( MANPADS )
Man Portable Surface to Air Defence Systems and
The Threat to International Aviation Security

Dominique R. Antonini
Chief, Aviation Security Section,
International Civil Aviation Organization

Recently, international civil aviation has faced the threat of terrorist attacks featuring the use of man-portable surface to air missile (MANPADS) on aircraft engaged in civil air transport on three separate occasions. These developments are being addressed by a series of coordinated layered defensive measures threat flow from effective, intelligence based strategies to the execution of the cockpit operations.

It is impossible to predict from one incident to another the outcome of a MANPADS attack. Given the right conditions, a MANPADS attack on a large jet aircraft could be catastrophic. You will agree that prevention of hijackings is easier than preventing MANPADS attacks.

Recently, action has been taken in OSCE, ICAO, the European Union and G-8 as well as other international and regional bodies to manage this threat.

To date international countermeasures have been more reactive than proactive, and the focus should be shifted to prevention. The scope of defensive measures comprises the following:

Aircraft Equipment - Operators should consider the use of exhaust shrouding, non-reflective exterior paint and should use electronic countermeasure devices;

In-flight procedures - Aircraft should maintain a minimum altitude for the maximum time possible, should make spiraling ascents and descents over designated safe areas for landing and take-off, use of minimum power required for a safe landing and take-off, operation without lights at night in order to obscure the target at which a missile operator must aim;

Air Traffic Services - procedures should contain safe descent and ascent pre-planned areas, briefing of crews on the safest approach and take-off and operating procedures to random use of runways, consideration of Standard Instrument Departure (SID) routes and Standard Instrument Approach Routes (STARS); and

Ground Procedures - as the security perimeters around airports are currently too narrow and difficult and expensive to expand, ground procedures should require detailed surveys of probable launch sites together with inspections of those selected sites immediately prior landing and take-off, surveillance of probable launch sites on a random basis; recruitment of local residents who can assist in the surveillance and report back when unusual or suspicious activity is detected and identification of high-risk flights for which special procedures are required and clearance of those areas from which attacks may be launched in order to eliminate places of concealment for launch sites. The ICAO Aviation Security Section, with the assistance of the Aviation Security Panel, has developed guidance material relating to security measures against attacks by MANPADS supplementary to the material contained in Appendix 16 - Surface-to-air Missiles of the ICAO Security Manual for Safeguarding Civil Aviation Against Acts of Unlawful Interference. This additional guidance material has been made available to ICAO Contracting States via a new ICAO secured website because of the sensitivity of the information contained therein.

Annex 8 to the Convention on International Civil Aviation, entitled Airworthiness of Aircraft, has also been amended to include certification requirements which focus on protecting the cockpit of the airplane by strengthening its structure and on improving airplane systems survivability in the event of an explosion from any sources, including MANPADS. These measures, however, are intended principally to minimize damage from bomb explosions inside aircraft (bomb in cabin and/or cargo), and not MANPADS. These provisions will be applicable in 2006. While this is a step in the right direction, these measures will only affect new design and construction after the year 2006.

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7 No biographical data provided
What are the limitations of technical measures?

The measures are reactive and defensive, and cannot guarantee that an aircraft will be safe from attack;

Operational constraints such as poor Mean Time Between Failures (MTBF) of equipment, efficiency of equipment is questioned when several MANPADS are being used against the same target; and

Financial constraints such as the high cost of acquiring anti-missile devices.

Several countries have produced newer systems that have improved upon the basic MANPADS design. Features include more lethal warheads, greater maneuverability, faster missiles, and improved seekers that can acquire targets head-on and also reject flares and other countermeasures. Whilst these systems are not as widely proliferated as the SA-7, some are being sold in the black market in greater quantities.

It will be recalled that the 32nd Session of the ICAO Assembly, held in 1998, adopted a Resolution MANPADS export control which urges Contracting States to reduce the MANPADS threat to civil aviation by terrorists and other unauthorized users by implementing responsible export control policies. In this regard establishment of a database on MANPADS produced so far would facilitate non-proliferation efforts.

Another crucial factor regarding MANPADS included, for the success of the preventive measures against any attack, is the concept of random levels of implementation of aviation security measures, which means that the security measures in place at airport, and around airports, could be dramatically increased in an unpredictable manner. By doing so the preparation time required by perpetrators would increase and the chance to stop them by using Counter-Terrorism Forces and Intelligence Units in cooperation would increase as well.

Threat assessment is the key for preventing such attacks as well as the destruction of existing stocks of MANPADS, complemented by strict control of the movement import/export of MANPADS between States. The Convention on the Marking of Plastic Explosives for the Purpose of Detection could be used as an example.

Development of uniform levels of implementation of preventive measures on a regional basis is important, because the users, such as airlines and airports, will be in a better position to implement additional measures in a cost-effective manner. Definition of three levels: Level 1-normal; Level 2-increased threat; and Level 3- high risk on a regional basis would facilitate the preparation and training for AVSEC forces. Combined with regional Threat and Risk Assessments and a centralized decision body, the implementation of the three-level concept would permit cost-effective countermeasures on a regional basis too. If some States require assistance such as training, international and regional organizations could jointly develop pertinent responses. ICAO encourages all Contracting States to assess the potential threat to civil aviation operations in their territory posed by MANPADS.

Most recently, in February, the ICAO Council, when considering a report on acts of unlawful interference for 2003, observed that many developments had taken place in the world since the Assembly's adoption of Resolution A32-23 MANPADS export control, and it was time for the Council to consider whether that Resolution was still valid or whether it needed to be strengthened. It was agreed that a draft new resolution on MANPADS will be submitted to the forthcoming 35th Session of the Assembly to be held in September/ October of 2004 for its adoption.

With regard to the possibility of developing a legal instrument on the subject of MANPADS, the President of the ICAO Council had mentioned this idea in a different form, as consideration should be given to the concept of establishing a regime of control over man-held missiles, and that an international legal instrument dealing with MANPADS should be developed in full cooperation and coordination with the United Nations Security Council's Counter- Terrorism Committee. This issue will be further examined and ICAO will continue to follow the matter closely in coordination with other bodies dealing with this matter.
On behalf of the OSCE, I would like to briefly provide you with further information on the OSCE workshop on MANPADS.

This conference was held in cooperation with ICAO just a few weeks ago here in Vienna, and funded by the Government of Canada. We managed to bring together some of the best international experts from Finland, France, the United Kingdom and the United States as well as from NATO, the European Community, ICAO and the Collective Security Treaty Organization (CSTO). They met with airport security and counter-terrorism officials from OSCE capitals and briefed not only on the threat but also on practical, cost-effective ways to protect our airports from this threat.

Highlights from the Vienna workshop include the following:

- The threat posed by Man Portable Air Defence Systems (MANPADS) is real.
- Terrorist groups such as Al Qaida and its affiliates have them, have used them, and will use them again if allowed the opportunity. MANPADS are lightweight, easy to use and simple to conceal.
- Hundreds of thousands are estimated to exist, including up to a quarter of a million older-generation SA-7 models. The availability of the weapons on the black market in all regions of the world is a matter of global concern.

A widely held misperception is that the MANPADS threat applies only to a few countries and specific sites. If there is any predictability to the behaviour of international terrorists, it is that they will invariably opt to hit a soft target over a hardened one. Counter-terrorism experts warned that airports anywhere in the world must consider themselves as possible targets of opportunity.

We found that airport security officials require further information on both the nature of the threat and what to do if it emerges in their countries. Consequently, closer international co-ordination, information-sharing and overall co-operation is critical to addressing a MANPADS threat scenario.

Practical countermeasures were shared with national representatives that would diminish the threat against airports. Effective countermeasures need not be cost intensive.

When we look at the landing patterns of a typical European airport, it is clear that the areas to strengthen security can be rapidly identified.

Security experts noted that countermeasures such as patrols around airports, focused on key areas where MANPADS might most effectively be fired from around airports, can substantially reduce the threat. An awareness-raising campaign targeting civilian communities in and around airports to increase local vigilance is also important in dealing with this threat. Additionally proposed were variations of landing and take-off patterns.

More costly countermeasures such as the strengthening of aircraft fuselage and the installation of defence systems on civilian aircraft were also discussed. This option, however, is very expensive and carries heavy economic consequences for the commercial airline industry and for passengers.

Through similar regional workshops hosted or facilitated by organizations such as yours, we can provide an effective and global response to this threat.

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8 Mr. Brian Woo, is Head of the OSCE Secretariat's Action against Terrorism Unit since April 2003 - a Unit which supports and develops programmes aimed at bolstering the capacity of the OSCE participating States to combat terrorism. Prior to this appointment, Mr. Woo was Director of the U.S. State Department's Counter-Terrorism Programmes, Planning and Public Diplomacy Directorate. His previous positions included a posting as Consul-General and Principal Officer in Chengdu, China. Mr. Woo, a native of Hawaii, holds degrees from the University of Hawaii and the Asia Pacific Center for Strategic Studies.
As a result of the 23 January 2004 workshop, I am pleased to say that several national governments immediately undertook actions to address this threat, including the convening of national interagency efforts to develop contingency plans.

Although export and stockpile controls of MANPADS were not the focus of this OSCE workshop, the OSCE Forum for Security Co-operation has undertaken actions to address this aspect of the problem. Other international organizations also have made important contributions to this effort. The G-8 Action Plan to Enhance Transport Security and Control of MANPADS was adopted in Evian in June 2003. The Wassenaar Arrangement is also playing a leading role. NATO too has an important role in this to play.
On OSCE/FSC work on Stockpile and Export Controls for MANPADS

Sergi Valdes
Chairman of the Forum for Security Co-operation (FSC)

Before I start, let me express our sadness at the tragic loss of life due to the bombings in Madrid in the early hours of today. We share the feeling of shock and sorrow with our neighbours and would like to offer our condolences to the victims' families and the Spanish people. Unfortunately, these events add even more relevance to our discussions today and prove the need for increased joint efforts to combat and prevent terrorism.

Thank you for the opportunity to address the topic of MANPADS and Stockpile Security in this meeting. As Chair of the OSCE Forum for Security and Co-operation (FSC), I would like to tackle a few points regarding this issue.

As you might be aware, the FSC adopted, in November 2000, the Document on Small Arms and Light Weapons (SALW). This Document is the leading tool in the OSCE’s response to the excessive accumulation and uncontrolled spread of small arms, which have been of great concern to the international community, pose a threat to peace and security, and closely relate to high levels of violence and crime. This document also addresses MANPADS, as one part of the category of the light weapons. For the FSC, MANPADS can be addressed as part of the overall small arms framework.

However, in 2003 the FSC paid special attention to the MANPADS problem. In July, the FSC decided to promote the application of effective and comprehensive export control of MANPADS. In order to facilitate discussion in the FSC, the Conflict Prevention Centre in the OSCE Secretariat was tasked to prepare a matrix of information the participating States provided in their annual information exchange on SALW about MANPADS. This task was completed and information provided to the OSCE participating States in October. Furthermore, in December 2003 the Ministerial Council endorsed the FSC decision 7/03 on MANPADS. This Decision highlights the importance of effective and comprehensive export controls on MANPADS and calls upon participating States to use existing mechanisms under the OSCE SALW Document to destroy excess MANPADS. In addition, the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century insisted that the OSCE should use all its tools to address proliferation of MANPADS. The strategy document also encouraged states to ensure the security and integrity of national stockpiles to guard against theft or illicit transfer.

In this sense, it is essential to mention the effort of the OSCE FSC to co-operate with other international organizations, which share responsibilities on this matter. For instance, I would like to point out the presence of Ambassador Sune Danielsson, Head of the Wassenaar Secretariat, as a speaker to our Forum, on the 28th of January 2004, and the discussions that derived from there, which we expect might lead to the adoption of a new document based on the elements to control the exports of MANPADS, approved last December, in the framework of the Wassenaar Arrangement.

Regarding the other part of the topic today, stockpile security, different measures have been undertaken by the participating States in the past. The information exchange regime, set out in the OSCE SALW Document, covers, among others, national procedures for the control over the national stockpiles management and security procedures. The one-time exchange, which was conducted on 30 June 2001, provided a wealth of information on policy and practice related to stockpile security and SALW control. The overview of this information prepared by the CPC provided participating States with the tools to analyse the submissions and draw conclusions for the implementation of the OSCE SALW Document. It helped to identify trends and patterns of implementation apparent in participating States responses.

You might also be aware, that in 2003 the FSC oversaw completion of a work regarding the Handbook of Best Practice Guides on eight different areas related to the control of SALW. Contributions by a number of delegations and the CPC were crucial to completing this effort. The aim of the Handbook is to provide guidelines to national governments, as they would improve the implementation of the commitments related to the Document on SALW. One chapter of the

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9 Mr. Valdes Alemany is Deputy Head of the Andorran Mission to the OSCE; he was in charge of the FSC chairmanship between January and April 2004. He has worked in the private sector before joining the department of protocol of the Andorran government in 1999, and, in 2000, the cabinet of the Prime Minister. Mr. Valdes Alemany was born in 1970 in Barcelona, Spain, and holds a degree in philosophy from the University of Barcelona.
Handbook deals with National Procedures for Stockpile Management and Security. In this chapter the different aspects of stockpile security are addressed, for example, stockpile locations, physical security, access control measures, inventory management, emergency situations and security training for personnel. The Handbook is not a politically binding document but a recommendation how national governments could reach the common standards to the fullest possible extent. This year one of the goals of the OSCE is to help to introduce the content of the Handbook in the OSCE region as widely as possible.

With the approval of the Document on SALW and development of the Handbook of Best Practice Guides a good set of standards has been introduced. It has also been realized, that some states cannot cope with this problem alone. In order to make the SALW Document’s provisions operational, OSCE participating States have recently developed and adopted supplementary measures. A framework has been established whereby a State, perhaps in conjunction with an OSCE field mission, can request OSCE assistance helping the government to meet certain needs it has identified, especially those related to the surplus of SALW. Hence, a procedure has been established where a request for assistance can met.

In December 2003, the Maastricht Ministerial endorsed the OSCE Document on Stockpiles of Conventional Ammunition. The document enlarges the FSC acquis and allows Participating States to request international assistance to either destroy or better manage these stockpiles.

As I mentioned earlier, in the FSC, MANPADS have been dealt with in the framework of the SALW document, although efforts to promote the application of stricter controls on MANPADS have been recently emphasized. Furthermore, the measures regarding stockpile security are applicable to all categories of SALW, not only to MANPADS. Further work in the FSC will concentrate on the provisions of the strategy document, namely the export control of MANPADS and secondly, the destruction of excess MANPADS. Naturally, promoting the implementation of the document on SALW and the OSCE document on Stockpiles of Conventional Ammunition are constantly areas of priority importance of the FSC.

Last but not least, let me point out that the FSC works in close cooperation with the OSCE Chairman-in-Office in common areas to achieve the above mentioned goals.
NATO Efforts to Counter the Threat of MANPADS

Susan Pond

Head of the Partnership for Peace and Cooperation
Programmes Section, Political Affairs and Security Policy Division, NATO

MANPADS are a major threat to military and civil aviation. A broad spectrum of complementary measures is necessary to protect military and civilian aircraft. These include: counter proliferation diplomacy; threat performance and airfield/airport area vulnerability analysis; crew awareness- and avoidance training (tactics/procedures); aircraft design, redundant avionics and signature reduction; consequence management in case of damage; and self-protection equipment.

In addition to specific measures to protect aviation assets NATO is also engaged in a programme of activities to ensure the safe storage, handling and destruction of MANPADS.

Protection of Military and Civil Aviation Against MANPADS

To protect NATO crews and aircraft, a large database on threats, aircraft signatures, scenarios, infra-red counter measures tactics/techniques and self-protection equipment has been developed and is kept up to date. Bi-annual trials are held to keep abreast of threat development, to test and optimize self-protection equipment and tactics and to update a compendium on future self-protection suites as a reference for national programmes. Self-protection measures for commercial aircraft in a civil aviation environment could also be evaluated on the basis of the database and accumulated experience, and procedures and existing technologies could be adapted from military to commercial aviation. A comprehensive stocktaking study currently under way should be finalized later this year and will be used for a more detailed information exchange with civil aviation authorities. The stocktaking study will cover, inter alia, departure and arrival procedures, power settings, use of landing lights and auxiliary power units, vulnerability investigations of airfields and their vicinities, and advice on modeling and simulation as well as crew training.

As the vulnerability zone around airports is considered too large for totally effective policing (transport aircraft and airliners as well as helicopters are most vulnerable during takeoff and landings, where they travel at low speeds and low altitudes), Allied forces rely increasingly on installed self-protection equipment on transport aircraft/helicopters. Allies are requested to have an effective self-protection suite installed on their combat aircraft before their NATO assignment of such aircraft is accepted. The primary technology to counter new generation MANPADS with quasi-imaging or imaging seekers is laser-based Directed Infra-Red Countermeasures (DIRCM) to blind or destroy missile seekers. Such systems are already installed in small numbers on high value (VIP) carriers and will become more widely used in the years to come. In response to this growing threat and based on this technology, NATO is working on equipping Allied aircraft (beginning with transport aircraft and helicopters) with effective self-protection suites ensuring maximum protection in the foreseeable future.

Storage, Handling and Destruction of MANPADS

In addition to measures to enhance the safety of civil and military aircraft, NATO is engaged in a range of comprehensive measures to ensure munitions such as MANPADs do not fall into the hands of unlawful users. Storage, movement and handling of all munitions is tightly controlled by national regulations that are based on agreed NATO principles. All NATO countries exercise strict control over the storage and movement of all types of ammunition, with even more stringent controls being applied to those categories of munitions considered to be of special interest to terrorists. These more stringent rules apply to items such as MANPADS, shoulder fired rockets, grenades and small arms.

Ms. Pond began her NATO career in 1989 working at SACLANT as a research analyst. She was promoted and moved to NATO HQ where in 1990 she joined the Civil Emergency Planning Directorate. In 1998 Ms. Pond joined the Defence Partnership and Cooperation Directorate of the Defence Planning and Operations Division at NATO HQ, assuming responsibility for Ukraine. She established the NATO Liaison Office (NLO) in Kiev in April 1999 and served as the first Head of the NLO. She returned to NATO HQ in March 2000 to resume responsibilities as advisor on NATO-Ukraine defence cooperation. She is the architect of the Partnership for Peace Trust Fund Policy established by NATO in November 2001. Ms. Pond is currently the Head, Partnership for Peace and Cooperation Programmes within the Euro-Atlantic Integration and Partnership Directorate of the newly-established Political Affairs and Security Policy Division at NATO HQ. She brings with her more than a decade of experience in shaping policy and developing activities to support cooperation between Allies and Partners. Ms. Pond has a BA from College St. Boniface (Manitoba) and a Graduate Diploma in International Relations from the University of Lancaster (UK).
ammunition. In addition, NATO has developed a complementary programme of cooperation with NATO and non-NATO states (stretching from Canada to Central Asia) taking part in Partnership for Peace. NATO cooperation with non-NATO nations should be seen in the broader context of ongoing efforts within the Partnership for Peace to assist nations in the transformation of their armed forces and security structures and NATO’s commitment to countering terrorism. Practical cooperation focuses on three main areas: stockpile management and security including site and procedures; safe destruction of surplus stocks; and export control. These operational aspects are considered an essential role in the fight against terrorism as the overwhelming majority of weapons and equipment, such as MANPADS, used by terrorist groups and criminal organisations are believed to originate from unsecured excess stocks of national armed forces.

The Ad Hoc Group on SALW, is the primary focal point for multi-lateral efforts between nations. This includes provision of national experts to assist in drafting of appropriate export controls. The Ad Hoc Group is also the focal point for the exchange of information between governments, NGOs such as Safer World and Small Arms Survey, and other government institutions. The 2004 programme of activities gives special attention to SALW issues related to the terrorist threat, such as MANPADS, export controls, and efforts undertaken in other frameworks such as Wassenaar Arrangement, the OSCE and EU.

As part of NATO’s cooperation related to defense reform, NATO staff and nations experts assist non-NATO nations to develop appropriate and sustainable defence structures. This includes practical support such as training courses and expert teams to conduct site inspections, identification of surplus inventories and development of plans for their safe destruction. This expert advice is available to all twenty non-NATO Partners and to the seven nations of the seven Mediterranean Dialogue partners.

The PFP Trust Fund is one of the practical tools for the safe destruction of munitions. Since 2000, NATO and non-NATO nations raised 10 million Euro in voluntary contributions for the safe destruction of surplus munitions, SALW and Anti-personnel Landmines (APLs). In addition, NATO will on request provide expert teams to assist in the development of detailed destruction plans. A current project proposal for Ukraine aims to destroy 133,000 tons of munitions and 1.5 million SALW. In May a NATO expert team will visit Kazakhstan to discuss destruction of a range of stocks including a number of MANPADS.

11 Turkey recognises the Republic of Macedonia with its constitutional name
Session II

Terrorism: Criminal Nexus
International terrorism, which has become a large-scale security threat, is undergoing significant changes. We are observing its transformation both as a socio-political phenomenon and as a particularly dangerous form of crime.

Terrorist organizations are diversifying the forms and the methods of their criminal activities, placing emphasis on contemporary technical possibilities. The leaders of terrorist groups are resorting to the most inhuman means of instilling fear into the population and the authorities in attempting to dictate their will to them. At the same time, there exists a trend towards the merging of various forms of regional and international criminal activity and towards an increase in threats of a terrorist nature. We are witnessing a fusion of terrorism with transnational crime in its various forms: illegal trafficking in drugs and arms, the use of mercenaries, kidnapping and illegal migration.

First of all, these changes are occurring as a result of the active incorporation of terrorist methods into the practices of organized crime and drug trafficking, as well as those of organizations having a religious-fundamentalist or totalitarian basis, and as a result of a significant increase in the degree of participation of these groups in terrorist activities. Criminal groups are employing terrorist tactics as their weapons, while terrorist groups are involved in criminal activities in order to obtain the financial and material resources they require.

The general preconditions for co-operation between criminal organizations and terrorist groups are an adherence to anti-social ideas, a highly organized structure as well as shared interests and aims covering a certain period of time and certain regions. The existing relationship between terrorism and criminal activities has the potential to significantly increase the possibilities of extremist groups and criminal organizations, as well as to exacerbate the crime situation in certain regions and countries. The development of organized crime and other forms of criminal business is increasingly becoming a necessary condition for the existence of powerful terrorist groups and their activities. Kidnapping for ransom, drug trafficking, control of ethnic criminal organizations and a shadow economy designed to yield financial resources and promote rackets and smuggling — this is far from an exhaustive list of the criminal manifestations of terrorism on a national and international level. Suffice it to say that ordinary criminal offences lie at the basis of preparations for any significant terrorist acts — seizure of weapons and explosives, for example, and sometimes of means of transport.

An analysis of recent terrorist activities in the Eurasian area, which was conducted by the Anti-Terrorism Centre of the Commonwealth of Independent States (CIS), showed that at present one of the main motives for terrorism both on the territory of the CIS and throughout the world is to obtain funds. Terrorism is changing from coercive diplomacy into an end in itself for the criminals who use it. And it has long ceased to be a secret that for the majority of terrorist groups, terror has changed from a means of realizing political objectives into an economic resource; quite simply it has become a business.

This being so, the main source of finance for terrorist activities and hence for the profits of terrorist ringleaders is not so much the income obtained from various kinds of “criminal business” as funds received directly from those ordering the attacks.

Many methods are used to transfer money to terrorists, the safest of which from the standpoint of those organizing the terrorist actions is cash transfer by special couriers and transfers effected through so-called “Islamic banks” which do business on the basis of Islamic law. The so-called “Hawala system”, which involves simple transfers of cash to a bearer and makes cash deals a good deal safer, has been widely used in South Asia and the Middle East. This system is based on trust and confidence that the funds thus transferred will be paid directly to the recipient indicated by the person initiating

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Mr. Boris Alexandrovich Mylnikov is the Head of the Anti-Terrorist Center of the Commonwealth of Independent States, located in Moscow, the Russian Federation. Before taking up the present assignment in June 2000, Lt.-General Mylnikov had worked as the first Deputy Director of the Department on the Protection of the Constitutional System of the Russian Federal Security Services. During his twenty-five years of service with the Russian Federal Security Services, Mr. Mylnikov held various positions with increasing responsibilities, both in the FSS headquarters and its regional centers, such as in Stavropol Krai, Sverdlovsk, and Leningrad. Lieutenant-General Mylnikov was born in 1952 in Leningrad (St. Petersburg) where he graduated from the Leningrad Institute of Precision Mechanics and Optics in 1975 with a degree in electro-mechanical engineering.
the transfer. In practice this method of transferring funds for the use of terrorist organizations is the most widespread because it makes it possible to avoid naming the sponsor or receiver and the quantity of funds being transferred.

In this context, practical steps to halt the financing of terrorism must take into account the complex interrelationship between the practical actions of the intelligence services and the rules of law underpinning them. The main difficulty here lies in the need to observe the bank and commercial secrecy required by the private interests of individual citizens and organizations and reconcile the whole operation with the economic security of States as a whole.

Certain difficulties are caused by the lack of any consistent formulation of the lists of terrorist organizations whose activities are prohibited in particular States. Such lists are often produced at the national level on the basis of “double standards” dictated by an egoistic approach to questions of security affecting the international community and neighbouring States. This merely plays into the hands of the sponsors of terrorist organizations, including those engaged in offshore operations.

The merging of terrorism with organized crime, the widespread and complex system that sponsors terrorism, and the broad international connections of terrorist organizations make it impossible to combat terrorism effectively by relying on the success of isolated actions conducted by the intelligence services and law enforcement agencies of individual States. We need to develop agreed approaches for the determination of priorities in counter-terrorism activities. Success in the war on terrorism depends more and more on carefully co-ordinated and in many instances common efforts to combat all forms of highly organized anti-social and criminal activity.

An example of such collaboration at the global level can be seen in the co-operation of regional anti-terrorist organizations under the aegis of the Counter-Terrorism Committee of the United Nations Security Council and the United Nations Office on Drugs and Crime, as well as in the close interaction with the Financial Action Task Force on Money Laundering (FATF). The International Convention for the Suppression of the Financing of Terrorism, United Nations Security Council resolution 1373 of 2001 and the FATF recommendation on the laundering of money obtained by criminal means have become powerful instruments in the hands of national and regional anti-terrorist organizations.

In the countries belonging to the Commonwealth of Independent States a regional security system incorporating a number of anti-terrorist bodies has been set up. These include the CIS Anti-Terrorism Centre, anti-terrorist structures established under the aegis of the Collective Security Treaty Organization and its forces-related component, and also the Shanghai Co-operation Organization.

As the agency responsible for co-ordinating the work of the intelligence services of the CIS member States, the Centre is endeavouring to harmonize the approaches to combating terrorism in our countries and increase the effectiveness of co-operation between the member States in this area. At the same time, we do not wish to duplicate the aspects of counter-terrorism co-operation provided for by multilateral and bilateral agreements but rather to ensure that the entire multi-component security system of the Commonwealth States in this area is co-ordinated.

A specialized database containing information on terrorist organizations, individuals involved in terrorist activities and structures suspected of financing terrorism, which is to be constantly updated and made available to agencies directly involved in the fight against terrorism, has been set up at the Centre. A number of arrests have been made on the basis of this information and persons under investigation for involvement in terrorist activities have been extradited.

A number of priority areas have now been identified for the international community’s efforts to combat the financing of terrorism.

The main thing is the integration of all those involved in counter-terrorism activities at the national level and the co-ordination of their work at the regional and international level. In this context — without going into bilateral and multilateral co-operation between the relevant national agencies — counter-terrorism activities must be co-ordinated on the basis of a hierarchical model: international — regional — national counter-terrorism structures. This is essential to avoid a duplication of functions and any unnecessary complication of the global counter-terrorism system.
The next most important issue is the creation of an effective mechanism for the exchange of information on terrorist organizations, sponsors of terrorism and ways of combating them at every level of counter-terrorism work. This mechanism should involve not only the exchange of analytical and technical information as well as information on law enforcement but also the drawing up of uniform regional lists of prohibited organizations and their reciprocal recognition by the States of the region.

A no less important aspect of counter-terrorism is the establishment of specialized national bodies whose task it will be to combat the financing of terrorism and toughen the penalties for sponsors of terrorism. Tougher punishment for the financing of terrorist organizations may be achieved by treating it as a crime just as serious as the terrorist activities themselves and by adapting national laws and bringing them into line with one another in this area.

The implementation of these measures requires technical assistance on the part of the most developed countries of the global community, with appropriate co-ordination at the regional and international levels.

We believe that precisely this kind of approach — taking due account of the common interests of the States of the world community while bearing in mind their national interests — will help to create a global security system for combating terrorism. In this connection, inter-State co-operation in combating the financing of terrorism must not be an end in itself but rather an instrument for solving specific problems together. The success of this effort will be demonstrated by the practical benefits which the participants derive from it.
Counterterrorism Action Group Efforts to Combat Terrorist Financing

Celina Realuyo

Director of Counterterrorism Finance Programs, Office of the Coordinator for Counterterrorism, U.S. Department of State

[Summary of Presentation in Bullet Points Form]

- September 11 attacks underscored the importance of stemming the flow of funds to terrorist groups
- September 11 served as a catalyst to institute and/or reinforce measures to combat terrorist financing and money laundering

National Level (i.e., national strategies)
Regional Level (i.e., APEC, OAS/CICTE, OSCE, etc.)
International Level (i.e., UN, FATF, G-8)

- CTAG was established at the G-8 Evian Summit in June 2003
- CTAG provides CT assistance donors with a forum to identify priority areas of need to implement UNSCR 1373, and to coordinate CT capacity-building efforts to maximize impact. To date CTAG has focused on the following subject areas:
  - Terrorist Financing
  - Port and Maritime Security
  - Aviation Security
  - Police and Law Enforcement

- CTAG meets regularly throughout the year and includes the UNCTC as a member to ensure a seamless link with that organization.

- CTAG decided to leverage the AML/CTF expertise of the Financial Action Task Force on Money Laundering to address CTF technical assistance request

- CTAG and FATF developed a list of priority countries for CTF technical assistance
- FATF has embarked on technical assistance needs assessments of these countries
- Assessments will assist donor community in addressing needs

- CTAG/FATF exercise strives to maximize impact of technical assistance programs and avoid duplication of efforts
- Criminalize terrorist financing and money laundering
- “Know Your Customer” and report suspicious transactions
- Collect, analyze, and disseminate suspicious transaction reports
- Investigate and pursue terrorist financing and financial crimes
- Prosecute terrorist financing crime

13 Celina Realuyo serves as Director of Counterterrorism Finance Programs in the State Department Office of the Coordinator for Counterterrorism. Her office is responsible for coordinating U.S. counterterrorism policy and for efforts with foreign governments to deter terrorist financing.
While significant AML/CTF measures to supervise the traditional banking system have been undertaken since 9/11, challenges remain with the oversight of non-bank conduits:
Alternative Remittance Systems (ARS) are efficient, cost-effective, largely unregulated means to move funds without a paper trail
Non-Profit Organizations (NPO’s) are well-intentioned vehicles to raise and channel funds to charitable works, but may be abused by terrorist financing networks
Cash Couriers are an efficient way to move money across borders for nefarious purposes but difficult to detect and control
Through international efforts such as G-8/CTAG, donor countries can channel human and financial resources to:
1. Encourage regulation and registration of ARS and NPO’s;
2. Educate ARS and NPO operators of their vulnerability to possible abuse by terrorist financing networks;
3. Train law enforcement authorities to detect terrorist financing schemes through ARS or NPO’s;
4. Promote cross-border information sharing of case studies and typologies on abuse of ARS and NPO’s;
First of all I would like to provide some background on the FATF, in order to show how we co-operate with the various international organisations and countries that participate in our work. The FATF is an intergovernmental body that develops and promotes policies to combat money laundering and terrorist financing. Its objective is to generate the political will necessary to bring about national legislative and regulatory reforms in this area. The FATF’s main tool in achieving this objective lies in the development of a comprehensive series of anti-money laundering and counter-terrorist financing measures for national governments to implement, so that they can protect their financial system from misuse by criminals and by terrorists.

In addition to its role as a standard setter, the FATF also examines money laundering and terrorism financing techniques and trends. It assess its members implementation of anti-money laundering and counter-terrorist financing measures and it continually reviews and refines these measures as necessary to make sure that they are responsive to the current threat.

Right now the FATF has 31 members. The 40 Recommendations (originally called the 40 Resolutions on Money Laundering) were the original standards established by the FATF and its the original raison d’être, if you can use that word. They were developed in 1990 for specifically countering money laundering; they were revised in 1996 and, most recently, in 2003 after a two year review process. Together with the eight Special Recommendations they set forth a comprehensive basis for countering both money laundering and terrorist financing.

The eight Special Recommendations which have been mentioned by other speakers over the course of the past day are the specific focus for the FATF on the counter-terrorist financing effort. They were adopted by the FATF on the 30th of October 2001 in Washington, D.C. This work of adopting or elaborating these Recommendations was a joint effort not only of the FATF membership but also of the observer organisations that play a role in the FATF.

Over the past two and a half years the FATF has worked in close co-operation with other relevant international and regional bodies, in order to help jurisdictions in implementing these Recommendations. Since June 2002, the FATF has worked especially to provide additional guidance on the 8 Special Recommendations and how they should be implemented. I mentioned a couple of those things yesterday but this guidance has been primarily on four of the eight Recommendations and has consisted of interpretative notes and Best Practices papers. Specifically these were in the areas of non-profit organisations, wire transfers, alternative remittance and most recently on confiscation and freezing measures.

The FATF is currently working on, and hopes some time later this year to provide additional guidance on Special Recommendation No. 2, which deals with the criminalisation of terrorist financing. All of this guidance has been developed in co-ordination with specifically the FATF-style regional bodies and other organisations that I mentioned, which have relevant expertise in the counter-terrorist financing area. In particular, I would like to mention that the UN CTC and the UN 1267 Committee as well as representatives of the private sector have been involved in this. Other organisations participating in our meetings have not been shy about presenting their opinions, as well and in many cases this has influenced the final outcome.

I mentioned before the FATF’s role in assessing implementation. The FATF, because of this special activity and role of assessing its members implementation of the 40 Recommendations, these experiences allow it to be involved in assessing the strengths and weaknesses of Anti Money Laundering Counter Terrorist Financing (AML/CTF) systems outside of the FATF. Specifically, the

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Vincent Schmoll is one of the two Senior Administrators of the Secretariat of the Financial Action Task Force (FATF) in Paris. He is above all responsible for matters which concern the counter-intelligence of the financing of terrorism, as well as the management of the FATF’s programme, analysis of money-laundering and the financing of terrorism (methods and trends), which finds its expression in the annual typologies. He is also the co-ordinator of the Secretariat of the “FATF Working Group on the financing of terrorist”, as well as the newly founded Typologies Working Group. Before he came to the FATF-Secretariat in 1998, Mr. Schmoll worked for eight years as a senior analyst for the “US Treasury’s Financial Crimes Enforcement Network (FinCen)”. He holds a Bachelor of Science in Linguistics from Georgetown University.
FATF has undertaken an initiative to determine technical assistance needs in critical areas for a series of jurisdictions that have been identified by the G-8 Counter Terrorist Action Group (or the CTAG). This initiative is known as TANA or Technical Assistance Needs Assessments. It focuses on seven aspects of the jurisdiction’s counter-terrorist financing regime. The first in being criminal justice measures applicable to terrorist financing. The second, capacities for confiscating and freezing terrorist assets. The third, suspicious or unusual transaction reporting systems. Fourth, the international co-operation that the jurisdiction may be involved in. Fifth is alternative remittance systems. Sixth, wire transfers and the measures imposed concerning them. And seventh is non-profit organisations.

In October 2003 the FATF began work on these jurisdictions; right now one report has been completed. Several other reports should be completed very soon and will be provided to the CTAG. The CTAG in its forthcoming meetings, up through the early part of summer 2004 then be able to take these into account, determining what sort of technical assistance can be given and begin providing that assistance.

The FATF has also integrated counter-terrorist financing requirements of the eight Special Recommendations into the assessment methodology for mutual evaluations. All FATF members will be assessed during a third round of mutual evaluations which should start before the end of 2004. This methodology is also going to be used, we hope, by the IMF and the World Bank as they go to carry out their financial sector assessment programme. The FATF is encouraging the FATF-style regional bodies to formally adopt the same methodology that they use for conducting their own regional evaluations. The idea behind having a common methodology is that as we go out and look at countries, if we’re all using the same system to evaluate their strengths and weaknesses in the AML CTF area, then we will be better able to judge where further technical assistance needs may be necessary. In such a way we will be better able to prioritise the limited resources that we have for responding to those needs.

The FATF, as I mentioned, is also involved in analysing terrorist financing techniques. It has its annual FATF typologies exercise which specifically looks at terrorist financing issues. In my past, it has looked at non-profit organisations and informal money transfer systems. This past year the exercise that we have just completed looked again at non-profit organisations and wire transfers. Over the coming year the FATF will continue to look at these and will begin studying the role of cash couriers and narcotics trafficking as far as terrorist financing is concerned. This is another area where there is a great deal of co-operation not only with countries outside of the FATF, through the FATF-style regional bodies, but also with the various organisations that participate in the FATF as observers.

The FATF is continuing to encourage its dialogues with the FSRBs, the FATF-style regional bodies, as far as standard setting is concerned. We are reviewing the measures that we are trying to put in place, assessing compliance with the eight Special recommendations. The FATF continues to work also with the CTAG, the IMF, the World Bank, the CTC and the UN 1267 Committee, wherever appropriate, to assure that there is a consistent approach to counter-terrorism financing and to preclude as much as possible any duplication of efforts.

The FATF is also beginning to develop further interaction with non-member jurisdictions. Most recently, it held a counter-terrorist financing seminar as an add on to its plenary meeting in February and it invited 13 key non-member jurisdictions to participate in an exchange of views on terrorist financing themes. The seminar enabled the FATF to build awareness about the implementation of international terrorist financing standards. We also looked at problems of implementation and obtained some feedback, some possible solutions to those implementations in countries that are outside of the FATF.

Let me conclude by emphasizing, that the FATF will continue as much as possible to work with other organisations that share the same goals and contribute and support to the same issues in the anti-money laundering and counter-terrorism financing effort. This has worked for us in the past and the participation of the observer organisations has been very important in the work that we have done. We believe that this work can be enhanced and strengthened.
Session III

Narco-Terrorism
Terrorism and Drug Trafficking

Kevin Newmeyer
Program Director, Inter-American Committee Against Terrorism (CICTE)

The Problem

Terrorism and drug trafficking are often linked. The nexus often involves the money generated from illegal activity that terrorist groups use to sustain and expand networks and operations. While an individual terrorist act may not require extensive funds (for example the 9-11 attacks are reported to have cost less than $500,000\(^{16}\) and a car bombing requires considerably less) maintenance of a network of operatives and cells requires significant amounts of cash. Funds are needed to purchase weapons, travel, provide living expenses for terrorists and their families, and a host of licit and illicit activities.\(^{17}\) In testimony before the United States Senate, senior US State Department officials stated that terrorist groups have increasing turned to drug trafficking for fund raising as international efforts have been successful in diminishing state sponsorship of terrorism.\(^{18}\) While drug traffickers and terrorists traditionally have distinctly different goals, there is a wide area of common interests and objectives that allow for pragmatic cooperation.

In the Americas, the production and distribution of cocaine generates enormous amounts of cash. Estimates vary from a low of $180 million to as high as $600 million per year. Some of the cash is used to fund terrorism. Carlos Castano, the leader of the United Self-Defense Forces of Colombia (AUC), declared in 2000 that 70% of the AUC’s operational funding derived from the drug trade.\(^{19}\) Various other groups are involved to some extent in the production and distribution of illegal drugs (including cocaine, marijuana, and heroin). This involvement includes providing protection for illegal airstrips and production facilities as well as taxation of drug producers and growers. Increasingly, terrorist groups are being paid in kind with drug and or weapons.\(^{20}\) The United States has indicted leaders of the FARC and AUC on charges of selling drugs for money and arms and aiding the transport of those drugs to the United States, Europe, and South America. Significant evidence exists of trade in drugs and guns through from Colombia through Paraguay and into Brazil.\(^{21}\) The US State Department has identified Hezbollah activity in drug trafficking in the region as early as 1995.\(^{22}\)

The distinctions between terrorism, drug trafficking and other forms of transnational crime are becoming increasingly blurred. Terrorist organizations that have turned to drug trafficking to generate income may become addicted to the cash flow and could find it difficult to “get out of the drug business.” Policy makers are thus forced to address the issue with a multi-faceted, inter-agency approach over a considerable length of time.

In examining the relationship between the narcotics trade and terrorist/guerrilla groups in Latin America the following key points dominate: \(^{23}\)
- The indigenous terrorist/guerrilla groups in the drug producing areas of Colombia and Peru are heavily involved in the drug trade.

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\(^{15}\) Mr. Newmeyer is currently seconded to the Organization of American States (OAS) as the Program Director for the Inter-American Committee Against Terrorism (CICTE). The founding member of the CICTE Secretariat, he represents the Organization of American States with the UN Counter-Terrorism Committee (CTC), the Financial Action Task Force (FATF), and numerous international and member state forums. A career naval officer, Commander Newmeyer served in leadership and policy positions both at sea and ashore. An Olmsted Scholar, Commander Newmeyer is a graduate of the Spanish Diplomatic School and Universidad Complutense in Madrid Spain with graduate degrees in International Relations. He also graduated from the US Naval Academy in 1983 and received an MBA from George Mason University in 2003.


\(^{19}\) Ibid. p.54.

\(^{20}\) LOC, May 2002, p. 56

\(^{21}\) See Library of Congress “Terrorist and Organized Crime Groups in the Tri-Border Area (TBA) of South America” July 2003. This study details open source reporting on the involvement of both indigenous South American groups and Islamic fundamentalists


• Significant amounts of the drug related income derives from taxation of growers and traffickers
• The groups are bartering cocaine and opium for weapons and other material from the drug cartels
• The terrorists and drug smugglers use the same smuggling routes, similar methods of money laundering, and take advantage of the same tendencies for official corruption. The use of forged travel documents, false customs declarations, trusted couriers, the Black Market Peso exchange and similar forms of illegal activity are common to both groups.

What should the international response be?

Clearly an isolated, stove piped approach will be insufficient. The flexibility and adaptability of both the criminals and the terrorists argue against rigid, hierarchical approaches. Integrated, cross-sector approaches offer advantages. Drug traffickers and terrorist cooperate because it is to their mutual advantages. The forces arrayed against them must adopt the same approach. The UN Counter-Terrorism Committee (CTC) has adopted a three-stage approach to the fight against terrorism. The initial stage involves establishing the legal framework necessary to criminalize and prosecute terrorist activity. The second phase focuses on establishing the practices and procedures necessary to implement the legislation and allow the state to truly function in the international arena with respect to counter-terrorism. The final stage becomes one of monitoring and sharing of best practices and brings all states up to an adequate level of performance. The fight against global drug trafficking can follow a similar pattern. The international conventions and norms currently exist. Success depends on building the political will. The problem of drug money financing terrorism will not disappear without universal recognition of the problem and concerted efforts to not only curtail demand and cut supply, but to go after the flows of illegal funds, gaps in border security, and official corruption that allow the criminals to function.

What is the Organization of American States doing?

On the counter-terrorism front, the primary forum for the OAS is the Inter-American Committee on Terrorism (CICTE). This committee of the whole address terrorism issues at the policy level, adopting recommendations for the member states, and approving the work-plan to focus the activities of the member states and the CICTE Secretariat. The Secretariat serves coordination and program management functions. It has establish relations ship with a large number of international organizations and agencies, develops and executes training programs in response to member states’ needs, and serves a vital role in information-sharing and exchange of best practices. The secretariat is active in supporting projects in countering terrorist financing, strengthening border controls, development of effective CT legislation, cyber security and critical infrastructure protection. It also actively works with the OAS General Secretariat to build cooperative information sharing networks across the Organization’s functional areas.

The Inter-American Commission against Drug Abuse (CICAD) predates CICTE in the OAS. Starting in the late 1980’s, CICAD formed in response to the member states’ desire to achieve closer cooperation in efforts to counter drug abuse and trafficking at the hemispheric level. CICAD focuses on:

• Fostering multilateral cooperation on drug issues in the Americas
• Executing action programs to strengthen the capacity of CICAD member states to prevent and treat drug abuse; combat production and trafficking of illicit drugs; and deny the traffickers their ill-gotten gains; and
• Promoting drug-related research, information exchange, specialized training, and technical assistance.

The CICAD Mutual Evaluation Mechanism (MEM) provides a means for states to assess and be assessed on progress with respect to national and hemispheric goals in addressing the drug problem. Created following the Second Summit of the Americas in 1998, the MEM is designed to:

“Continue to develop their national and multilateral efforts in order to achieve full application of the Anti-Drug Strategy in the Hemisphere, and will strengthen this alliance based on the principles of respect for the sovereignty and territorial jurisdiction of the States, reciprocity, shared responsibility and an integrated, balanced approach in conformity with their domestic laws;
With the intention of strengthening mutual confidence, dialogue and hemispheric cooperation and on the basis of the aforementioned principles, develop, within the framework of the Inter-American Drug Abuse Control Commission (CICAD-OAS), a singular and objective process of multilateral governmental evaluation in order to monitor the progress of their individual and collective efforts in the Hemisphere and of all the countries participating in the Summit, in dealing with the diverse manifestations of the problem."

CICAD’s overall program is significantly larger than CICTE’s ($2M/yr) and encompasses the following areas: Alternative Development; Legal Development; Institution Building, Money Laundering; the MEM process; Demand Reduction; Supply Reduction and Control, and information sharing. CICTE and CICAD’s interests overlap in many areas. In regards to terrorist financing, we work cooperatively in developing training programs for Financial Intelligence Units (FIUs), work with FATF and the regional FATF style bodies. CICTE experts participate in various CICAD groups of experts on issues ranging from money laundering and model legislation to port security. By bringing together our specific knowledge we are able to access a broader spectrum of participants and cut across functional areas to maximize effectiveness.

At the institutional level with the OAS, CICTE has been directed in its work plan, General Assembly resolutions and the Declarations of San Salvador and Montevideo to establish working relations with several organs of the Inter-American system. By participating in plenary meetings of the CICAD, Inter-American Ports Committee (CIP), Inter-American Telecommunications Commission (CITEL), tourism, and others, CICTE is able to raise awareness of terrorism issues in multiple fora to build awareness and political will. This interagency approach is essential to leverage the limited assets available. It is important to understand that knowledge is not a finite resource but one that actually increases as it is shared.

The following passage from the recently approved Declaration of Montevideo summaries the view of CICTE on cooperation and the nature of the relationship between terrorism and drugs:

That in order to continue the fight against terrorism it is essential to improve, in accordance with national law, the exchange of information and experiences among the competent national authorities, as a core component of cooperation among the states of the Hemisphere;

AFFIRMING that the threat of terrorism is exacerbated by the connections between terrorism and illicit drug trafficking, illicit trafficking in arms, money laundering, and other forms of transnational organized crime and that the resulting alliances and benefits derived from those connections are or can be used to support and finance terrorist activities;

In summary, CICTE operates on the basis of information sharing and leveraging of assets. Our goal is not to be duplicative of any other agency. We have important value to add continually seek to find venues to assist. To address the problems of terrorism and drug trafficking it is imperative that cooperation and information sharing occur not only across an organization but also within and between the member states and the international community as a whole. The ability to transfer millions of dollars across a border with no more than a few mouse clicks on a computer gives the terrorists a significant advantage. Smuggling routes used for drugs can be followed with other flows of goods and people. Cooperation and information sharing are the only means that legitimate actors can increase their effectiveness.

Narco-Terrorism – A View from the Field

Richard Will  
Regional Law Enforcement Adviser, United Nations Office on Drugs and Crime, Pakistan

Terrorism in South West Asia has been foremost on the minds of almost the whole world, with the events of Sept 11; Taliban and Al-Qaeda are now words used in everyday language when talking about terrorism.

What is Narco Terrorism? It refers to two different phenomena:

1. A form of revolutionary terrorism in which the insurgents use production or trafficking of narcotics to finance their revolutionary activities.

2. A form of entrepreneurial terrorism, in which the traffickers use terrorism to keep Governments, Law Enforcement etc from interfering with their activities.

Both the forms of narco-terrorism are present in the SW Asia region, especially in Afghanistan. Unfortunately, drug trafficking and terrorism in Afghanistan seems to be inexorably linked.

Production of opiates in Afghanistan since 1980, shows a steady growth year on year, with approx 3,600 metric tones of opium potentially produced in 2003. The recently released UNODC Farmers Intention Study indicates increased production in 2004. All the indications are that the upwards graph is set to keep rising.

With regard to the current worldwide situation, the US Attorney General in July 2002 stated that one third of organizations on the State Department’s list of terrorist organizations also appeared on the US list of targeted drug suppliers.

Drug trafficking networks are ready made conduits for any commodity including terrorism. Within the Afghan drug networks there are those who specialize as transporters – often the local tribes people who know the terrain and sell their services to carry drugs. After the invasion of Afghanistan in 2001, there were reports of these transporters moving to a new commodity – Taliban and Al Qaeda operatives across the borders.

Remedies - There are generally three main practical components to address the problem of global terrorism:

Intelligence
Effective Law Enforcement Activities
Regional/International Cooperation.

In addition, we need to also look at the following:-

Money Laundering and Legislation.

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25 Mr. Richard Will is a Regional Law Enforcement Adviser, UNODC. Since 1980 he worked for UK Customs and Excise, in a number of disciplines and in 1985 he joined the Custom's Investigation Division. Since 1985 he has specialized in counter narcotics and intelligence, working on narcotics operational teams and working overseas in India, Pakistan, Central Africa, the Netherlands and Spain. He served in the National Drugs Intelligence Unit (NDIU) based at New Scotland Yard and was part of the team that saw the transformation of NDIU to the National Criminal Intelligence Service (NCIS). Between 1993-1998 he worked for the UK Government in the field of counter narcotics intelligence, based in Karachi, Pakistan, and in 1999 was seconded to UNODC (UNDCP) as Regional Law Enforcement Adviser, SW Asia. During this period he worked in Pakistan and Iran and, more recently, in Afghanistan.
Intelligence

When we talk of Intelligence it brings up images of banks of high tech equipment and gadgets. In 2002 a joint UNODC, Afghan Government and German Government mission assessed the capacity of Law Enforcement in Afghanistan – Not surprisingly, Intelligence in any recognizable form, was nowhere to be seen.

Law Enforcement

Similarly, the very fabric for Law Enforcement had all but eroded.

UNODC together with other partners (viz. Governments of Germany, UK and USA) is assisting the new Government of Afghanistan to start again. Refurbishment or rebuilding of the fabric is underway, the training of staff to carry out the tasks required of them has started and the equipment they need is being supplied. The Counter Narcotics Police of Afghanistan are now a quasi independent body within the overall police restructuring and are beginning to establish themselves nationally. The Government of Germany has taken the lead in building the counter-narcotics intelligence capacity.

International Cooperation.

Afghanistan is now starting, with UNODC assistance, to attend international forums, which is a welcome development. But this needs to be expanded.

Money Laundering and Parallel Banking

The profits from the drug trade are by now almost legendary.

In the last two years, there has been much discussion about Hawala banking system. Until a few months ago Afghanistan did not have any banking system. Now the first banks are trying to open in Kabul – all foreign banks. The only way the country could function was on the basis of cash and by using informal mechanisms of moving money around the country. Indeed, most UN and NGO organizations can only function within the country by using this method. Many steps have been taken to try and regulate the flow of funds by this system. But the Hawala system has been used for centuries as a way of moving funds globally, in an unregulated but efficient way. Not only migrant workers remitting funds to the family back home use it, but also the funds for and from illicit trade make use of it. This has extended now to funding for international terrorism. Given this background at present the traditional methods of controlling money laundering will not work in Afghanistan.

Legislation

As a part of UNODC – Terrorism Prevention Branch’s global activities in terms of addressing legislative needs, a mission is planned to discuss with the Afghan Government the steps needed for ratification and implementation of the universal instruments. Afghanistan needs time and assistance to move away from its label as a narco-terrorist state. Let’s ensure that the rhetoric generated from these meetings can be translated into tangible, ground realities. Then we will see a concerted move towards a global effective response to terrorism.
CONTRIBUTIONS OF DAY II
**Words of Welcome**

*Inocencio F. Arias*

*Chairman, Counter-Terrorism Committee of the Security Council*

Good Morning,

I would like to welcome you to the second session of our Follow Up Meeting. Let me remind the audience about the objectives for today: first, it is vital that we recognize the importance of information exchange. Next, we should focus on the development of activities together. Finally, we have to keep in mind the importance of the declaration that we are going to adopt today. The outcome of this meeting will be reflected in the future work of the Counter-Terrorism Committee.

We will now start with our programme.

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**Statement on the Occasion of Terrorist Attacks in Spain**

*Antonio Maria Costa*

*Executive Director, United Nations Office on Drugs and Crime*

On behalf of the United Nations *Office on Drugs and Crime*, I would like to express the deepest sympathy to the people of Spain and our strong conviction – as the United Nations Secretary-General Kofi Annan said yesterday – that “killing of innocent people cannot be justified regardless of the cause.” This latest brutal terrorist attack is another stark reminder of how important it is for the international community as a whole to join forces in facing this most vicious threat of our time.

The news of the senseless killing in Madrid came at the moment when the Chairman of the Counter-Terrorism Committee of the Security Council (CTC), the representatives and experts of the United Nations, and the Organization for Cooperation and Security in Europe (OSCE), as well as of dozens of their member states, meet in Vienna to explore ways and means to enhance joint counter-terrorism activities.

We at the United Nations *Office on Drugs and Crime* are strongly committed to contribute to the strengthening of common defences against terrorism. Our mandate covers most of the underlaying factors that make our world vulnerable to large scale crime and terrorism. Whether it is trafficking – in drugs, in firearms, in human beings – or corruption and money-laundering, or lack of rule of law, we often find it closely related to terrorist activities. Terrorism is a social evil related to others. The CTC is working together with UNODC and with other international and regional organizations, such as OSCE. Together we can weaken the terrorists’ base by depriving them of their illegal sources of income. In doing so, we need to establish a multilateral surveillance which looks at terrorism and related forms of crime in an integrated way.

Enhancing our joint efforts against terrorism is the most appropriate way to honour the victims of senseless violence in Spain and elsewhere around the globe.
Good morning to you all and welcome to the Vienna International Centre!

Yesterday we made a good start at the Hofburg by looking at 1) Current and emerging threats, 2) MANPADS and the 3)Terrorism-Crime nexus.

Today our agenda is encompassing:
1) Preventing the financing of terrorism,
2) Ratification and implementation of the 12 universal anti-terrorism instruments,
3) Border management issues, and finally,
4) Co-ordination between international, regional and sub-regional organizations.

I will not comment on all of these themes but allow me a few remarks on what is central to our mandate in the field of combating terrorism, the Ratification and implementation of the twelve universal anti-terrorism instruments.

Between 1963 and 1999 twelve international legal instruments related to the prevention and suppression of international terrorism were opened for signature and ratification. The purpose was – and is - to create a watertight international regime where there can be no safe havens for terrorists – they have to be either brought to trial in the country where they are caught or they have to be extradited to another State which will bring them to trial.

Yet before the Counter-Terrorism Committee came into existence in September 2001, only two states had ratified all twelve universal legal instruments. At that time, the Security Council, in the mandatory resolution 1373, called upon all states to become parties to these treaties. Today, almost two and a half years later, and despite all the work of the Counter-Terrorism Committee and the other organizations assembled here, there are only 45 states which have ratified all international legal instruments. In other words, 146 states have still to become parties to all twelve conventions and protocols.

We at the UN Office on Drugs and Crime have been assisting 34 Member States directly and another 34 indirectly on the road to becoming parties to these instruments. Yet the pace at which ratifications are finalized and deposited is much too slow.

What are the obstacles? I think three stand out:

1) First, we can only assist Member States if they submit a request to the CTC or to us directly. A number of states have not yet made official requests despite the fact that they have not fully ratified all conventions;

2) In some countries there are only a few qualified legislative drafters and they have many more bills to prepare for parliament and are simply overwhelmed by the international requests;

3) The problem is sometimes not with the Executive Branch of a requesting State but with the parliamentary assembly which often has a legislative backlog and is not giving priority to international obligations vis-à-vis national legislative needs.

Ad 1: To deal with the first problem, we can – and do - engage in quiet persuasive diplomacy but if that does not help, the more forceful voice of the Security Council will be needed to remind states of their obligations under resolution 1373.

Ad 2: As to the second problem: since there are often only a few already overburdened legislative drafters in many countries, we should provide them increasingly with legislative guides and we should integrate, to the extent possible, our legal assistance in such a way that advise on terrorism, organized
crime, corruption and other crime-related issues is provided simultaneously to them so that the laws have to be amended only once and not repeatedly.

Ad 3: With regard to parliament: we must be more aware of parliamentary schedules to target our technical assistance in such a way that legislative windows of opportunity are spotted and utilized, without, of course, infringing on the prerogatives of national assemblies. To do so, we should not only interact with the Executive branches of governments, but also with the Legislative branches and raise the awareness of specific parliamentary committees about their countries’ international obligations. We can, of course, only do so at the invitation and with the collaboration of the Executive branch of governments.

Well, these are a few thoughts on how to speed up the ratification process with regard to the twelve conventions and protocols. I submit them for your consideration. More needs to be done for if we continue at the present speed it will take us another two and a half years or more until we have achieved full ratifications of all international instruments.
Session I

Preventing the Financing of Terrorism
Partnership Activities concerning Preventing the Financing of Terrorism

Timothy Lemay 26
Chief, Anti-Money Laundering Unit, UNODC

Soon after assuming the leadership of UNODC, the Executive Director initiated an important exercise aimed at defining the Office’s goals and priorities for the medium term. Among the key operational priorities identified was the commitment “to leverage resources to exploit the power of partnership”. This implies partnership with like-minded stakeholders and in particular partnerships with development institutions - especially multilateral development banks - which is a focus of our discussion today.

Since that time we have seen an accelerated development of working-level co-operative activities involving UNODC, the Bretton Woods Institutions and other international bodies. In the field of countering money laundering and the financing of terrorism (AML/CFT), such partnerships have taken the form of broadening and deepening joint activities that to some extent had already been undertaken, and of course of initiating new ones.

Of course, in the context of combating terrorism, the Security Council’s Counter-Terrorism Committee plays a central role in the gathering and analysis of information from Member States and in coordinating technical assistance. This meeting, and others which have preceded it, are clear evidence of that. The CTC maintains a global matrix of technical assistance, to which we at UNODC are very pleased to contribute.

I will just say a few words about the context in which our partnership activities take place, before going on to give some concrete examples. Finally I will discuss the need to maintain and build on what we have accomplished.

First of all, it should be clear that our collective experience in anti-money laundering work has important carry-overs to the fight against terrorist financing. The two fields share many elements of a common infrastructure, including rules on

- Knowing your customer
- Record-keeping for financial businesses
- The obligation to report suspicious transactions
- The requirements for States to have a Financial Intelligence Unit
- Freezing, seizure & confiscation of assets linked to illegal conduct, and
- International co-operation in investigations, prosecutions and asset confiscation

As it is well known, UNODC is one of several bodies worldwide that have a mandate to assist States in the development of viable regimes aimed at anti-money laundering and (since 9/11) countering the financing of terrorism. These include the global financial institutions, the IMF and the World Bank; bodies with a focus on particular groups of states (such as the OSCE, the Commonwealth, the Council of Europe, the OAS); and bodies which have a particular thematic focus (such as INTERPOL or the World Customs Organisation) - to name only a few. There are others with whom we work on a daily basis, as a visit to our programme’s website <www.imolin.org> will make clear. Indeed, that website serves as a good example; it represents a commitment among international organizations - beginning in 1997 and now totaling eight in number with more to come - to pool AML/CFT information and make it generally available, not only to international bodies but to the public at large. Every week thousands of practitioners from many countries and organisations tap into the website’s AMLID database to research in detail the legislation, counter-measures and contacts catalogued there.

Since none of our organizations can be everywhere at once, joint work is necessary to get the job done while using resources efficiently. UNODC has much to bring to such a partnership approach, including our experience in the development of international conventions and other standards and in assisting States to meet the obligations imposed by them, UNODC’s world-wide network of 21 field

26 Mr. Timothy Lemay is Officer-in-Charge of the Global Programme against Money Laundering (GPML) at the United Nations Office on Drugs and Crime, Vienna. GPML provides advisory services and technical assistance to United Nations Member States in the areas of proceeds of crime and money laundering. Mr. Lemay joined the U.N. in 1995, following a career as a lawyer in Canada in both private practice and with Canada's Department of Justice, where he served as counsel to Canada's Integrated Proceeds of Crime Task Force in Toronto.
offices, our access to expert personnel of Member States and, not least, the UN’s reputation for neutrality and even-handedness.

At any given time UNODC’s anti-money laundering programme has in progress joint activities with several international bodies. To give just a few examples:

- AML/CFT workshops for legal, financial and law enforcement personnel in States of the Caucasus and Central Asia, delivered in conjunction with the OSCE
- the current development of AML/CFT model legislation for civil law systems, in partnership with the IMF and the World Bank.
- the fielding of long-term expert advisers, sometimes referred to as mentors, who deliver training and capacity-building on-site in assisted states on a national or regional basis: the joint UNODC-Commonwealth mentor in Pacific Island states is an example. Others will be fielded with the World Bank in the course of this year.
- The development of Spanish language computer-based learning modules for law enforcement and the financial sector, in partnership with the OAS-CICAD.
- Technical training workshops for Financial Intelligence Unit personnel, a joint effort with the Egmont Group of FIUs.

For the future, we will need to share our experiences, and our proposed solutions, even more closely, because the AML/CFT fight is in fact only just beginning. We are in the midst of the important stage of putting in place legislation and institutions aimed at these problems. The much larger and longer-term effort for States will be to implement the provisions on the ground. This will require not only the development of financial, law enforcement and prosecution skills to a very high level. It also implies the existence of properly functioning criminal justice systems, and financial infrastructures, in which these skills can be deployed. In many developing countries these systems will have to be built from the ground up. Here, we have the benefit, through our partnership with other units in UNODC, of in-house expertise in developing criminal justice standards, countering organized crime and combating corruption. All of this expertise will be necessary in order to create the basic conditions in which AML/CFT countermeasures can be actually implemented.

Added to this is the fact that we are dealing with global problems which are increasing in complexity as criminals and terrorists adapt to existing counter-measures. To be able to respond rapidly, and across national boundaries, will require the combined skills not only of international bodies, but of the Member States who support us and to whom we give assistance.

As important as it is to help countries put in place the required countermeasures, I believe we are now at the stage when international assistance must focus more on the implementation of the measures. It is only through doing, through successfully tackling cases, that States will develop the expertise and the confidence to carry these standards into action. In this regard States will need:

- The ability to give meaningful co-operation in international investigations, prosecutions and asset seizure – this means basic investigative and intelligence-gathering capacity and the facility to rapidly share information with other countries
- To adapt the fight against money laundering and terrorist financing to the circumstances of Member States, many of which have only very modestly develops their formal financial systems – i.e. we must deal with the issue of targeting illicit proceeds in cash-based economies.
- To work together operationally, at the regional and sub-regional level; in practice States are very often called upon to work together with their neighbours, with whom they frequently share legal and cultural traditions. Supporting regional bodies, such as the FSRBs, promotes harmonization and interaction.

In terms of international organizations working together, this means joining forces to put more experts in the field and on-site where they can give hands-on assistance to those implementing the measures. This includes law enforcement officers, FIU specialists, prosecutors and financial regulators. I believe that the use of mentors has proven its worth in this regard, and this view is borne out by the organizations who are seeking partnerships with us in future mentoring initiatives.

For shorter-term training situations there is scope for more joint missions, since the problems are global and no one organization can cover them all. Developing a mission plan for a region and agreeing on shared tasks is a sensible approach. A good model for this is the series of joint
workshops our program has undertaken with the OSCE, which I mentioned earlier. Computer-based training has the capacity to reach large numbers of personnel with basic-level skills training, and to do so at low cost. This will become increasingly important in the next few years, and partnering in the delivery of this training will enable us to increase the coverage and keep down the cost to each organization. We are already exploring partnerships in the future delivery of such training. These are some basic areas in which we can work together – as we compare our experiences and work plans we will no doubt find many more.

The “power of partnership”, something which the Executive Director emphasized in UNODC’s Strategic Priorities vision, is showing its value in the AML/CFT co-operation taking place at the international level, which I have reviewed briefly here. The signs are good, and meetings such as this promote our objective of working together. There is much more work to be done, and we look forward to being part of the common effort, as I know all of you do.
Let me start by thanking our colleagues from the UN for inviting me to participate in this panel of distinguished speakers. Combating the financing of terrorism as well as money laundering requires determined action and a multidimensional, coherent and co-ordinated international effort under the aegis of the United Nations, and in particular the Counter-Terrorism Committee of the Security Council. Our colleague Tim Lemay from the UNODC just gave an impressive overview of UN activities, and the OSCE is highly satisfied with the way we have partnered up to combat the phenomena hand in hand. Each international organisation, through its own specific instruments, has something to contribute and we are thus complementing each other and assuring sustainable results.

Given its broad and inclusive membership of 55 participating States, its comprehensive concept of security addressing terrorism and other security threats through its politico-military, human and economic dimensions and its presence and experience in the field, the OSCE is truly unique in its capacity to contribute to the international fight against terrorism. We will continue to address conditions that may foster or sustain terrorism, such as transnational organized crime, corruption, trafficking in human beings, drugs and arms as well as root causes such as extreme poverty and the economic divide, in order to prevent violence and to promote political, ethnic, religious and cultural tolerance and justice.

This is what the OSCE has been doing – and I might add rather successfully – for the past three decades. Police training and border monitoring, building democratic institutions, assisting in legislative and judicial reform – these are just a few examples of where the OSCE has been contributing to counter-terrorism measures even before terrorism became such a central issue. Sometimes these activities might not have been highly visible; some of them might even occasionally draw criticism from individual participating States. Yet this type of activities is indispensable when it comes to making a real long-term difference in preventing and countering terrorism.

Responding to the horrendous acts of aggression against the United States on September 11, 2001, the Ninth Meeting of the OSCE Ministerial Council in Bucharest in December 2001 agreed on a broad-ranging Action Plan on counter-terrorism measures that provides a framework for comprehensive action by the OSCE participating States. The meeting in Bucharest was followed by the international conference on “Enhancing Security and Stability in Central Asia: Strengthening Comprehensive Efforts to Counter Terrorism”, co-organised by the OSCE and the UN in Bishkek. The adopted “Programme of Action” has identified concrete measures to combat and prevent terrorism. To ensure full and timely implementation of the Bucharest Action Plan and the Bishkek Programme, OSCE institutions and missions, as well as the Secretariat, have reviewed their activities and developed a detailed Road Map on terrorism that contains specific measures and steps to be taken.

Since December 2001 the OSCE Action Against Terrorism Unit co-ordinates the overall assistance to participating states, while the Office of the Co-ordinator of OSCE Economic and Environmental Activities, in co-operation with UNODC’s Global Programme against Money Laundering (GPML), has engaged in activities promoting international conventions and standards relevant to suppressing the financing of terrorism and combating money laundering.

A first joint activity was a working session on these issues in the framework of the Tenth OSCE Economic Forum in Prague. As a follow up to this event, the 55 OSCE participating States committed themselves by OSCE Permanent Council Decision 487 to complete the FATF self-assessment questionnaire by September 2002.

In March 2000, Mr. Baltes was appointed Senior Economic Adviser at the OSCE Secretariat in Vienna, where he is presently holding the position of Deputy Co-ordinator of OSCE Economic and Environmental Activities. Marc Baltes was born in Luxembourg in 1963. He graduated from the University of Lausanne, Switzerland, with a Master's Degree in Political Science. In 1990 he was appointed Second Secretary at the Luxembourg Mission to the United Nations in New York. From 1992 to 1996 he worked for the United Nations Conference on Trade and Development (UNCTAD). He was posted for 2 years in Kuala Lumpur, Malaysia where he was the Co-ordinator of a human-resource training project in international trade, covering the South-East Asia area. Subsequently, he returned to UNCTAD Headquarters in Geneva, to co-ordinate technical assistance projects in Africa, Asia, the Caribbean and the Middle East. In 1996 Mr. Baltes returned to the Luxembourg Mission to the United Nations in New York to become First Secretary.
As mentioned by Mr. Lemay, to further strengthen our ability to support the States, GPML and OCEEA have developed National workshops on combating money laundering and suppressing the financing of terrorism. All interested OSCE participating States were invited to co-operate on these workshops and up to date, workshops have been conducted in as many countries between September 2002 and October 2003: four in Central Asia and two in the Caucasus. While focusing on awareness-raising and identification of needs, the workshops constitute the first phase of a gradual and flexible approach with a view to enhancing capacities in combating money laundering and in suppressing the financing of terrorism. The next phases include legal framework development, implementation assistance through Mentorship-Programmes and capacity-building with specific training elements. The workshops gathered international and local experts on anti-money laundering and counter terrorist financing, together with representatives from the respective ministerial, judicial, and financial governmental bodies. They resulted in a number of concrete recommendations which have meanwhile led to the drafting of relevant legislation in a number of countries. The OSCE stands ready to provide further assistance in this regard to any interested State.

Another example of support that can be given through capacity building and training is the project of the OSCE presence in Tirana, Albania together with the Ministry of Finance of Albania, and the Crime Problems Division of the Council of Europe on training on analytical skills and the provision of software for the fight against money laundering. Also, in January this year, together with the Albanian Government, the OSCE organized a Regional Conference on Co-operation for Anti-Money Laundering and Combating the Financing of Terrorism, which was attended by high level representatives from South-East Europe as well as partner organizations. It was yet another proof of excellent co-operation with OSCE partners to address this crucial issue.
Progress Made by the FATF in Developing and Implementing International Standard in the Fight against Terrorist Financing

Vincent Schmoll
Principal Administrator, FATF Secretariat

Introduction

The Group of Seven established the Financial Action Task Force (FATF) in 1989. The task force is an inter-governmental body that develops and promotes policies to combat money laundering and terrorist financing. Its primary objective is to generate the political will necessary to bring about national, legislative and regulatory reforms in this area. The FATF’s main tool in achieving this objective has been the development of a comprehensive series of anti-money laundering and counter-terrorist financing (AML/CFT) measures for national governments. In addition to this role as a standard-setter, the task force also examines money laundering and terrorist financing techniques, assesses its members’ implementation of AML/CFT measures, and continually reviews and refines these measures as necessary. The FATF consists of 31 members.

Establishing International Standards and Developing Guidance for their Implementation

The Forty Recommendations were the original standards established by the FATF and thus its original raison d’être. These Recommendations were developed in 1990 as a series of measures designed to combat money laundering. The Recommendations were revised in 1996 and most recently in 2003 (after a two-year review process). They set forth what has been agreed to be the underlying concepts for fighting financial crime — whether money laundering or terrorist financing. Together both the Forty Recommendations and the Eight Special Recommendations provide a comprehensive basis for countering money laundering and terrorist financing.

The Eight Special Recommendations on terrorist financing form a specific focus for the counter-terrorist financing effort of the FATF. They were adopted by the FATF at an extraordinary plenary meeting in Washington, D.C. on 30 October 2001. Over the past two and a half years, the FATF has worked, in close co-operation with other relevant international and regional bodies and organisations, to help jurisdictions in implementing the Special Recommendations.

Since June 2002, a FATF working group has developed and published guidance on four of the Eight Special Recommendations. In October 2002 a Best Practices paper for preventing the misuse of non-profit organisations (Special Recommendation VIII) was published. Interpretative notes in relation to wire transfers (Special Recommendation VII) and alternative remittance (Special Recommendation VI) were issued in February 2003, and a subsequent Best Practices paper for Special Recommendation VI was released in June 2003. In October 2003 an interpretative note and Best Practices paper were both published for the freezing and seizing of terrorist assets (Special Recommendation III). Guidance on the criminalising of terrorist financing (Special Recommendation II) is expected to be available later in 2004.

The FATF has developed this guidance in co-ordination with FATF-style regional bodies (FSRBs) and other organisations and bodies with relevant expertise in the counter-terrorist financing area, in particular the UN Counter-Terrorism Committee (CTC), the UN 1267 Committee, and representatives of the private sector.

Assessing the Implementation of Standards Globally

The FATF continues to promote the adoption and effective implementation of the Eight Special Recommendations and other international standards in relation to terrorist financing. In order to build on its experience in assessing strengths and weaknesses of AML/CFT systems, the FATF has taken on the role of determining critical technical assistance needs in this area for a series of jurisdictions identified by the G-8 Counter Terrorist Action Group (CTAG).

This initiative, known as the “TANA initiative” (for “technical assistance needs assessments”), focuses on the seven aspects of a jurisdiction’s CFT regime: (1) criminal justice measures applicable to terrorist financing; (2) capacities for freezing and confiscating terrorist assets; (3) the suspicious/unusual transactions reporting system; (4) international co-operation; (5) alternative remittance systems; (6) wire transfers; and (7) non-profit organisations.
In October 2003 the FATF began work on nine priority jurisdictions identified by CTAG. Positive responses were received from seven jurisdictions. Currently FATF assessors have completed one report and are in the process of evaluating five jurisdictions. The FATF will continue to review and approve future TANA reports in advance of the next CTAG meetings in April and June 2004.

The FATF has now also integrated the CFT requirements of the Eight Special Recommendations into its assessment methodology for mutual evaluations. All FATF members will be assessed during a third round of mutual evaluations, which is due to start before the end of 2004. This methodology will also be used by the International Monetary Fund (IMF) and the World Bank when they carry out the AML/CFT component of their Financial Sector Assessment Programme. The FATF is encouraging the FSRBs to formally adopt the same methodology when conducting their own mutual evaluations.

**Analysing Terrorist Financing Techniques**

The FATF typologies exercise has provided an annual forum for examining terrorist financing methods. A previous exercise (2002-2003) examined non-profit organisations (Special Recommendation VIII) and informal money value transfer systems (Special Recommendation VI). The work on non-profit organisations was further developed during this year’s exercise, and the issue of terrorist financing typologies related to wire transfers (Special Recommendation VII) was also addressed. The FATF will continue to examine terrorist financing typologies, and will focus this year in particular on further work on wire transfers and non-profit organisations. It will also begin studying the role of cash couriers and the narcotics trafficking related to terrorist financing.

**Encouraging Dialogue**

The FATF continues to work with the FSRBs in standard setting and in assessing compliance with the Eight Special Recommendations. As indicated above, the FATF has also been engaged in common efforts with, in particular, the G-8’s CTAG, the IMF, the World Bank, the UN CTC and the UN 1267 Committee, wherever appropriate, to ensure that there is a consistent approach to counter-terrorist financing and to preclude as much as possible any duplication of efforts.

The FATF is also attempting to develop further interaction with non-member jurisdictions. During a terrorist financing seminar held by the FATF in February 2004, thirteen key non-member jurisdictions were invited to participate in an exchange of views on a selection of terrorist financing themes. The seminar enabled the FATF both to build awareness about international CFT standards and to obtain feedback from these jurisdictions on problems and potential solutions related to implementation of these standards.

**Conclusion**

During the coming year, the FATF will build on the progress already made in promoting the implementation of CFT measures. The FATF will in the near term complete the initial series of assessments under the TANA initiative, which will provide the basis for CTAG countries to provide comprehensive technical assistance. The FATF will also continue to develop and, as necessary, refine its guidance on implementing the Eight Special Recommendations, as well as examining specific terrorist financing typologies with a view toward elaborating further measures. Finally, the FATF will pursue these goals in close co-ordination with the international and regional organisations and bodies that support and contribute to the AML/CFT effort.
Technical Assistance under the IMF’s Countering Terrorist Financing Program

Peter Csonka 28
Senior Counsel, Legal Department, International Monetary Fund (IMF)

The IMF is very pleased to participate in this follow-up meeting organized jointly by the OSCE and the United Nations. My remarks will focus on (1) the Fund’s role in implementing its counter-terrorist financing (CFT) program and (2) possibilities for joint action in the area of technical assistance. First let me provide some context for the implementation of the CFT program as we see it from the IMF.

The Context of Implementing the CFT Program

The Fund and the Bank have for a number of years been helping their members achieve compliance with various codes and standards related to the financial system, such as the Basle Core Principles for effective banking supervision. Through conducting assessments against these standards and providing advice and technical assistance to meet these standards, our primary area of responsibility is helping countries build stronger and more resilient banking and financial systems.

For the last 2 years, we were also tasked with assessing compliance with AML/CFT standards (the FATF 40 + 8 recommendations) and providing assistance in building effective AML/CFT regimes. This AML/CFT-related assessment and assistance work will most likely become a standing feature of our work as from spring this year when the Fund and the Bank Boards are due to endorse the continuation of the AML/CFT program. The AML/CFT program is, however, more difficult to implement than other standards and codes:

- The subject matter is still relatively new and particularly challenging, especially the work on counter-terrorist financing. Education and outreach is required to sensitize governments, parliaments and the public and private sectors. As a consequence of its newness
  i. the necessary resources have often not been assigned;
  ii. our understanding of the nature of the problem and the techniques for addressing it are still evolving.

- It requires a multidisciplinary, multi agency approach and, thus, places a much higher premium on cooperation than other standards;

- To be effective, there needs to be a global response with all countries doing their part. Again, this places a high premium on cooperation; and

- Finally, AML/CFT is part of a broader problem – that of financial transparency – and ultimately to be effective it will be necessary to tackle these broader issues. The task here is much larger covering issues such as:
  - governance and integrity in financial institutions and corporations;
  - corruption;
  - accountability; and
  - transparency in all sectors, such as in government revenues and transactions.

Against that background, I will now describe the Fund’s program undertaken in close cooperation with the World Bank:

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28 Mr. Peter Csonka is Principal Administrative Officer in the Department of Crime Problems, Directorate of Legal Affairs, Council of Europe. He joined the Council of Europe in 1991. Specialising in the field of economic crime, he was Secretary to the Expert Committee on the Protection of the Environment through Criminal Law. Since 1993, he has been involved in the Council of Europe co-operation programmes with Central and Eastern European States, and has assisted governments in developing national policies, particularly in the field of money laundering, economic and organised crime. He holds a degree (LL.M) from the Faculty of Law of Miskolc University (Hungary).
Assessments

- As most of you are now aware, over the past two years, the Fund, together with the World Bank, the Financial Action Task Force (FATF), and the FATF-style regional bodies (FSRBs), have been conducting assessments and mutual evaluations of AML/CFT regimes around the world. Our assessments and evaluations are based on the FATF 40 Recommendations against money laundering and the 8 special recommendations to combat terrorist financing. These are completed by using an agreed methodology that is shared among the Fund/Bank, the FATF, and the FSRBs. Our methodology also incorporates certain of the requirements set forth in the 1999 International Convention for the Suppression of the Financing of Terrorism and the UNSCR 1373.

- We have been successful in our efforts. By the end of 2003, the Fund and the World Bank, the FATF and FSRBs have conducted over 50 assessments based on the same methodology and further assessments are in the making.

- In addition, where countries have not received a full assessment, the IMF has been reviewing countries’ efforts through a questionnaire canvassed as part of its annual Article IV consultation missions. The systems in another 60 countries have been addressed this way.

Technical Assistance:

- The second main element of the Fund/Bank’s AML/CFT program is technical assistance. TA is provided in various areas to strengthen countries’ AML/CFT regimes. Over the past two years there was a significant increase in the number of AML/CFT technical assistance projects. Since January 2002, the Fund/Bank has delivered 113 TA projects including 83 direct TA to 61 countries and 30 regional projects reaching more than 130 countries. About two thirds of total TA projects to-date have been focused on helping countries to strengthen the legal and supervisory frameworks for AML/CFT with new TA projects including assistance to FIUs. Specifically, 37 percent of total technical assistance projects to-date have focused on adapting legal systems to international AML/CFT standards; 30 percent have focused on strengthening financial regulation and supervision of AML/CFT controls; 19 percent involved the creation or enhancement of FIUs.

- Most TA projects have a combination of AML and CFT elements, reflecting the natural linkages between these two areas, while the number of projects involving CFT only is still relatively modest, but growing. Of the 83 bilateral TA projects, 51 required one or several on-site missions, while 32 projects were achieved by direct advise to countries from headquarters, mainly consisting of desk reviews or drafting of new legislation requested by countries in their process of improving compliance with international standards.

- There is an increasing use of the assessments under the new methodology as a diagnostic tool to identify TA needs: 19% of TA requests were related with Fund/Bank assessments under the FSAP and OFC programs and a small but growing number of TA requests (currently 8%) was linked to the FSRBs’ own mutual evaluations, particularly TA to train evaluators on the use of the new methodology.

- As the countries’ preventive systems have matured, TA delivery has evolved from assisting countries in the establishment of the basic legal and institutional framework for implementation and for helping them to improve its effectiveness. TA delivery appears to be reasonably well-distributed across regions. On average, the countries of Africa and Eastern Europe are the main recipients of individual TA projects (23% each) and the Asian, Pacific, Western Hemisphere and Middle East countries accounted for 12, 17, 18 and 7 percent respectively. As a result of this TA many countries have been able to upgrade their legal and regulatory frameworks to better comply with international standards and have improved the capacity of their supervisory authorities.

- The number of regional TA projects is rising. A total of 30 training and capacity-building regional projects have been completed since January 2002 including 8 training workshops for
FSRBs evaluators in 2003\textsuperscript{29}, an increasing number of regional capacity building projects for financial sector regulators and supervisors and training of legislative drafters on CFT.

- Additional regional capacity building TA is being planned for 2004 in all areas of AML/CFT. These include training for regulators and drafting seminars in Central America, Latin America, the Gulf Cooperation Council region, the Middle East, Central and South East Asia and the Caribbean, as well as a multi-disciplinary workshop for the Asia Pacific region. Finally, training of evaluators of all FSRBs is being arranged and will continue to constitute an important element of the Fund/Bank's work as these organizations start to implement the revised FATF Recommendations and assessment methodology and achieve a more steady pace of evaluations.

- As part of their commitment to assist countries in meeting international standards, the Fund published “Suppressing the Financing of Terrorism: a Handbook for Legislative Drafting”. Another publication on FIUs is forthcoming soon. The Bank, for its part, produced the first Reference Guide to Anti-Money Laundering and Combating the Financing of Terrorism. Also, the Bank’s interactive “Global Dialogue Series” have connected Fund/Bank staff with policymakers from over 63 countries. Additional dialogues are planned for 2004. These will emphasize the role of the regulatory and financial sectors in combating ML/FT.

- TA coordination with key external partners continues to be a main focus of Bank/Fund efforts. The Fund/Bank meet regularly to discuss ongoing and new TA projects and to coordinate activities. In addition, TA coordination meetings are held with other donor organizations, including through informal contact with strategic partners (e.g. the UN CTC and UN ODC). The Bank’s global TA database provides a mechanism for bringing together in one location information on TA requests and donor responses. Use of the database has been modest and the Bank plans to maintain it for another calendar year\textsuperscript{30}.

- Our technical assistance is provided at each country’s request and information on the request remains confidential unless the country indicates otherwise. As a rule, we must receive a written request from the country for technical assistance prior to delivering TA. This written request may be submitted by any high level official in the government, such as the Central Bank Governor, the Minister of Finance, or the head of the FIU.

II. Possibilities for Joint Action in the Area of CFT-related Technical Assistance

Clearly, further technical assistance needs to be intensified. There is a need to continue to raise awareness among countries of the importance the international community attaches to AML and CFT measures, and of the assistance that is available. To this end, it is important that all international and regional organizations communicate with officials in their member states and explain the importance of the states’ meeting international standards on AML/CFT, and to explain the type of technical assistance that is available to this effect.

As I have mentioned, the IMF/World Bank assistance is both in the form of diagnostic assessments to help identify strengths and potential weaknesses in AML/CFT regimes, and direct technical assistance to address the weaknesses in the areas of the Fund/Bank expertise.

We consider that CFT-related technical assistance should focus on countries’ needs in the following core areas:

- Design and implementation of legal, regulatory and supervisory frameworks for CFT;
- Implementation, including ratification, of international CFT standards, in particular the FATF eight Special recommendations on FT and the relevant UN instruments;
- Awareness-raising activities on the risks of FT in various financial and non-financial sectors;

\textsuperscript{29} The training for evaluators facilitated the successful completion of eight mutual evaluations by CFATF, GAFISUD and ESAAMLG, and allow these organizations to have an ambitious plan of completing approximately 24 mutual evaluations in 2004.

\textsuperscript{30} In August 2003, the Bank also launched an external website <www.amlcft.org> which hosts information on the Bank’s AML/CFT program, upcoming capacity building activities and resource information like best practices, publications, relevant links, news and current events.
• Training of officials to recognize and deal with FT-related transactions (FIU, police, justice officials).

These activities would be best carried out by multiple TA providers and should involve regional and sub-regional organizations, in particular FSRBs, where available.

We hope this meeting will contribute to ensuring that our efforts are coordinated and possibly combined in designing and delivering CFT-related TA programs.
The fight against terrorism is a key priority of the European Union, and of the Irish Presidency of the European Union. The European Security Strategy, adopted in December 2003, identifies terrorism as an area of special concern to European security.

International terrorism did not begin with the attacks on New York of 11 September 2001. However, those events did bring into focus the nature and extent of the threat facing the international community. To address the global nature of terrorism, a global response is required. Counter-terrorist measures must be incorporated into domestic and international policies: in strengthening police and judicial capacities to detect terrorism and prevent terrorist acts; in enhancing border controls and transport security; in addressing the wider factors which contribute to support for terrorism. Suppression of terrorist financing is crucial to international measures to combat terrorism.

The European Union Action Plan on terrorism, which was adopted by an Extraordinary European Council Meeting of 21 September 2001, sets out the broad parameters of the European Union’s strategy to deal with terrorism. Suppression of the financing of terrorism is an integral element of this and is tackled across a number of pillars – by Finance Ministers, Justice and Home Affairs Ministers and Foreign Affairs Ministers, to name a few.

I would like to briefly look at the measures taken within the European Union to deal with the financing of terrorism and, in particular, how relevant United Nations Security Council Resolutions are implemented.

**UNSCR 1267 (1999)**

Security Council Resolution 1267 and related resolutions dealing with Osama Bin Laden, the Al Qaeda network and the Taliban, are implemented throughout the Union by Council Regulation (EC) No. 881/2002, which was adopted on 27 May 2002. This allows for, among other things, the freezing of funds and financial assets of persons, groups or entities designated by the United Nations authorities. This legislation is amended on a regular basis by the European Commission to reflect additions to the Consolidated List of the 1267 Sanctions Committee.

**UNSCR 1373 (2001)**

Security Council Resolution 1373 offers a broader mandate to states in relation to the freezing of assets of persons involved in acts of terrorism. This aspect of the Resolution is implemented throughout the European Union by two legal instruments adopted by the Council on 27 December 2001. These are Council Regulation (EC) 2580/2001 “on specific restrictive measures directed against certain persons and entities with a view to combating terrorism” and Council Common Position 2001/931/CFSP “on the application of specific measures to combat terrorism”. These instruments provide for the drawing up of a list of persons, groups and entities who are considered to be involved in terrorism and against whom specific restrictive measures, principally the freezing of financial assets, can be applied. This list is regularly reviewed and updated on foot of submissions from Member States and requests from third countries. There are currently 45 individuals and 35 groups and entities included on the list, which was most recently updated by Council Common Position 906 of 22 December 2003, with the inclusion of the organisation the Great Islamic Eastern Warriors Front (or IBDA-C). The criteria for inclusion in this list are laid down in Common Position 931 which also includes a definition of what, for the purposes of the Common Position, constitutes a terrorist act. Any proposed designation must conform to these criteria and all proposals for designation must be accompanied by a substantial dossier of information to support the proposal. As a consequence, the European Union relies heavily on the quality of the intelligence provided when considering proposals for designation from third states.

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31 Ms. P. O’Grady is the Director of the International Terrorism and Illicit Drugs Policy Section of the Department of Foreign Affairs in Dublin, Ireland. She joined the Civil Service as Executive Officer in 1974, her first post being with the Revenue Commissioners, working on Capital Taxes. Later she was working for the National Parliament and the Commission for the recruitment of civil and public servants. Ms. O’Grady joined the diplomatic service in 2003 to work for the Irish Presidency of the European Union.
Specific Measures

The European Union is also taking action in other areas which contribute to the suppression of terrorist financing. As discussed yesterday, international terrorism is not an isolated phenomenon, but is also connected to organized crime and the international narcotics trade. In tackling this, specific measures are underway within the Union to combat crime in the broad sense, which should also impact on the financing of terrorism. Firstly, the problem of money-laundering. The EU has adopted Directive 2001/97/EC which requires that member States ensure that institutions and persons subject to the directive follow strict guidelines and practices such as proof of identification and information about any financial transactions that appear suspect.

Secondly, a Framework Decision “On the execution in the EU of orders freezing property or evidence” was adopted on 22 July 2003 which establishes the rules under which a Member State shall recognize and execute a freezing order issued by a judicial authority of another Member State in the framework of criminal proceedings.

FATF

The European Union also recognizes the important role that the Financial Action Task Force plays in relation to the suppression of terrorist financing, and is fully committed to the implementation of the 40 FATF recommendations on money laundering and the 8 special recommendations in relation to terrorist financing.

Technical Assistance

The European Union provides support to some of third states in enhancing their counter-terrorist capacity through a programme of technical assistance. Pilot projects have been launched, through the European Commission, with a limited number of countries, although technical assistance is also provided on a bilateral basis by a number of Member States. The fight against the financing of terrorism, including the provision of technical support to Financial Intelligence Units, is a key aspect of this programme, and we hope to be in a position to expand these activities in the future. I would like to highlight a number of areas which the European Union feels will become increasingly prominent in relation to terrorist financing, and where we feel there is significant scope for enhanced international cooperation.

Intelligence Gathering and Exchange

A crucial aspect of the effective suppression of terrorist financing is the gathering and exchange of intelligence. For example, a number of EU Member States have reported difficulties in identifying individuals included on United Nations lists. Easier access to substantial information in relation to these individuals would allow for the speedier and more effective implementation of the relevant Resolutions. We acknowledge that UNSCR 1526 goes some way to addressing this issue. However, the need for enhanced intelligence exchange goes beyond identifier information. Intelligence gathered during investigations on terrorist financing, including information contained in frozen accounts can provide an important insight into the nature of terrorist cells and networks. For optimum use to be made of this data, it must be accessible to a wide audience subject to agreed safeguards. However, the security of the information, not to mention the need to respect due process and data protection concerns, must also be taken in account. We need to examine what mechanisms can be put in place to more effectively exchange such information between countries while at the same time effectively addressing the concerns that enhanced access will raise.

Non-Financial Assets

Greater efforts are needed to develop methods for dealing with the seizure of non-financial economic resources. While progress has been made in relation to the freezing of bank accounts, we need to examine more carefully both the procedures for and consequences of seizing assets such as property or business. A committee within the European Union has been established which will look at this issue in the context of different sanctions, and it is hoped that it will be possible to derive practical, operational conclusions from these discussions.
“Hawala” Remittance Systems / Charitable Organisations

Non-traditional remittance systems, in particular “Hawala” banking systems, have also been identified, by FATF among others, as areas which are vulnerable to abuse by terrorist organisations. Greater regulation on these is needed, while recognizing, of course, that there is no intrinsic link between Hawala banking and support for terrorist financing. Similarly, greater vigilance is needed in relation to charitable and non-profit organizations which have also been identified as open to abuse. We look forward to hearing from other delegations how they have managed to address these issues, and how best practice and technical expertise in this regard can be shared in the future.

Due Process and Respect for Human Rights

While we concentrate on ways to enhance cooperation, and make procedures for freezing assets more efficient, the issue of due process, and the need for greater transparency in the asset freezing process is one which should not be overlooked. Recognizing that, at times, it is important to act speedily in order to effectively freeze the assets of terrorists, the European Union has consistently stressed that the counter-terrorism measures must at all times be accompanied by a respect for human rights and fundamental freedoms. There can be no trade-off between protecting human rights and effective counter-terrorism, and the European Union does not believe that there needs to be. In this regard, we welcome the call in UNSCR 1526 on all States to include identifying and background information, to the greatest extent possible, when submitting proposals to the Committee and to inform individuals and entities included on the list of the measures imposed on them. We would also stress the importance of ensuring that provision is made for the basic human needs of those against whom asset freezing procedures have been taken, and of their dependents, as provided for in UNSCR 1452 in relation to the Taliban/Al-Qaeda sanctions regime.

Italian Workshop

The European Union recognizes that it is only through international cooperation that progress can be made in the fight against terrorism. International, regional and subregional organisations have an important role to play in bringing states together to exchange information, experience and best practice. In this regard, the EU, under the Italian Presidency, organized a workshop on the financing of terrorism in November 2003 with the participation of Gulf Co-operation Council (GCC) countries. The workshop presented a valuable opportunity for EU and GCC Member States to present their domestic legislation and other measures adopted to counter the financing of terrorism and to further elaborate on the problems of the misuse of charitable organisations and of non-banking remittance systems. In conclusion, it was felt that terrorist financing should continue to be a regular issue in the political dialogue between EU and GCC, through existing and all other available channels, including bilateral relations of Member States with these countries. It was also agreed that information should be exchanged on a regular basis with particular regard to the adoption of domestic measures, regulation of non-profit organisations, monitoring and control of non-banking remittance systems.

Irish Presidency Initiative

The Irish Presidency is committed to building on this excellent work and has organized a follow-up seminar on 21 April at which EU Member States and Euromed countries will participate. In addition to allowing for presentations on the measures taken by countries to combat the financing of terrorism, the seminar will also cover the areas of the seizure of non-financial economic assets, alternative remittance systems and non-profit organisations. It is intended that these discussion will lead to suggestions for practical cooperation between the EU and Euromed countries, specifically in these areas. These types of initiative, which are complementary to meetings like today’s, are also useful in building trust and good relations between different groups of countries, which helps deepen the broad global consensus on the fight against terrorism. The European Union recognizes the important work undertaken by the United Nations and, in particular, by the 1267 Sanctions Committee, the UNODC, and the Counter-Terrorism Committee in broadening and enhancing international cooperation in the fight against terrorism. We welcome, in particular, Resolution 1526, strengthening the mandate of the 1267 Sanctions Committee, and ongoing work which will revitalize the work of the CTC and provide new impetus going forward. European Union Member States remain committed to fulfilling their obligations to countering terrorism under Security Council resolutions and the relevant international conventions, with a special emphasis on the importance of the 1999 Convention for the Suppression of the Financing of Terrorism. In this regard, the European Union is currently undertaking a root and branch appraisal of its approach to combating terrorism, including a review of the 2001 Action Plan.
In this, cooperation with other regional and international organisations will play a key role. We hope to be in a position to update partners on progress in this area in the near future.
Session II

Ratification and Implementation of the Twelve Universal Anti-Terrorism Instruments
Presentation on Behalf of the Council of Europe

Guy De Vel 32
Director, General of Legal Affairs of the Council of Europe

- In Resolution 1373 (2001), adopted by the UN Security Council on 28 September 2001, the Security Council calls upon all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, to fully implement the relevant international conventions and protocols relating to terrorism, as well as Security Council Resolutions 1269 (1999) and 1368 (2001) and to increase co-operation.

- At the special meeting of the CTC in New York on 6 March 2003, regional and sub-regional organisations committed themselves to sharing their expertise on regional co-operation on counter-terrorism activities. They recognised that they had a unique contribution to make in helping their members to implement Resolution 1373, thus raising the capacity to combat terrorism at the regional as well as the national level. This position was strongly reaffirmed at the first follow-up meeting, held in Washington on 7 October 2003.

- I will not be reporting to you about what the Council of Europe has been doing in this field. Detailed information appears in Appendix of this contribution. I shall rather provide you with some ideas for our discussion.

- At the Council of Europe, we have registered a remarkable increase in the number of signatures and ratifications of the relevant international counter-terrorism treaties. Overall, some 90 additional ratifications by Council of Europe member States have been registered since this resolution was adopted, about 30 of which concern the International Convention for the Suppression of the Financing of Terrorism.

- In Resolution No. 1 on combating Terrorism, adopted at the 25th Conference of the European Ministers of Justice, the Ministers welcomed this development and invited those which have not yet done so to become Parties as soon as possible to these instruments and also to other international treaties concerning co-operation which are most relevant to the fight against terrorism, thus echoing similar calls by our Committee of Ministers.

- Indeed, it is crucial to have the appropriate internal legal armamentarium to fight terrorism.
  - For the last few years, the UN has been negotiating a comprehensive anti-terrorist convention. In spite of early progress, these negotiations came to a halt more than two years ago due to conflicting views, some of which are connected with the Middle East conflict.
  - It remains clear, however, that multilateral normative efforts still represent the best instrument to enhance international co-operation against terrorism.
  - For this reason, the question of the drafting of a comprehensive anti-terrorist convention in the Council of Europe has been raised both by States and by parliamentarians, as most of you know.
  - The negotiation of a comprehensive anti-terrorist convention at regional level – based on the acquis of the UN and on other existing international instruments - would in fact contribute positively to the final objective of having a comprehensive universal anti-terrorist convention at the UN level.
  - Many examples show that regional conventions have contributed to the furthering of UN objectives (e.g. in the fields of corruption, money-laundering, torture). It would represent a further contribution to the efforts of the global community in the context of our Organisation’s contribution to the work of the UN in pursuance of UN Security Council Resolution 1373(2001).

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32 Mr. De Vel is Director General DGI (Legal Affairs and Local and Regional Democracy) of the Secretariat General of the Council of Europe. He holds a degree in Philosophy and Literature (St Ignace, Antwerp, 1962), as well he’s a Doctor of Law (University of Leuven, 1966). After five years of working as head of foreign disputes with an insurance company, he became Administrator in the Secretariat of the European Commission of Human Rights. In 1980, Mr. De Vel became Principal Administrator in the Directorate of Human Rights; a year later, Head of the Central Section of the Directorate of Legal Affairs (Treaty Office / Legal Adviser); before he became the Deputy Director of Political Affairs, Secretary to the Committee of Ministers, Mr. De Vel was also Head of the Plan and Programme Division at the Council of Europe.
• Where do we stand now? The CoE’s Committee of Experts on Terrorism (CODEXTER) has been asked to give an opinion on the feasibility of drafting such a convention, namely its added value and its significance as a contribution to UN efforts. The CODEXTER commissioned an independent study from an eminent scholar, Professor Christian Tomuschat, and this study concludes in favour of the drafting of a comprehensive convention on terrorism by the Council of Europe. The CODEXTER will consider this study shortly.\(^{33}\)


• We are therefore hopeful that negotiation of this convention, which will be open to member and observer States and organisations, will begin shortly, thus allowing the CoE to use its unique experience in fighting crime and protecting human rights to further the global efforts against terrorism.

• At the same time, we are continuing to pursue our contribution to the implementation of Resolution 1373 (2001) and the conclusions adopted at our prior meetings. Let me tell you something about this and then I will conclude with some ideas for the future.

• Co-operation - At the level of bilateral and multilateral co-operation, the CoE has strengthened its relationship with the UNCTC, the UNODC and the OSCE-ODIHR through our participation in various national and regional events.

• This has been fruitful but perhaps not enough.

• We still see a certain degree of overlapping and lack of coherence as regards the implementation of our joint vision for the implementation of Resolution 1373 in the respective tasks that are given to international and regional organisations.

• The more technical or specialised organisations have seen their role generally recognised and supported although there is still a degree of residual interference.

• The question arises then about how to fine tune further our overall contribution, particularly as regards the interaction between regional organisations and international and universal organisations which have a wider scope of competence.

• We are particularly pleased with the approach followed by the UNODC in its work with our Organisation. Allow me to briefly outline this approach because, as far as we are concerned, it is the right way forward. The UNODC has proposed that when requests for assistance come to them from member States of the CoE, they will refer them to us, given our more focused approach and our normative acquis. However, they will step in to provide their expertise as far as the universal instruments are concerned. In the same way, we will communicate the requests for assistance that we receive from our member States to our counter-parts with a view to achieving the optimum results.

• Now, more than ever, we need to keep each other abreast of what is happening in each of our organisations. The participation of some of your organisations, including the UN and the OSCE, in the CoE’s CODEXTER Committee has proved a suitable means of exchanging information and discussing possible joint initiatives further.

• These are just a few suggestions of how to proceed further and I am certain that our discussions today will boost our co-operation.

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33 N.B.: At the time of publication of this report, the CODEXTER has undertaken the elaboration of specific international instrument(s) aiming at the prevention of terrorism and covering the lacunae it identified in international law or action such as public provocation to commit acts of terrorism (including “apologie” and incitement), recruitment of terrorism, abuse of refugee status, responsibility of legal persons, etc. Moreover, the CODEXTER is drawing up national profiles on counter-terrorism legal and institutional capacity.
Appendix

Council of Europe Action against Terrorism

The Council of Europe has been dedicated since 1949 to upholding human rights, the rule of law and pluralist democracy, and is determined to combat terrorism which repudiates these three fundamental values. The Council of Europe has therefore been dealing with this matter since the 70s (see relevant Council of Europe instruments and documents). The terrorist attacks in the United States in 2001 were immediately followed by firm political commitments from the Committee of Ministers, the Parliamentary Assembly and the Conference of European Ministers of Justice to launch and implement a plan of action aiming at strengthening legal action against terrorism, adopted by the Committee of Ministers in November 2001. The Council of Europe's action is based on three cornerstones: safeguarding fundamental values, strengthening legal action against terrorism and addressing the causes of terrorism.


The Guidelines constitute the first international legal text on this topic and include 17 principles specifying the limitations which States shall impose on themselves in their efforts to combat terrorism and which result from international texts and the case law of the European Court of Human Rights. They concentrate mainly on the limits to be considered and that States should not go beyond, under any circumstances, in their legitimate fight against terrorism. The main objective of these guidelines is then not to deal with other important questions such as the causes and consequences of terrorism or measures which might prevent it.

The Guidelines remind States of their duty to protect their populations against acts committed in defiance of human rights. This may lead them to take special measures, even possibly derogatory measures, provided that these are reasonable and proportionate and strike a balance between the obligation to provide protection against terrorist acts and the obligation to safeguard human rights. They also remind States of the limitations on their efforts to combat terrorism, namely: prohibition of arbitrary treatment, respect for the right to life, an absolute ban on torture and inhuman or degrading treatment, prohibition of retroactive legislation, the right to a fair trial and the refusal to extradite individuals to countries where they may be condemned to death.

The most significant developments in the area of legal action against terrorism relate to the work of two governmental committees of experts: the Multidisciplinary Group on International Action against Terrorism (GMT) and the Committee of Experts on Terrorism (CODEXTER). Between November 2001 and December 2003, the GMT completed its two tasks of identifying priorities for future action by the Council of Europe and reviewing the relevant Council of Europe international instruments, in particular the European Convention on the Suppression of Terrorism of 1977.

On 15 May 2003, an Amending Protocol (ETS No. 190) to the 1977 European Convention on the Suppression of Terrorism was opened for signature. Some 40 member States have already signed it and the ratification process is underway. It will enter into force when all the States Parties to the European Convention on the Suppression of Terrorism have ratified it.

The Protocol introduces a number of significant changes to the Convention:
- a substantial extension of the list of offences which may never be regarded as political or politically motivated, which now includes all the offences covered by all the UN anti-terrorist conventions
- the introduction of a simplified amendment procedure allowing new offences to be added to the list
- the opening of the Convention to observer states, and subject to a Committee of Ministers’ decision, to other non-member states
- the possibility of refusing to extradite offenders to countries where they risk the death penalty, torture or life imprisonment without parole
• a significant reduction of the possibilities to refuse extradition on the basis of reservations to the Convention and such refusal will be subject to a specific follow-up procedure, which will also apply to the follow-up of any obligation under the Convention as amended.

The CODEXTER is in charge of coordinating and supervising the Council of Europe’s contribution to the fight against terrorism in the legal field and, in particular, of implementing activities not only in the priority areas identified by the GMT and endorsed by the Committee of Ministers, but also in further areas identified by the European Ministers of Justice in the 25th Conference, namely:

• research on the concepts of “apologie du terrorisme” and “incitement to terrorism”
• special investigation techniques
• protection of witnesses and collaborators of justice
• international co-operation on law enforcement
• action to cut terrorists off from funding sources
• questions of identity documents which arise in connection with terrorism
• protection, support and compensation of victims of terrorist acts
• assessment of the effectiveness of national judicial systems in their response to terrorism
• support for the upgrading of member States’ counter-terrorism legislative and institutional capacities
• feasibility of setting up a European register of national and international standards, starting with standards in the field of the fight against terrorism
• possible added value of a comprehensive European Convention against terrorism, which would contribute significantly to the UN efforts in this field.

The CODEXTER has endorsed the preparation of international instruments on the protection of witnesses and collaborators of justice and on special investigation techniques, and has conducted a research on the concepts of “apologie du terrorisme” and “incitement to terrorism”, with a view to the preparation of an international instrument in this area. In addition, the CODEXTER proposed to the Committee of Ministers ways to better protect, support and compensate victims of terrorist acts and will conduct country surveys on counter-terrorism capacity.

The CODEXTER has also considered the added value of a possible Council of Europe comprehensive convention on terrorism and has been called upon to elaborate one or more specific scope instruments to deal with existing lacunae in international law or action on the fight against terrorism.

The rapid adoption of these new instruments and the pursuance of the priority actions mentioned above will provide the European continent with a set of effective instruments and actively contribute to the efforts of the international community, whilst respecting the human rights standards which are Europe’s common heritage.

The Council of Europe set up a number of specific legal co-operation programmes open to all member and applicant States. These programmes are designed to help beneficiary countries to proceed with their institutional, legislative and administrative reforms. They chiefly involve working with governmental authorities to prepare and introduce legal and operational frameworks adapted to a country’s specific needs and features, and consistent with fundamental European standards and principles, and to ensure that reforms are concretely implemented with respect for these principles.

A third line of action addressed the causes of terrorism and aims at weakening some of the factors on which terrorism feeds through intercultural and inter-religious dialogue. Thus, in October 2003, the Conference of the European Ministers responsible for Cultural Affairs adopted a Declaration on Intercultural Dialogue and Conflict Prevention. In this declaration, the European Ministers for Cultural Affairs specify their roles and responsibilities, defining a European co-operation framework for building a society based on intercultural dialogue and respect for cultural diversity, to prevent violent conflict and promote post-conflict reconciliation.

The Council of Europe offers a unique platform for exchanges and debate on fundamental questions related to intercultural dialogue, bringing together academics, intercultural and interreligious dialogue researchers, representatives of cultural and religious communities, experts in conflict prevention and human rights, politicians, cultural mediators, artists, non-governmental organisations (NGOs), foundations and international organisations.
The topic before us in this particular workshop is the implementation of the twelve counter-terrorism conventions and United Nations Security Council Resolution 1373, but more specifically the topic is about how to implement technical assistance concerning the conventions and the resolution.

Today, what I want to address is the issue of how technical assistance is being delivered, and more specifically how “we” can deliver it better. When I use the word “we”, I am using it in the royal sense as “we” do in the UK, and most importantly, how can “we” deliver our technical assistance better together.

Technical Assistance Needs – What, Why and How:

1. “What” are we trying to deliver?
2. “Why” are we joining up to do this together? The rational behind our actions.
3. “How” how do we get better at delivering the technical assistance better?

1. “What” are we Trying to Deliver?

Even if you work in this particular area and you may be very familiar with the conventions or with the Resolution, it is a good reminder to take a look at Security Council Resolution 1373 in detail, as well as the twelve counter-terrorism conventions, because the depth and range of important obligations and standards will strike you, in terms of what we want to see implemented. This is an enormously daunting task, especially when you put it in the context of States implementing the obligations of the Resolution and the Conventions. Earlier, it was mentioned that some States have very few legislative drafters, including many of the countries that I work with. Sometimes there is only one person who in charge of policy development, legislative drafting, and giving advice to parliament. With this in mind, technical assistance needs to become very clear. Countries need assistance with the development and implementation of this type of legislation, they need assistance with making the legislation operational on the ground, and most importantly, for international cooperation.

When we are talking about the Conventions and the Resolution, we are talking about a whole range of areas: prevention, regulatory issues, substantive criminal offences, financing offences, a range of areas where this assistance is needed, so if we take a look at delivering assistance in those areas, first starting with how it affects each country’s legislation.

2. “Why” are we Joining up to do this together? The Rational behind our Actions.

I am sure many of you in the room have developed creative ways that are being used to deliver technical assistance. The Commonwealth, as well as other organizations, have developed tools that countries can use in order to implement legislation, such as model laws, implementation kits, and drafting guides, as mentioned by the IMF. It is very important that we have those tools and that an array of those tools exist at the regional and international levels. However, we must ensure that we are not reinventing the wheel every time. So one of the first questions: how do we do it in a way that we share it with each other, so we are not duplicating work that has already been done. I think we had a good example in the work that was done by COMSEC, UNODC and the IMF, because when we were developing our tools, we consulted back and forth during the drafting process. We built on one another’s work by commenting on each other’s drafts. I think this good example can be replicated. The question is: how can it be replicated in various contexts with other organizations?

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Mr. Prost has recently been appointed Chief Advisory Section, Treaty and Legal Affairs Branch, Devison of Treaty Affairs, United Nations Office on Drugs and Crime. Until October 2004 Ms. Prost was Head, Criminal Law Section, Deputy Director, Legal and Constitutional Affairs Division, Commonwealth Secretariat. After graduating as a gold medallist from the University of Manitoba Law School, Ms. Prost joined the Department of Justice of Canada in 1982. In 1987, she joined the Department’s newly formed Crimes against Humanity and War Crimes Unit. She was named Director of the IAG in 1994. As of July 2000, Ms. Prost joined the Commonwealth Secretariat as Head of the Criminal Law Section. Her work there has included assistance programs relating to implementation of the Rome Statue of the International Criminal Court, enhancement of domestic measures to combat corruption and most recently the development of domestic counter terrorism legislation and measures to implement Security Council resolution 1373.
How do we make sure we give our countries a range of access not just to our own tools, but also to tools being developed by other organizations? How do we do that when many countries we work with cannot access our own websites because:

A. they don’t necessarily have computer equipment; and
B. if they do, they may not have internet access or it may come once a week, and if even if they do they may not even have power supplies that are not breaking down regularly.

How do we deliver those tools to those countries from a multitude of organizations? There is a real danger, especially when countries are under pressure to adopt legislation that they are going to go through the “tick the box” exercise, which means they are going to take somebody else’s legislation, take their model and then enact it, even if it does not even make sense in their domestic context. So, what these countries need in terms of technical assistance is people to work with them on how to take the models and use them properly in their domestic context. The problems still exists if there is just one person in charge of this work. If there are three different organizations offering assistance, one after the other, it can be problematic. This has been seen by myself and my friends at the UNODC, if a country’s foreign affairs and justice departments are inviting different organizations to give advice and there is no communication between the two departments, then how do we make sure we are delivering this advice in a coordinated way? How can we do joint missions and share information and work together? Clearly, concerning legislation, we have lots of challenges to address.

In terms of legislation, the Conventions and Resolution are nothing but paper and words, unless the authorities on the ground know what has been implemented. Never take it for granted that anybody tells the police and prosecutors about new legislation being enacted, and they need to know how to go about dealing with the financing of terrorism.

3. How do we get better at Delivering the Technical Assistance better?

Enacting knowledge becomes a preventative tool. A number of organizations can play an important role in this area especially when dealing with the financing of terrorism. Unless law enforcement knows they need to be proactive in these issues, they will never act without proper training.

At COMSEC, we have started a program, which is strongly supported by the United Kingdom government, to deliver some of this training. What became crystal clear at the beginning of the program were two things:

1. We need to do this in partnership with as many organizations as possible in order to provide our member countries with the broadest scope of information and access to expertise that we can.
2. We do not want to deliver new programs; rather we should utilize existing training institutes or components of organizations that do training in sustained programs in this area. When we ran our first workshop, we were going to invite as many organizations that we could think of that would be relevant to a particular region and program. It was a successful first start, because we had a number of organizations, our normal partners, such as the UNODC and IMF, but also organizations such as, SARTCO, SADAC, ECOVAS. A whole range of organizations really adds to the substantive content that is being delivered, and bi-lateral work begins on the side, so it was a very good example of teaming up.

Other great examples of organizational cooperation are an OSCE workshop in London that I was invited to speak at due to our experience with legislative implementation. Additionally, two days ago, I was in Singapore at the IMF training program for police and prosecutors, where I spoke again on legislation implementation. At this same conference, I gained several valuable ideas, such as an idea for a joint program for the Pacific Islands between the IMF, the Pacific Island Foreign Secretariat, and COMSEC.

Even though it was a terrific approach, still we are struggling to find out which organizations have the right expertise and are interested, and where to find training institutes. As we at COMSEC spend a considerable amount of time researching this information, it would be invaluable to have databases that we can consult to find such information. However, I know the CTC is doing work in this area, and hopefully all of us can build on it as we continue to work together.
Concerning international cooperation, in my prior life, I was a practitioner in international cooperation in extradition and mutual assistance. I have spent a considerable amount of work at the COMSEC delivering assistance programs in that area and I know there is no such thing as too much assistance in the area of international cooperation. Here it is particularly important that we do not isolate the work of organizations. Perfect coordination can only function so far when many country’s legal systems are so different. The European Union has seen fantastic advances in mutual assistance/extradition, but unless it goes across systems, it is not going to get us very far because criminals will figure out how to get around the loopholes pretty quickly.

It is important to know what types of international cooperation programs are being developed so we can join in together in the early stages.

I wanted to highlight these issues for the purpose of drawing out from the floor some ideas as to how we can move these ideas into something tangible.

In conclusion, there are two themes that I would like to identify:

1. Information sharing/flow concerning the tools and kits we are working on, about the expertise that exists in organizations, and about the programs that we are designing and running. We can build on the great work that has been done in the CTC and make it even more effective in the systems that we have; and

2. I think we need to think really creatively about the partnerships that we build. I can assure you that 18 months ago, I did not expect to have such an active partnership with the IMF, or with groups that deal with biological terrorism but there are a number of organizations that have never thought about the Commonwealth Secretariat in the context of counter-terrorism work, so I think we can talk about that here today in the halls, as we have the international standards, we have a joint goal, and our goal at this point should be to work better together on our mandate.
The Increase in the Number of Ratifications of United Nations Anti-Terrorism Conventions since the Adoption of UNSC Resolution 1373

Joël Sollier

Expert Advisor to the Counter-Terrorism Committee

United Nations efforts to combat terrorism go back many years and have taken many forms; however, the Organization's strongest and most lasting commitment has been in the elaboration of international legal norms with, in particular, the conclusion under its aegis of twelve international anti-terrorism conventions.

The ratification of these conventions is the most direct, but also the most practical means for States to comply with many of the obligations imposed by resolution 1373 (2001). The Counter-Terrorism Committee, within the context of its mandate and in its dialogue with States, therefore encourages them to ratify this body of conventions.

The purpose of my contribution is to measure the increase in the number of ratifications since the establishment of the Counter-Terrorism Committee and to observe the extent of participation region by region in the treaty-based anti-terrorism network. States were divided into regional groups on the basis of the United Nations economic commissions, and information was obtained from the United Nations Office of Legal Affairs or specialized agencies that are depositaries of certain treaties. Differences in the accounting methods of these entities and problems related to State succession at times caused slight statistical discrepancies; however, they have not affected overall trends, which are the sole focus of this contribution.

I. Overall Trends

1) High Rate of Ratification of General Conventions

These conventions are also the most recent. They include:

- International Convention for the Suppression of Terrorist Bombings (1997): 115 ratifications. There was an increase of 75 per cent in the ratification rate (only 28 parties prior to September 2001).

- International Convention for the Suppression of the Financing of Terrorism (1999): 104 ratifications, with a 95 per cent increase in its ratification rate — there were only 5 ratifications between 1999 and September 2001 but 99 ratifications in the past 24 months.

The movement to ratify these conventions, which can be directly attributed to the efforts of the Counter-Terrorism Committee, should be evaluated not only in quantitative, but also in qualitative, terms, owing to the nature of these conventions:

- The International Convention for the Suppression of Terrorist Bombings corresponds to the most frequently committed acts, since up to 70 per cent of terrorist attacks involve bombings.

- The International Convention for the Suppression of the Financing of Terrorism includes many of the obligations set forth in resolution 1373 (2001) and involves putting in place lasting mechanisms for the protection of the economic and financial system.

- The provisions of these two conventions reflect the legal strides made in the most recent international criminal law conventions, particularly with regard to mutual legal assistance.

- The increase in the number of ratifications of these general conventions has thus given the international community its first treaty-based network for harmonizing criminal norms and organizing judicial cooperation.

Mr. Sollier is a magistrate. He served in different capacities in the French legal system, at the Ministry of Justice as well as abroad and is currently Expert Advisor to the Counter-Terrorism Committee of the Security Council of the United Nation in New York. Throughout his career, Mr. Sollier has worked on issues like terrorism, organized crime, corruption and money laundering, both at the national and international levels.
(2) Consolidation of Efforts to Encourage Ratification of Specialized Conventions

These conventions address specific areas of terrorist activity, including persons with special status, technical means or operational modes. They often constitute a legal response to terrorist acts committed at a specific time:

- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973)
- International Convention against the Taking of Hostages (1979)

The increase in the ratification rate of these conventions was approximately 20 per cent, with some of them attaining a very satisfactory level of ratification, particularly since the signatory States were those most concerned by action to combat terrorism.

- 144 ratifications for protected persons (increase of 37);
- 136 for the taking of hostages (increase of 40);
- 96 for nuclear material (increase of 28); and
- 100 for plastic explosives (increase of 29).

(3) Moderate Effect on Conventions Relating to Aircraft and Maritime Safety

- Safety of Air Transport (Conventions of 1963, 1970 and 1971): Resolution 1373 (2001) had little effect on these conventions, which have already achieved nearly universal ratification (over 170 States). This is due to the particular nature of air transport, which requires airports or airlines to comply with the norms contained in the conventions in order to participate in the international air transport system. This is an interesting example, which illustrates that self-interest and necessity act as incentives for ratification, and that legal progress therefore involves complementarity between technical and political action.

- Safety of Maritime Transport (1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf): The ratification rate is high, with an increase on the order of 30 per cent since September 2001. However, the total number of ratifications is still under 100 State parties and therefore insufficient for relatively old conventions. This is largely the result of a lack of understanding by certain landlocked States and those without a fleet, which do not see the need to ratify these conventions. An explanation would therefore be useful in order to show that these conventions form an indissoluble whole.

Conclusions

- United Nations efforts have undeniably contributed to the increase in ratifications, either directly through exchanges with States within the context of the Counter-Terrorism Committee, or indirectly by mobilizing regional organizations or groups of States, which have then taken the process one step further by calling for the ratification of conventions. The figures show that the United Nations, through the Security Council and the Counter-Terrorism Committee, has succeeded in mobilizing the international community around the common theme of combating terrorism, and in disseminating international legal norms in order to institutionalize cooperation among States.

- These efforts were made in an exceptionally short time and the results obtained, to be fully meaningful, must be compared to the ratification rates in other areas of international criminal law:

- Conventions on drugs (1961, 1971, 1988), which took 30 to 40 years to achieve nearly universal participation.

- United Nations Convention against Transnational Organized Crime (15 November 2000): Three years after its adoption, there are only 37 parties to the Palermo Convention, which is
considered fundamental in action to combat transnational crime. Very few of the major powers are among the signatories.

- Anti-money laundering legislation: The adoption of this legislation is mainly the result of the efforts of the United Nations International Drug Control Programme (UNDCP) in Vienna and the Financial Action Task Force on Money Laundering (FATF). The time periods necessary for the adoption of anti-money laundering measures have been very long — more than 15 years — and success has been very limited. There is also room for improvement in their implementation.

- Regional anti-terrorism conventions. Even in the more limited context of regional organizations, the ratification of conventions takes a very long time. Thus, in the Council of Europe, it took 20 years to achieve universal ratification of the 1977 European Convention on the Suppression of Terrorism.

II. Increase in the Number of Ratifications by Geographical Region

(1) Asia
The ratification rate in Asia is low, generally under 50 per cent of the States making up the region. There has been no discernible increase following the adoption of Security Council resolution 1373 (2001).

It is disturbing to note that entire areas are legal no-man’s-lands where the anti-terrorism instruments are concerned. This is the case for South-East Asia, where Burma, Laos, Cambodia and Thailand but also for a large part of southern Asia, namely Malaysia, Singapore and Indonesia. In Central Asia, however, with the notable exception of Iran, the ratification rate is relatively good.

It should be noted that, in the region most heavily affected by piracy, which is always on the borderline between organized crime and terrorism, few countries have ratified the maritime conventions.

(2) Africa
The ratification rate is still unsatisfactory, although not insignificant. Too often the rate is under 50 per cent. It should be emphasized, however, that there has been a definite increase in ratification since 11 September 2001, with many conventions receiving their first ratifications from African countries in the context of implementation of Security Council resolution 1373 (2001).

Ratification has been somewhat homogeneous, with some States tending to ratify related instruments “en bloc”.

Participation by geographical area, however, has been unequal: although North Africa, sub-Saharan Africa and southern Africa have achieved fairly good ratification, the opposite is true of large areas of African territory; there are many large, heavily populated countries or countries highly vulnerable to terrorism, such as Nigeria, Angola, the Congo and the Democratic Republic of the Congo, and others such as Namibia, Zambia, Zimbabwe and Somalia, that have signed a limited number of conventions.

Efforts should be made to explain to the States of the region the usefulness of ratifying all the terrorism-related instruments, including the maritime conventions.

(3) Europe
The ratification rate for Europe is very high, averaging about 80 per cent for all instruments, including the most recent. Thanks to the efforts of regional organizations such as the European Union, the Council of Europe, the Organization for Security and Cooperation in Europe and the Commonwealth of Independent States, a process of political stimulus and technical cooperation has made it possible to extend the anti-terrorism instruments to a large majority of States. This should promote judicial and police cooperation in the area and increase its capacity to combat terrorism.
Further efforts are necessary to complete the task begun by the young republics of Eastern Europe, in particular Armenia and Georgia, in order to enable them to adhere to the most recent conventions should they so wish.

(4) The Americas and the Caribbean Region

The Americas have a very respectable ratification rate, with more than 50 per cent of the countries having ratified the majority of the conventions.

Although the ratification rate for the more recent conventions is still unsatisfactory, efforts by the Organization of American States can be expected to increase the rate soon. It is also surprising that several large countries that are particularly at risk from terrorism or organized crime because of their political or geographical situation, such as Colombia, Jamaica and Venezuela, have not signed the main instruments.

(5) Western Asia

The ratification rate in Western Asia is by far the lowest. The ratification campaign begun by the Counter-Terrorism Committee has had no obvious effect on the countries of the region.

With the exception of the air safety conventions, the anti-terrorism instruments have received few ratifications. Only one country has ratified the International Convention for the Suppression of Terrorist Bombings. The same is true as for the International Convention for the Suppression of the Financing of Terrorism.

However, 16 members of the League of Arab States have ratified the Arab Convention on the Suppression of Terrorism. States have thus limited their action to the regional level whereas a global anti-terrorism network is the goal sought.

Number of Ratifications, by Regions, prior to, and since, September 2001
<table>
<thead>
<tr>
<th>Africa: 53 States</th>
<th>Asia and the Pacific: 44 States</th>
<th>Western Asia: 11 States</th>
<th>Americas and the Caribbean: 35 States</th>
<th>Europe: 47 States</th>
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<tbody>
<tr>
<td>Algeria</td>
<td>Afghanistan</td>
<td>Bahrain</td>
<td>Antigua and Barbuda</td>
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<td>Angola</td>
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<td>Benin</td>
<td>Azerbaijan</td>
<td>Jordan</td>
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<td>Cambodia</td>
<td>Qatar</td>
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<td>China</td>
<td>Saudi Arabia</td>
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<td>DEMO. Republic of Congo</td>
<td>Islamic Republic of Iran</td>
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</table>
### Number of Ratifications by Region

<table>
<thead>
<tr>
<th>12 Conventions on Combating Terrorism, all regions</th>
<th>Parties total</th>
<th>Since September 2001</th>
<th>In %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convention for the Suppression of the Financing of Terrorism (1999)</td>
<td>104</td>
<td>99</td>
<td>95</td>
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<td>Convention for the Suppression of Terrorist Bombings (1997)</td>
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<td>Convention for the Protection of Nuclear Material (1980)</td>
<td>96</td>
<td>28</td>
<td>29</td>
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<tr>
<td>Convention Against the Taking of Hostages (1979)</td>
<td>136</td>
<td>40</td>
<td>29</td>
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<td>Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons (1973)</td>
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<td>Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (1971)</td>
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<tr>
<td>Tokyo Convention Offensives and Certain Other Acts Committed on Board Aircraft (1963)</td>
<td>176</td>
<td>3</td>
<td>1.6</td>
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</table>

* Source: IMO
### Regional Ratification Levels of the Twelve International Legal Instruments

<table>
<thead>
<tr>
<th>12 Conventions on Combating Terrorism, all regions</th>
<th>Parties total</th>
<th>Africa (53)</th>
<th>Asia/Pacific (44)</th>
<th>Western Asia (11)</th>
<th>Americas and Caribbean (35)</th>
<th>Europe (47)</th>
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<td>Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (1971)</td>
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<td>Tokyo Convention Offensives and Certain Other Acts Committed on Board Aircraft (1963)</td>
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<td>47</td>
<td>41</td>
<td>9</td>
<td>34</td>
<td>42</td>
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</tbody>
</table>

* Source: IMO
Presentation on the Technical Assistance Delivered by Terrorism Prevention Branch

Walter Gehr 36
Project Coordinator, TPB/UNODC

I will start my presentation with a list of countries we have visited in the course of our Technical Assistance missions, either bilaterally or multilaterally.

Technical Assistance Delivered by Terrorism Prevention Branch since Oct. 2002

Technical assistance provided on counter-terrorism legislation:
• Upon direct request from countries or from the CTC
• Bilateral Assistance already provided to 36 countries:
  
  Algeria, Angola, Armenia, Azerbaijan, Belarus, Benin, Burundi, Cambodia, Cape Verde, Central African Republic, Comoros, Croatia, DR Congo, Georgia, Guinea-Bissau, Haiti, Hungary, Jordan, Kyrgyzstan, Laos, Madagascar, Mali, Mauritius, Mozambique, Niger, Paraguay, Peru, Romania, Sao Tome e Principe, Slovakia, Sudan, Tajikistan, Ukraine, Timor-Leste, United Arab Emirates, Vietnam
  
  • Multilateral Assistance reached 75 countries, including: Brazil, Kazakhstan, Kuwait, Panama, Uzbekistan, Venezuela, ASEAN countries, and the Baltic Sea States

Technical Assistance -Recent & in the Near Future:

Future Bilateral Assistance:
• Afghanistan, Bolivia, Suriname, Ukraine

Recent Multilateral Assistance:
• Mali, 25-28.11.2003
• Sudan, 17-19.01.2004
• Costa Rica, 22-24.01.2004
• Turkey, 23-25.02.2004

Some of you might think I want to impress you by the sheer number of countries which have received assistance. Yet this is not the point at all. The point I want to make is that for all these countries which we have assisted in drafting legislation which is in harmony with the twelve anti-terrorist Conventions, we have developed legal expertise on the way they implement the twelve Conventions. We know which countries have criminalised the hijacking of planes and which ones have forgotten to criminalise attempts to hijack planes. We know which countries criminalised the financing of terrorism in an appropriate manner and we know which did not.

Please take note of the countries we are planning to visit in the near future. We stand at your disposal, at the disposal of the international organisations present here, to assist you whenever you have a mission to any of these countries so that you can build on our expertise.

We have conducted technical assistance in different ways – bilaterally and through multilateral workshops. The point here again is not that we have done that - after all we all do something - but in all these workshops we try to involve you in our efforts as the next Table makes clear:

---

36 Mr. Gehr is Project Coordinator of the Global Program against Terrorism, TPB/UNODC. In 1985 he completed his law studies at the University of Vienna. After his military service and several functions in the private sector, he started a diplomatic career with the Federal Ministry for Foreign Affairs of Austria. Since 1997 he was Deputy Director of the Department of General International Law of the Federal Ministry for Foreign Affairs and heads within this department the unit responsible for international economic and environmental law. Walter Gehr is President of the Assembly of States of the International Development Law Institute (IDLI). In 2000 and 2001 he was member of the Austrian delegation to the Legal Committee of the General Assembly of the United Nations (Sixth Committee).
Interaction with International, Regional and Technical Organizations

• Joint Workshops and Missions e.g. with OSCE, IGAD, IMF, OAS, Council of Europe
• Mutual Contributions e.g. AU, EU, SECI, CTAG (G-8), NATO, Commonwealth, Francophone
• Informing on assistance needs (IAEA, OPCW)

We have – first and foremost - involved the Counter-Terrorism Committee in all our workshops, because we know that the CTC is co-ordinating the counter terrorism efforts world-wide, acting also as a facilitator of Technical Assistance. We want the CTC to be with us and see with us where the difficulties of Technical Assistance are. We also want to give the CTC the opportunity to bring home its message The CTC, as is very obvious from this gathering here, is the corner stone of international efforts to combat terrorism.

We act in partnership with the CTC. Our first concern is to have them with us on the ground whenever they deem it necessary or useful. We want to make our work relevant for the CTC. How do we do that? First of all, we inform the CTC about every single Technical Assistance mission we are about to organise and carry out. Then they know and they can put a red flag up and say “No don’t go there, this country has been assisted already 300 times, don’t go there anymore, that is not worthwhile”. It has never happened so far but we want to give the CTC the opportunity to do that. We want to give them the opportunity to join us on our missions as a matter of course. When we go on mission, with or without the CTC, we draft a mission report. All the countries that have been assisted by us know very well that at the end of the mission we formulate with them a Plan of Action. In addition, all the countries that have been assisted know beforehand that we will send the mission report to the CTC. We hope that our mission reports serve the CTC as a further document when it comes to evaluate the performance of countries in complying with Security Council Resolution 1373 and the twelve Conventions and Protocols related to the prevention and suppression of international terrorism.

Yet we also try to involve others represented here as the following list makes clear:

Interaction with International, Regional and Technical Organizations:

• Joint Workshops and Missions e.g. OSCE, IGAD, IMF, OAS, Council of Europe
• Mutual Contributions e.g. AU, EU, SECI, CTAG (G-8), NATO, Commonwealth, Francophone
• Informing on assistance needs (IAEA, OPCW)

Some of you will recall that we have involved the African Union, the Arab League, the Organisation of the Islamic Conferences and many others in our workshop in Sudan, to which the following table refers:


You know very well that in Turkey we have involved the OSCE, since its Secretary-General, Ambassador Jan Kubis referred to it this yesterday at the opening.

We have had, as many of you know because we have been together on missions, joint missions with the OSCE, the Intergovernmental Authorities on Development in Eastern Africa, and the IMF. Together with the IMF we have also drafted legislation. We have also been on mission with the Organisation of American States, in South America in particular.

We are also invited and have been invited, and are honoured to have been so, by a number of international and regional organisations like the African Union, the European Union, with which we
have also been on missions, SECI, Counter Terrorism Action Group of the G8(CTAG), NATO, Commonwealth, the Francophone.

One thing we do also when we go on mission - because we are not blind to the needs of the countries we assist - is to tell organisations when we see a need that cannot be covered by us. Some countries have difficulties implementing the Convention on the Physical Protection of Nuclear Material, and not only on the legal side. They need guidance on the definition of nuclear material. In such cases we inform the IAEA - and the IAEA are here to witness that - and ask them, “could you please go and help that country?”.

The last table shows you that we have reached out to many organisations in our efforts in East Africa. Our hope is that we will continue to work with one or the other organisation in the countries we have assisted through the regional workshop. The countries involved in that particular workshop have asked us in the Khartoum Declaration (the press release is on the UNODC website) to develop common programmes with another organisation present here in this room. They have asked us to go on mission there. It goes without saying that, since some of those countries in Eastern Africa are members of the Commonwealth, we are going to go there with the Commonwealth Secretariat.

If you wish and have not already done so, we could also co-operate with your organization. I’m sure that we at UNODC have a pretty clear idea about areas in which we could co-operate with many of you. To those with which we have not yet had the pleasure to work together so far, I say: we should sit together and try to develop something concrete. It makes no sense, of course, to draft a programme just for the sake of drafting a programme - that would be absurd. But at least we should try - and we are at your disposal once again - to get together and see in which areas we could co-operate. This is how some of our co-operative efforts came about, as some of you know very well. Mr Laborde, myself, my colleagues, went to see you at your headquarters and together we explored the areas in which we were willing and able to co-operate. We stand open for more joint efforts.
Session III

Border Management Issues
Presentation on Behalf of the Organization for Security and Co-operation in Europe

Mr. Lamberto Zannier 37
Director, Organization for Security and Co-operation in Europe, Conflict Prevention Centre

The OSCE’s role in border security is firmly anchored in a number of official documents, and not least the Helsinki Final Act. More recently, the principles of common, comprehensive and indivisible security, based on the sovereign equality and solidarity of the participating States, were reconfirmed and further operationalised at the Porto Ministerial Council in Dec 2002. Here both a Charter on Combating Terrorism and a Declaration on Trafficking in Human Beings were adopted, and these documents brought even greater increased attention by the OSCE to border issues generally.

At Maastricht in 2003, the participating States agreed on an OSCE Strategy to Address Threats to Security and Stability in the 21st Century. In particular, paragraph 35 states that ‘Threats of terrorism and organized crime are often interlinked, and synergetic approaches to deal with them will be further explored. Cross-border movement of persons, resources and weapons as well as trafficking for the purpose of financing and providing logistic support play an increasing role for terrorist activities. The OSCE is committed to addressing these problems and to strengthening its capacities to promote open and secure borders, inter alia, through the elaboration of an OSCE Border Security and Management Concept in order to enhance capacity building and mutually beneficial inter-State co-operation’.

In dealing with border management issues, the challenge is to find ways to enhance border management and security to a level that is commensurate with the threats of illegal cross-border activities, while facilitating legitimate cross-border travel and commerce, protecting human rights and promoting human contacts.

The OSCE is well placed to pull together its expertise and experience acquired over years of border-related activities in its three dimensions, and to use this experience to formulate a coherent border management strategy. However, such a strategy will require a cross-dimensional and inter-institutional approach, and herein lies the challenge, for the potential scope for activities in this field is very wide indeed, and here I would make three points:

- the first is that there is a clear need for co-operation and co-ordination between international organizations to avoid overlap and shortfalls, and this not least because there are a number of organisations and initiatives devoted to the subject of borders in all its forms.
- Second, and following on from the above, there is a need to identify our own respective comparative advantages, which again calls for a co-operative approach. We need to ensure complementarities, and develop our skills in the areas that are best suited for us to operate in.
- Third, and this is particularly applicable to the OSCE, there is no ‘one size fits all’ approach to the question. All regions have their respective challenges to address and so apply different approaches to the solutions. Any strategy needs to be not only cross dimensional but must embrace an inter-institutional approach as well.

On all these three points we are most keen to develop synergies with you.

Activities undertaken by various OSCE bodies, institutions and field operations have focused on a variety of aspects of border management and security, including police, travel document security, customs and immigration. In order to assist in this, a small sub-unit has been set up within the CPC, with the aim of ensuring both internal and external co-ordination of border related activities, including the management of specific border related projects as appropriate.

37 Mr. Lamberto Zannier is Director of the Conflict Prevention Centre of the OSCE (Organization for Security and Cooperation (in Europe)). He received his Doctorate in Law from the University of Trieste in 1976. As an Italian career diplomat he specialized in politico-military issues, in particular security cooperation, arms control and peacekeeping. From 2000 – 2002 he was Permanent Representative of Italy in the Executive Council of the Organization for the Prohibition of Chemical Weapons in The Hague and DCM at the Italian Embassy to the Netherlands. From 1997-2000 he was with the Italian Mission to the OSCE where he chaired the Negotiation on the Adaptation of the Treaty of Conventional Armed Forces in Europe. He is the author of various articles, mostly in English on arms control, non-proliferation, peacekeeping and cooperation among security institutions, including NATO and OSCE.
To provide a few examples, in the field of border monitoring, the OSCE has launched a sizeable border monitoring operation along the Chechen, Ingush and Dagestan Republic sections of the Georgian border with the Russian Federation. Other past taskings have seen a monitoring operation in Albania along the Kosovo section of the Serbia and Montenegro border during 1998 and 1999 - this in order to report first hand on the crisis - and a smaller operation based on the Spillover Monitor Mission to Skopje, that had a similar mandate during the crisis in 2001 and 2002.

In the area of cross border co-operation, and in line with commitments made at the May 2003 Ohrid Regional Conference on Border Security and Management in South Eastern Europe, the OSCE has developed the OSCE SEE Regional Cross Border Co-operation Programme. This programme involves full ownership by the States of the region, and is designed to address immediate problems of cross border co-operation, with particular attention paid to the state of agreements, or lack of them, between the countries. In addition, the question of transitioning border forces from military to civilian led police forces, including the necessary training, will also be addressed.

Other items under this subject of co-operation include regional workshops on Travel Document Security, and a small project involving customs legal advice centres is underway in Central Asia.

Anti-trafficking activities have embraced a number of different initiatives, from the training of border guards to combating illicit movement of SALW, co-operation with IAEA regarding the issue of radiological materials, seminars for border guards designed to raise public awareness over border issues, and by enhancing the capacity of the Serbian MoI to deal with Human Trafficking through both assessment and purchase of equipment.

Border Policing has involved assistance in legislation reform, where following an initial project proposal for Tajikistan, discussions are ongoing with the EU to co-ordinate any future action with the EC BOMCA initiative; giving assistance in establishing legal assistance centres in Kyrgyzstan which is a joint project in 2004 with the Eurasian Foundation; assistance to the police forces of Serbia and Montenegro has included the development of criminal intelligence analysis capacity for Serbian Border Police; and assistance to, and training of, border police officers in Montenegro.

In regard to Border Security there are a number of projects, some pending, for border guard training in Central Asia, including the EU Border Management programme for Central Asia (BOMCA). The OSCE is on the steering committee of this programme for Border Services Training.

In the field of Border Service Reform, between 1998-2003, ODIHR, in co-operation with field offices of the IOM, implemented a number of projects on assistance to border services of the countries of Southern Caucasus and Central Asia.

In addition, the OSCE set up Sanctions Assistance Missions between 1992 and 1996 to strengthen the enforcement of sanctions against Yugoslavia (Serbia and Montenegro). In the area of customs reform and trade facilitation for South Caucasus, there has been multi-sectoral dialogue in Azerbaijan and Armenia. A workshop on business co-operation in a security perspective to increase co-operation at the Tajikistan/Afghanistan border has taken place, and support to the establishment of bilateral commission between Kyrgyzstan and Kazakhstan is an ongoing project on water utilization of the Chu and Talas rivers.

In November 2002, a Border Assessment Mission composed of representatives of a number of participating States, as well as an expert from the European Commission, reviewed the level of co-operation with respect to border and customs control along the Moldovan-Ukrainian land border, including the segment of the border controlled by the Transdniestrian authorities, and made a number of specific recommendations.

Additionally, the OSCE Project Co-ordinator in Ukraine has supported projects related to border delineation and border installation security at the request of the State Border Guard Committee, the Ministry of Foreign Affairs and the State Service of Cartography.

Finally, another important aspect of the OSCE’s involvement in border security and management issues is the Travel Document Security Programme, developed by the Action against Terrorism Unit. This programme strengthens efforts to prevent the falsification of travel documents. The OSCE, in collaboration with ICAO, recently held a major workshop in Vienna, bringing together travel document issuing and immigration authorities. This event was an excellent example of co-operation.
between a regional - OSCE - and an international - ICAO - organization that can be repeated in other regions of the world.

In closing, I would just add that the increasing awareness of the need for proper border management and security policies to address the wide range of security concerns involved leaves little doubt that the OSCE will increase its involvement and commitment over time. While most of our field missions and operations are already addressing border issues as an integral part of their respective mandates, in other cases a more prominent focus on borders will be the result of our institutions addressing cross dimensional threats and challenges. In fact, comprehensive border management must take into account the need for security and law and order, and the economic benefits of trade across open borders, while at the same time ensuring respect for human rights and fundamental freedoms. These aspects broadly reflect the OSCE’s three dimensions of security. The challenge for the OSCE will be to pull together its expertise and experience in the three dimensions into one coherent border management strategy, which will allow our organisation to better interact with other international players.
World Custom Organization’s Security Related Activities

Rainer Mellwig
Deputy Director of Compliance, World Custom Organization

The World Customs Organization is an intergovernmental organization representing 162 Customs administrations worldwide. Its aim is to assist Customs administrations all over the world in becoming more effective and efficient in fulfilling their responsibilities. As is well known, Customs traditional functions have been the collection of duties and taxes. However, in addition to this important function, Customs administrations have seen their responsibilities increase to assume the protection of society. In this regard, Customs have been multiplying their efforts to safeguard their borders against criminal acts and the threat of terrorism.

The global response of Customs to the increased terrorism threat has been coordinated by the WCO and supported by Director Generals of Member Customs administrations, who, at Council Session’s in June 2002, adopted the WCO Resolution on Security and Facilitation of the International Trade Supply Chain. The objective for Customs was to look beyond borders to the point of origin in the trade supply chain aiming to secure every part of this chain. We received support from international bodies and key players and stakeholders involved in trade. Accordingly, we invited IMO, UNOCD, IAEA, OPCW, Interpol, Europol, European Commission, and our trading partner organizations in the field of commerce, shipping, air, mail and road transport and others, who co-operated with us. These contributors and senior ranking Customs officials have been galvanized into an international Task Force on Security and Facilitation of the international Trade Supply Chain.

This Task Force has produced a number of measures, instruments and guidelines. The most important achievements are:

- A new international Convention on Mutual Administrative Assistance in Customs Matters, which provides Customs with a legal basis to exchange information on high risk consignments in advance of their arrival;
- “Advance Cargo Information” Guidelines describing the procedure of processing information in advance of arrival of the goods;
- A list of 27 key data elements required for the identification of high risk consignments;
- Guidelines for the development of national laws for the collection and submission of Customs information taking into account data protection and data security;
- Guidelines for the Co-operation between Customs and business;
- A capacity building strategy and diagnostic framework; and
- An internet-based databank on new technology, available on WCO’s public and members web-site, designed to give guidance on specialized equipment for enforcement purposes.

Future Perspectives in Terms of Cooperation

As expressed in the Security Council Resolutions 1373 and 1456 anti-terrorism measures should be integrated in holistic processes involving all levels of governance. Among other topics the Resolutions refer to border measures.

Border management embraces:

- Processing of border traffic
- Identification of possible security risks at border crossing points
- Needs analysis: what is already available and in place and what needs to be done to improve effectiveness, which then leads to the:

38 Mr. Mellweg is Deputy Director for Compliance/Enforcement with the World Customs Organisation which he joined in 1997. After obtaining a PhD in law and a second law degree, he joined German Customs in 1989. Until 1992 he worked for the Customs Criminological Office (Zollkriminalamt) in Cologne, where he was responsible for the training of German Customs investigation officers. From 1992 until 1998 he was Deputy Head of the Customs Investigation Unit in the German Ministry of Finance, where he also worked in the area of international cooperation and mutual assistance. As Deputy Director for Compliance/Enforcement of the WCO he has been responsible for all enforcement related issues as well as a number of the security related topics the WCO Secretariat is involved in.
Identification of areas for capacity-building

Capacity-building has many aspects

- An important aspect is funding, most significantly to support developing countries which – in case they are left behind- may become a weakest link.
- A related issue is the availability of appropriate technical equipment and:
- Appropriate staffing and training
- A number of agencies, such as Customs, border guards, police, immigration officials and specialized services, fulfill a role in protecting our borders. Therefore a multi-agency approach in terms of a strong coordination of efforts between all responsible agencies based on cooperation and reciprocity is required.

We have to ensure the flow of the necessary information between the agencies to allow risk assessment, profiling and targeting, since a 100% check is not achievable due to the limited availability of resources besides it is not desirable, since it hinders legitimate trade. Selectivity is necessary to allow authorities to concentrate on illegal traffic. This again requires an infrastructure to allow the effective processing of relevant information at the earliest possible stage.

- Last but not least, a stocktaking and sharing of Best Practices is highly recommended.

Customs as the prime agency to interdict illicit traffic moving across borders has the required powers, a special expertise in controlling the transnational movement of goods and people. Customs deal with international business, works with cargo information in advance of shipment, uses risk management and risk assessment methodologies and has specialized skills in detection. Customs have a key role to play in the prevention and investigation of all sorts of offences, which are linked to terrorism and organized crime, such as trafficking of arms and weapons of mass destruction, illegal movement of nuclear, chemical and biological material and other crimes, such as trafficking of drugs and money laundering, where the illegally obtained assets are always a potential source to finance terrorism. Customs responsibility, however, is not limited to goods. We have access to manifests, travel documents, identity papers and other information, which allow us to evaluate and assess the risk related to people as well. Consequently in some countries, Customs has primary responsibility for immigration issues, including the admission of people. And many Customs services are able to prescreen travelers to determine their admissibility. There are other examples, where Customs and border police share responsibilities in this respect. Staff is being exchanged and integrated in new common structures operating under a “border service” comprising Customs, Police and other agencies responsible for border security, having access to each other’s information. The WCO Council in June 2003 adopted guidelines on the “Advance Passenger Information” relating to the advance information exchange on air passengers. Customs’ skills in risk assessment and risk management and its access to the relevant information on goods and people can further assist in improving border controls relating to goods and travellers.

There are other organizations with complementary skills and powers on international and regional levels, where cooperation can effectively combine efforts and expertise. I will just mention a few examples, without giving an exhaustive list:

International law enforcement agencies, such as EUROPOL and INTERPOL, have quality standardized information at their disposal on people, trends and modus operandi related to organized crime. International Organizations with special responsibilities in the field of nuclear and chemical goods, such as OPCW and IAEA have expertise in their area which is of highest value for border agencies to protect themselves and their societies. IMO has developed and improved security arrangements at ports, on ships and at the ship/port interface. The FATF and other international and regional bodies provide valuable information and recommendations in the area of money laundering.

Effective co-operation and information sharing between all relevant agencies and bodies is required to identify security risks, to share best practices and to collect and process the relevant information in the appropriate manner.

Co-operation between international organizations in terms of a common effort in the area of capacity-building has in the past proven to be effective. The WCO for example has been co-operating with the IAEA in the area of training and technical assistance. Joint manuals and training material have been developed. WCO Members and the WCO Secretariat have been contributing as expert resources and students in the comprehensive training program delivered by IAEA in the field of nuclear security and safety. As a result, at the operational level, the WCO’s global database, the Customs Enforcement
Network, now has a separate record for nuclear and hazardous materials. A number of significant seizures have been recorded and alerts have been disseminated globally.

Other forms of co-operation between international organizations have also proven to be successful: The WCO is the executing agency for an UNODC project, designed to improve the drug control capacity in the ports of Eastern and Southern Africa by establishing anti drugs teams in identified key ports. The teams combine Customs and Police in one unit. They are trained on the use of intelligence, risk assessment and profiling to select high risk consignments. They are taught how to collect and analyze information and then how to search the selected containers and vessels effectively. This project is combining a number of elements which were mentioned as being important for border management: It is promoting a multi-agency approach, an appropriate information exchange between different agencies and the use of risk assessment methodologies. It is providing adequate training and essential equipment. The concept of this capacity-building project is applicable for all sorts of crime and security threats.

The co-operation mentioned in the previous examples could be re-enforced and adapted to specific needs. Similar arrangements may be considered for other agencies to co-operate with each other. Common capacity-building strategies could be jointly developed. Joint international conferences could continue to be conducted as well as discussions forums, where international Organizations ensure each others representation.

Furthermore, international organizations as well as national authorities should be encouraged to give each other access to their relevant information on a reciprocal basis, whenever it is required. Organizations should take a common approach to encourage their members to implement a legal framework, allowing the appropriate and necessary information exchange and processing of data. Any co-operation between international organizations may be formalized via a Memorandum of Understanding where required and appropriate.

Effective border management is an integral part of the fight against terrorism and other crimes. Bearing in mind, that as outlined in the introduction of the conference, investments in upgrading border controls may be too substantial for a number of economies, we have to concentrate on prioritization, risk management and risk assessment. All of this is dependent on the availability of information, its collection, processing and exchange in a timely manner. To enhance border controls, therefore all border agencies have to base the assessment of risks on all available information, including the prescreening of goods and travelers.

The UN resolutions clearly recognize that no single agency can cope with terrorism on its own. A strong co-operation between all responsible bodies and agencies is of utmost importance in order to be more effective by combining efforts and expertise and by avoiding duplication.
Border Controls Issues and the OAS-CICTE Perspective

Kevin Newmeyer 39

Program Director, Inter-American Committee Against Terrorism

Effective border control efforts require a coordinated approach. Trying to control one side of an international border alone is difficult if not impossible without the support of the other state. The OAS recognized this early in the post 9-11 efforts to revitalize CICTE. Border Controls measures were one of the three original points of emphasis of the CICTE Work Plan and remain a key element in the third iteration of the plan. CICTE is currently pursuing several projects in this area in support of that work plan that I will discuss shortly. Finally, I will offer some comments on where greater cooperation among international and regional organizations could enhance our mutual efforts in this critically important area.

At its Fourth Regular Session in Montevideo, CICTE called for increased cooperation between states to fight against terrorism. The Declaration of Montevideo specifically mentioned:

- The urgent need to adopt measures in accordance with national laws and international instruments in force to strengthen regional and international cooperation and the exchange of information with the aim of locating, capturing, prosecuting, and punishing the sponsors, organizers, and perpetrators of terrorist acts, as well as of identifying and freezing assets and resources used to facilitate, promote, or commit such acts.

- The importance of adhering to the new requirements of the International Ship and Port Security Code of the International Maritime Organization to ensure safety and security of the supply chain and passengers.

- The importance of coordinating and intensifying OAS and member states efforts, including the provision of technical assistance, where appropriate and feasible, to encourage and facilitate compliance with the International Civil Aviation Organization (ICAO) standards and recommended practices with respect to safeguarding international civil aviation and its facilities against acts of unlawful interference and meeting travel document requirements as specified in the relevant Annexes of the Convention on International Civil Aviation.

These statements represent the consensus political will of the member states regarding these border control issues.

To implement the political commitment of the declaration, the CICTE Work Plan for 2004-2005 provides detail for actions to be carried out by the Member States and the CICTE Secretariat. The CICTE Work Plan, which has been made available on the web site for this meeting, provides a series of recommendations to the states on sharing intelligence and best practices on border controls, improving border crossing documents, training of customs officers, and other cooperation activities.

A clear example of this cooperation was the recent apprehension and arrest of two suspects on use of false travel documentation. The suspects on a regional watch list traveled to Uruguay from another Member State. The residential state notified Uruguay that the individuals were enroute to Uruguay. Uruguayan officials monitored their movements in Montevideo, including contacts with a known document forger. When the suspects left Uruguay using legitimate travel documents, Uruguayan officials provided advanced information to intelligence and border controls officials in the receiving country. It was in that second country that the suspects attempted to use the fraudulent documents

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39 Mr. Newmeyer is currently seconded to the Organization of American States (OAS) as the Program Director for the Inter-American Committee Against Terrorism (CICTE). The founding member of the CICTE Secretariat, he represents the Organization of American States with the UN Counter-Terrorism Committee (CTC), the Financial Action Task Force (FATF), and numerous international and member state forums. A career naval officer, Commander Newmeyer served in leadership and policy positions both at sea and ashore. An Olmsted Scholar, Commander Newmeyer is a graduate of the Spanish Diplomatic School and Universidad Complutense in Madrid, Spain, with graduate degrees in International Relations. He also graduated from the US Naval Academy in 1983 and received an MBA from George Mason University in 2003.
obtained in Uruguay to travel to a third country. Close cooperation within the CICTE framework, on a bilateral level, allowed for the interception of these criminals. It is important to note that the CICTE Secretariat was not involved at all but it was the relationships established and strengthened in the CICTE process that allowed prompt action.

In order to execute the CICTE work plan, the Secretariat is developing and executing several projects in partnership with our member states and other international organizations. I would now like to discuss some of the most significant ones.

**Border Management System Assessments:** In cooperation with the International Organization for Migration (IOM), CICTE distributed a self-assessment questionnaire to our member states that offered a structured means for the state to examine its internal migration processes. Those states that completed the assessment and requested additional assistance are now being scheduled for follow on visits with IOM. These more in-depth reviews by the technical experts will be used to draft recommendations for improvements that states will be able to pursue with their own resources or to address potential donors.

**3+1 Projects:** One of the areas of high concern within the hemisphere, due to its susceptibility to exploitation by terrorists, is the Tri-Border Region of Argentina, Brazil and Paraguay. These states, along with the United States of America, established the 3+1 Dialogue to address issues of concern. In support of this effort, CICTE is executing a number of programs. One is a seminar on terrorist financing for the Financial Intelligence Units in the region that is somewhat outside the current subject area but still an important piece of the overall regional effort to control the processes occurring on, and through, the frontier. The second is a program for senior officials involved in the border control process. CICTE will bring senior officials from the three countries’ customs, immigration and border security services to the United States for visits to several border crossing points to examine how the US and Mexico cooperate on these complex issues. The tour will consist of discussions with experts from both sides of the frontier. Based on the findings of this first program, subsequent visits for operational and working level personnel will be planned to provide more focused training. By bringing the policy makers from all three countries together, we hope to allow the personal contacts necessary to develop the trust fundamental to mutual cooperation. We are also conducting capacity-building for Paraguay’s customs service in a project with the US customs personnel of the Department of Homeland Security.

**Smart Borders:** Canada, in taking a page from its efforts in APEC, will host a smart border symposium for the OAS member states in Vancouver this spring. The conference will replicate a successful program conducted by Canada and the United States last November for APEC. The program will allow officials from OAS member states to examine first hand both the bilateral cooperation and technology used at the land, sea and air borders in the Vancouver area.

CICTE is preparing a series of airport security training courses for several of its member states. Some courses will use instructors from the Transportation Security Agency and the US Federal Aviation Administration with participants funded by CICTE. These courses are based on the existing ICAO standards. In other instances, CICTE will use donor funds to offer scholarships to officials from member states that otherwise would be unable to afford participation to attend ICAO courses on Crisis Management already planned in the region, thus leveraging existing efforts by our international partners. Similar projects are under consideration with the International Maritime Organization and others in order to bolster port security in the hemisphere.

CICTE actively looks for programs to share with our member states. It is our desire not to reinvent the wheel and we abhor duplication. We also seek out Best Practices from other regional organizations. We recently participated in the APEC Senior Officials Counter-Terrorism Task force Meeting and the Secure Trade in APEC Region conference in Chile. We will be happy to share what we learn from our border control programs with other interested organizations.
Recommendations for consideration:

1. International organizations such as ICAO, IMO, World Customs Organization, etc. should establish points of contact (POC) with the regional organizations. The POC’s would exchange information on what courses are available and scheduled. This would allow the regional organizations to spread the word to their member states and perhaps match training required with training offered.

2. Regional organizations could use their or donor resources to fund “scholarships” to training events scheduled by other organizations.

3. Examine the opportunities for exportable training and distance education for border control officials. A close examination of current private sector initiatives in this area may be beneficial.

4. Exchange of training material between organizations. CICTE has commissioned a terrorist financing training module that we will be happy to share with any interested organizations after it is delivered in June 2004.
Interpol’s Efforts to Counter the Global Threat of Terrorism

Robert Boylan 40
Technical Adviser, Legal Counsel’s Office, Interpol

On behalf of Interpol, I extend condolences to the Spanish people for today’s horrific attack on innocent citizens. Let me summarize briefly the services that Interpol provides in the anti-terrorist area and in so doing explain why I believe that Interpol has become essential to every effective national, regional, and global antiterrorist effort.

Interpol – with 181 member countries – is uniquely positioned to address the issues raised by the threat of terrorism. Nevertheless, defining and expanding Interpol’s role in the anti-terrorism efforts of our members has been difficult, given the nature and secrecy of terrorism investigations, even more so since September 11. Investigations of terrorist organizations and activities are inherently sensitive given the nature of the threat, geo-political considerations, and concerns about sources of information. Moreover, terrorist investigations often involve both the law enforcement and intelligence communities, which operate in fundamentally dissimilar ways, with different legal standards and governing paradigms.

As a result, the major issue that confronts Interpol in this area is the extent to which countries are prepared to cooperate by sharing counter-terrorism information. At the General Secretariat we have adjusted our working arrangements and our services to try to meet this challenge. Our basic premise is that when countries actively participate in global anti-terrorist efforts, not just national or bilateral efforts, it reduces the risks of terrorists attacks conversely, not participating increases the risk.

Let me touch on six recent developments at Interpol that have strengthened our anti-terrorist efforts.

First, Interpol has restructured the counter-terrorism program to focus on new projects and initiatives, such as the Fusion Task Force (FTF), at the general secretariat in Lyon, France. Initiatives such as the Fusion Task Force and with the same pragmatic approach have produced practical results such as the largest global database of suspected terrorists and forged and stolen travel documents.

Second, Interpol has built a state of the art global communications system called i-24/7 that permits the instant exchange of sensitive police information 24 hours a day/7 days a week. Police can now send and receive photographs and fingerprints of suspected terrorists around the world in seconds; the i-24/7 system is expandable so it can be placed in any site or city in any country. This is an essential condition for the possibility for police co-operation.

Third, Interpol has created a command and co-ordination centre that also operates around the clock – 365 days a year – where we can receive, process and deliver critical police information from 181 member countries in all of Interpol’s four official languages (Arabic, English, French and Spanish). This is an operational centre that is unique in the world.

Fourth, Interpol has implemented an electronic system for what Interpol calls its Red Notices, which are the equivalent of a worldwide lookout system. This means if an arrest warrant is issued in member countries such as the UK, Argentina, Egypt, or china, then Interpol can create a Red Notice and circulate a notification that this person is sought by a country for any serious crime. The process for issuing Red Notices used to take months – it can now be done in less than a day.

Fifth, Interpol has updated its policy on the crimes for which Red Notices can be issued. As of the 18 November 2003, Interpol Red Notices can be issued for the crime of “membership in a terrorist organization” even though the person sought for arrest has not yet committed any ordinary law crime. This is a new and important policy change that will help police around the world to keep citizens safer by helping police to apprehend and extradite more terrorists.

Sixth, Orange Notices are security alerts to inform members and selected international organisations and entities of the characteristics of threats like letter bombs. Our first one was issued one week ago. It gave characteristics of a letter bomb addressed to the mayor of Florence with photos and a full description within hours after receiving this information from Interpol Rome.

I would like to expand on the first of these initiatives, namely Interpol’s counter-terrorism program.

40 Mr. Robert J. Boylan was Special Assistant to the Deputy Director of the Federal Bureau of Investigation in Washington D.C, before he joined INTERPOL in Lyon.
Recognizing the difficulties in investigating terrorism cases in an international environment, we wanted our analytical work in this area to be more incisive and useful to member countries, so in September 2002, we created the Fusion Task Force. It was designed to develop innovative ways to assist our member countries in their investigations of terrorism, without necessarily requiring that our member countries reveal their most sensitive information. We believed that Interpol’s large country membership could be viewed as a strength rather than a weakness. We planned to use the diversity of our membership as a catalyst to collect information on a global basis that could never be collected on a national basis. In particular, we sought to identify members of terrorist organizations and the logistical networks that support them. This approach succeeded. Our data mining projects have shown that organized crime continues to both provide logistical support and be an important funding mechanism for terrorist activity. Interpol received a lot of data about ordinary crimes and terrorism. It goes into one big database the FTF extracts information from the databases for the benefit of Interpol’s member countries. We engage in proactive searches and analysis to retrieve, compare, and collate information that aids member countries in determining whether identified organizations, suspects or techniques pose a risk to them. We have produced 12 reports that include the results of this data-mining. One important concept, which we continue to this day, was that these reports would go to all 181 member countries and provide them with information to assist not only in ongoing investigations, but also establish their own counter terrorism programs.

For many of our countries, that includes providing them with alerts, general intelligence on terrorist groups and members, and information that they can use to expand their own intelligence programs. The FTF concentrates on membership of selected terrorist organizations and their links to organized crime groups and criminal activity, such as the use of stolen passports and other identity and travel documents facilitating terrorism and the financing of terrorism, particularly by NGOs or charitable organizations. One new focus of the FTF since last summer has been Project Tent, which focuses on the collection of information on individuals who have attended terrorist training camps. We have more than 110 countries actively participating in one way or another in our counter terrorism program and we’ve more than tripled our files on individual terrorists listed since 2001, from 412 suspected terrorists to 1,595 person files entered into our database at the end of 2003. Messages to the FTF have actually come from more than 90 countries, with information on terrorists representing 50 different nationalities.

Unfortunately, due to the sensitivity of information in ongoing terrorism cases, I cannot tell you of all the successes we are currently experiencing within the terrorism field. What I can say is that one of our successes has been to increase level of intelligence sharing among countries, particularly as the FTF set up a network of police officers directly involved in the fight against terrorism spread over five continents. As an example, we have had great success in receiving both intelligence and cooperation in ongoing investigations in such diverse countries as Algeria, Libya, the UK, Kenya, the United States, Belgium, Mali, France, Italy, Turkey, Morocco, Iran, Lebanon, Indonesia, Saudi Arabia, Croatia, Portugal, and the list could go on and on.

Because of the success of the program the Fusion Task Force was merged with our Public Safety and Terrorism Sub Directorate in August 2003. In the past six months we have initiated regional projects for Africa, Central Asia, South America, and Southeast Asia. These projects are designed to both assist in capacity-building and training in the region, and also to give analytical support for that region regarding specific terrorist groups. We have just issued a terrorist arrest report for 2003. The collection of this information and the publishing of this compilation has led to an increased reporting of not only of terrorists arrested, which has added to our database, but we have also collected photographs, fingerprints, and tracked emerging trends and travel patterns.

Another new initiative is Project Dirty Bomb. In co-operation with the US Department of Energy, the International Atomic Energy Agency and the World Customs Organization, we are compiling a detailed assessment of information relative to the theft and diversion of nuclear and radiological materials. We have also started a pilot project for several countries with the U.S. Department of Energy to provide them with radiation detection instruments and training in the use of this equipment.

All of these initiatives have the same specific objectives in mind –
- increase information on terrorism groups and assist countries in the identification of suspected terrorists operating in their countries;
- Build member countries capacity with training and analytical support to counter emerging terrorism threats;
- Support member countries in investigating terrorist incidents;
And assist in the development of better liaison between law enforcement, customs, intelligence services and the military.

The terrorist threat evolves and changes continuously. Law enforcement therefore must constantly develop its understanding of terrorists, their organization, and their infrastructure. The majority of terrorist groups have developed transnational associations and capacity across a range of activities including arms, financing, recruiting and training. In all cases, it is the increasingly transnational and globalized nature of terrorist activity that poses challenges to national criminal police administrations.

The more knowledge authorities have about all aspects of the terrorist threat, the better equipped these authorities will be to counter them.

It is a cliché, but nonetheless true, that police forces throughout the world must co-operate in order to counter regional and global terrorism. Interpol provides the tools on which that co-operation depends.

What I have heard today is that we also have an enormous potential for co-operation with international organizations. I have talked with several of you about the possibility for increased co-operation. I encourage others to think about co-operating with Interpol – with one caveat however. The limit on our current resources means that we may not be able to respond right away.

Charles Harns
Head, Technical Co-operation Service, Migration Management Service, International Organization for Migration

As this is the first time that IOM has taken the floor please allow me to express IOM’s deepest sympathy to the people and the government of Spain, and to our Spanish colleagues here today, on the terrible events that took place in Madrid yesterday. Such actions are incomprehensible and our thoughts are with you all as you cope with this terrible event.

Let me begin my presentation by thanking the organizers of this meeting - OSCE, UNCTC and UNODC - for bringing us all together here in Vienna to share our ideas and experience on this important subject. I had the opportunity and the pleasure of participating in the OSCE/ICAO meeting on travel document security here last week, and I will repeat some of those remarks here and expand more specifically into the areas where IOM sees border management issues intersecting most closely with efforts to combat terrorism and trans-national organized crime. Let me offer here a few broader remarks which can be helpful to situate migration and the work of IOM within the issue of terrorism, security and combating transnational organized crime.

The security of Europe or of any region is, of course, inextricably linked with the security of adjacent regions and with the capacity of countries, some far a field, to effectively manage security matters – including those features of security management that intersect with the migration sector. This is, of course, not a new concept for OSCE, UNODC or UNCTC – or for IOM for that matter. Among the most important challenges is that of strengthening cooperation within and among the various sub-regions, and strengthening capacities throughout the entire group.

Strengthening core migration management capacities in the various sub-regions -- including operational and technical systems related to border management and travel document issuance, security and quality -- would, first of all benefit the countries within those regions, and the benefits of greater capacity, including capacity for more intense and sophisticated cooperation, would extend to all partners.

Let me now go into a bit more details on three points that speak directly to our agenda here today:

- Situating IOM within the issues of terrorism, security and trans-national organized crime.
- Then, some examples of IOM activities supportive of UNSCR 1373 and of Working Group 3’s agenda here today
- Suggested priority areas for further efforts and practical co-operation

First, then, Migration, IOM and issues of security, terrorism and transnational organized crime.

IOM has provided a reference document “International Terrorism and Migration” for inclusion in the meetings reference materials. That document surveys some of the efforts that governments are taking in the migration sphere to counteract and combat terrorism, and also notes IOM’s views on the linkages between migration and terrorism, security and transnational organized crime. Just to touch the key points here I would note the following:

IOM’s does not believe it is merited or productive to link migration and terrorism too closely. To do so would be to misconstrue the nature of most migration. However, we also feel that effective and comprehensive efforts to combat terrorism and trans-national organized crime must include

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41 Charles Harns is the Head of Technical Cooperation Service, International Organization for Migration, Headquarters, Geneva, since 2001. He has global responsibilities in strategy creation and programme formulation and guidance for technical cooperation programmes encompassing various areas of governance improvement in the migration sector. He has twenty years of experience in dealing with government capacity-building and technical cooperation, with emphasis on technical sectors including migration and development programming, including consulting for UNDP, USAID and others. Mr. Harns holds a doctorate in International Project Development, Management and Evaluation from the University of Massachusetts. He is an on-going participant in various international forums and technical working groups, including International Civil Aviation Organization (ICAO) Working Group on promotion of Machine-Readable Travel Documents and the Inter-Governmental Consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia.
significant components within the migration sphere. Within the migration sphere a number of areas should be addressed. These include:

- Policy, regulation and law related to smuggling, trafficking and movement of illicit goods. Similarly, where needed, policy, law and regulative efforts to improve the exchange of migration-related security information between and among countries and agencies with roles in monitoring and reducing terrorism and trans-national organized crime.

- Law enforcement and judicial capacities to deal effectively with trans-national organized crime, particularly smuggling of migrants and trafficking of human beings, as defined in the Palermo Protocols.

- Much improved operational systems and products, including border management systems and travel documents.

- Also, increased practical co-operation between states, including among states that have relatively limited capacities.

While specialized efforts are needed to combat terrorism, many of these efforts are not entirely new and may best be pursued by enhancing traditional areas of migration management capacity, including the improvement of border management systems and travel documents.

And that is where IOM comes into the picture – the building of migration management capacities. IOM now includes 102 Member and 29 Observer States, and we work closely also with several countries that are not yet either. Of the 65 States, if I count correctly, that are OSCE Participating States, Mediterranean Partners or Partners for Co-operation, most of which are represented here today, 49 are IOM Member States and, counting our Observer States, all but five have close affiliation with IOM. Most of the States represented here today have formal relationships with IOM, either as Member or Observer, most indeed as Member States.

States come to IOM for a number of reasons, and these include the desire to: 1) influence and shape regional and trans-regional thinking on migration policy and practice; 2) to enhance their practical and policy co-operation with neighbouring States and regions, and at times with specific regions or countries farther a field; and 3) to benefit from technical assistance to build capacities in migration management – including, for some, capacities to improve border systems, travel documents, their issuance systems, the data systems that these systems rely on and expand, and the human resource capacities to design, operate and expand these systems.

Let me turn now to the area of IOM work most relevant to this working group: border improvement and related systems, including travel documents.

The reasons that countries wish to improve their border systems, travel documents and related systems are fairly consistent and they are multi-dimensional. Enhancing security has always been one of the main motivating factors. This was the case prior to the relatively recent elevation of terrorism-prevention on the international agenda, but certainly the efforts to prevent terrorism and dismantle terrorist networks have strengthened the rationale for improving migration-related security functions. The rationale for such improvements has also been strengthened by the more general but closely-related recent emphasis on combating trans-national organized crime, including trafficking of human beings and smuggling of migrants, as described in the Palermo Convention and its Protocols.

However the improvement of these systems and related features of migration management structures makes good sense simply from the point of view of ensuring the basic ability to manage migration in a normal, internationally accepted fashion. The kinds of technical systems and products needed to fight terrorism are not entirely a breed apart from those needed to ensure the normal functioning of migration management operations, including the normal facilitation, protection and more routine security functions related to migration. The ability to collect and use data more effectively at the point of issuance of travel documents, to embed the data more effectively and securely in the travel documents, and the ability to use that and other data at the borders, and to communicate and share that data with internal and external partners, are all essential parts of that core migration management capacity,
IOM may have a particularly unique perspective on capacity-building due to our close relationship with our Member and Observer States, and with other States, due to our operational orientation and presence in so many countries, and due to our long history of working with these States in improving migration systems. Also, the fact that we work through many different partner, or funding agencies, and through many different programmes of these donors, allows us a fairly inclusive view of the differing approaches or motivations of the donor community, and how they might better support each other, when working in this environment.

Let me now draw on that perspective and experience to cover the following points in support of our agenda here today, the implications for technical assistance to support SCR 1373.

1. What are the most pressing needs?
2. What is IOM doing – with which partners?
3. What should be our priorities?

The most pressing immediate needs, and those on the close horizon, include the following:

- Technical assistance to help prepare policies, work plans and tender arrangements to support the improvement of border systems, travel documents, including primarily passports, but extending into visas and national ID cards, and temporary travel documents issued at Embassies and Consular offices. An important part of this need is the improvement of the integrity of travel document issuance systems, and the capacity of border systems to integrate with and communicate with other data systems internal and external, and to link more directly with travel document issuance systems. This is a complicated field of endeavour. Many governments need assistance to understand where to draw the line when planning new systems and products. These judgments are influenced by political aspirations and political relationships, and also by matters related to human resource availability and strength of the recurrent budget to support new products and systems. Helping governments understand and evaluate the information provided by their own agencies, other governments and the private sector is one of the most helpful and needed services. I would note here that IOM assisted, and continues to assist, in this area with various governments around the world.

- Technical assistance toward actually establishing systems and enhancing the internal integration and external linking capability of existing systems: travel document issuance systems linking with population registers, security data bases, border data systems, airline and other commercial passenger screening and registration systems, and border systems linking with all relevant sources of data, internal and external, in a secure manner. IOM is engaged in these activities at a number of sites, and I will provide examples shortly.

- Assistance to appropriately anticipate and accommodate new technologies and data requirements or preferences: political and technical support and encouragement to appropriate data and information sharing. Deciding to share information, particularly sensitive information, is a political decision taken bilaterally or multi-laterally. Technology should serve the dual purpose of keeping information secure while allowing easy sharing of information when the decision has been made to do so. Systems need to be developed, and early choices need to be made, with these goals in mind from the start. This will be particularly important if new, more comprehensive, global alert list systems are to come into operation for the benefit of all concerned, and in particular to ensure that countries of limited means are full partners and are benefiting fully from such initiatives. For advanced passenger processing to expand and become a more meaningful element in enhancing security in the migration sphere, these needs will have to be fully addressed through technical cooperation and capacity-building.

- Building capacity to investigate and prosecute trans-national international crime of all kinds. The technical systems and products, products such as better border systems and more sophisticated travel documents, are intended to reduce abuse of the migration system, to make it operate more efficiently for all of its users, and to help identify criminal elements for action by law enforcement. Some of the abuses will fall under the category of trans-national organized crime, as defined by the Palermo Convention and its three Protocols (two of which have come into force, concerning trafficking and smuggling). It would be counter-productive to establish a better “net” and then not follow through with prosecution. So, as the net is strengthened so too should be the capacity to act on the expected results.

- Building capacity to act with a sense of balance, including appropriate protection of human rights. One of the overall goals of the European Union is to create a community of freedom, justice and
security. It would be counter-productive to serve any one of these goals at the expense of the others. Outside of the EU, in Europe and other areas, similar vision is articulated and promoted. As we proceed more vigorously, and with good justification, to improve security in the migration sphere, we must move with a sense of balance, with full consideration of matters of human rights. IOM does not view this as a dichotomy; the pursuit of security and the pursuits of human rights need not be at odds. But to ensure they do not come into conflict, this perspective and practical actions to support it should be intentionally integrated into our strategies for assistance in the security-related sectors we have been discussing at this meeting.

Let me now illustrate our partnership with a few examples.

In Bangladesh, Belize, Ecuador, Honduras and the Kyrgyz Republic, IOM works with the Governments to assess travel document improvement needs, and to guide the process of improvement of the documents and the issuance systems. These projects are each at different stages of implementation, and each with their own particular areas of emphasis. Preliminary assessments have taken place in East Africa that we hope will lead to more thorough technical planning and implementation of improvements in the area of travel documents.

Through the European Commission, IOM brings the countries of Central Asia and some of their neighbours together for technical working groups and for policy discussions. I would mention that a technical working session on travel documents is scheduled for mid-2004, at which the countries will be provided the opportunity to identify common regional problems and possible solutions related to the documentation of persons moving through the broad region. In addition to the core Central Asian countries, this initiative includes Afghanistan, Pakistan, the Russian Federation, as they are key States affecting, and, in turn, affected by movements through the Central Asia region. Also through this initiative, IOM enhances the options for Assisted Voluntary Return of irregular migrants from the Central Asia region, provides assistance to operational improvements of the border system in the Astrakhan region border between the Russian Federation and Kazakhstan, and provides public information campaigns related to smuggling and trafficking.

IOM works with several partners on border improvements in the “Central Asia Plus” region: with the United States, particularly the US Bureau for International Narcotics and Law Enforcement Affairs (INL), with the European Union through the Commission, and we anticipate in the coming months with specific EU countries and perhaps with other partners, such as TACIS. By serving as the International Organization focal point for such work to the governments, IOM is in an ideal position to help governments and donors/partners frame new activities, taking into full account the activities and intentions of all interested parties. We have a great deal of border improvement activity on-going or scheduled to start soon in Central Asia and neighbouring regions, and additionally significant activity in the Caribbean and Latin America. And let me add a few specific points about border systems for recording and tracking entry and exit and for managing alert lists.

• The systems can and should vary in sophistication: home grown, or turnkey commercial systems are both good for differing environments;
• Regardless of the level of sophistication, or cost, the basics must be there, including the ability to maintain the systems; and,
• The ability to share data, internally and externally, is essential; and
• The systems should be secure but capable of easy linkage.

In the Caucasus and in the Ukraine and Belarus, IOM has long been engaged in improvement of border systems and in the improvement of training institutions and programmers serving migration officials. In this sub-region, or the EU’s new neighbours, we work to establish as common as possible an approach between these neighbouring states, and have at times assisted in developing common border improvement programmes – programmes that integrate the work of both sides of a common border into a shared protocol and with some shared resources. In the Caucasus we have recently completed a technical review of the Azeri visa procedure and we anticipate that this review will soon lead to operational improvements in issuance and usage of the visa. In Moldova we will soon start a major border improvement initiative, in co-operation with TACIS.

In Tunisia, within the OSCE Mediterranean partner space, IOM will soon begin work with the government of Tunisia on a comprehensive programme to help it better understand and better manage transit migration through Tunisia. This will be done with the support of the European Commission.
In East Africa, we will soon begin a major technical cooperation programme with the EAC countries to assist them in strengthening security in the migration sector. That initiative will focus primarily on the improvement of the capacity of the three countries to design and deliver recurrent and specialized training to migration officers, and on the strengthening of technical cooperation among the three countries.

These are a few examples of IOM's work in this sector, and they are representative of IOM's efforts supportive of this working group's agenda.

Let me briefly touch on a few additional points that may be of particular relevance to this working group.

- First, and again, the subject of alert lists. Much attention has been given recently to the potential of biometrics to improve the functioning of alert lists. This is a welcome prospect as the management of these lists in countries with few resources is quite difficult. But let me suggest that in some countries, where there are now no or limited computer systems at all at the border or at central management sites, we should not be reluctant to put systems in place quickly that are based on less sophisticated technologies – essentially alpha-numeric based alert lists, with appropriate provisions for slightly changed names and figures. These can be developed relatively quickly and inexpensively, and can be designed to anticipate future improvements or additions to the data system – such as biometric facial or finger images. IOM assisted the Government of Georgia with this task a few years ago, and together we were able to automate the system in such a way as to considerably improve its effectiveness. The message is that we should not place too many obstacles in the path of quick practical progress, and should plan systems for growth and expansion from the beginning.

- Second, the issue of improved travel document issuance sites through application of improved technology. IOM’s experience indicates that, in the transition from an antiquated to a new travel document issuance system, it is often beneficial to significantly lower the number of issuance sites. This makes good sense from the perspective of finances and from the security standpoint. The financial implications of trying to set up dozens of issuance sites, particularly when one is moving toward polycarbonate ID cards with laser engraving, or toward biometrically encoded travel documents, or even just toward passports with digital images and machine readable zones replacing antiquated booklets, are quite significant. Even if a commercial arrangement can be made for repayment of the vendor, the costs can be quite high and as a result the cost of the new documents also would be high. Each site is also a potential security weakness in the overall system. Generally, then, we would suggest that the fewest issuance sites possible is the best approach.

Given this context and these on-going actions, what then should be our priorities?

First, together we should work toward programme frameworks that provide consistent support, over time, toward well-assessed goals. Even where investment is now relatively strong, such as in Central Asia, there remain difficulties in planning ahead that can stymie the creation and deployment of comprehensive systems that are fully integrated. And by this I mean comprehensive travel document creation, issuance, data linkage, and border management systems. Many of the pieces are there, but the diversity of funding sources and the differing timelines make comprehensive planning difficult for the governments and their partners, including IOM. The diversity of support is a positive feature, however. The needed improvements are in many countries’ interests and can be costly for single donors.

Second, then, our priority should be increased co-operation and coordination between concerned agencies and governments. For example, assessment missions should wherever possible include all the main actors, and more opportunities are needed for coordination and sharing of Best Practices among the assistance agencies. IOM has proposed common assessments with other partner agencies in the Caribbean and neighbouring region, through CICTE's coordination, and we look forward to moving that proposal into practical action.

Also, IOM would suggest that as we prioritize improvements in border data systems, travel documents, issuance systems and related systems we should not neglect temporary travel documents and the “virtual borders”. Temporary travel documents, often issued at Embassies or Consular offices, are widely in use. To glean the full benefits from improved passports, visas and border systems,
Embassies and Consular offices must have the capacity to also issue such documents, or greatly improved temporary documents, and must have access to the data systems that should inform all decisions on granting the right of movement. We are now moving into that stage with our Ecuador project.

Also, data needs to be shared at the virtual borders, at points of embarkation, and here the quality of each country's border data system will be an essential factor in predicting success or effectiveness of new systems. These local capacities need to be built, and IOM is in the process of doing just that in a number of locations around the world.

Finally, and the list is not comprehensive, we would prioritize building capacities to uncover and prosecute trans-national organized crime, including in particular trafficking of human beings and smuggling of migrants. While this is a worthy goal in itself, apart from issues of terrorism, the possible links between such criminal networks is worrisome, and some links are beginning to be revealed. It is a sensible and necessary commitment to assist all countries in building capacities in this regard, and this again will require well-articulated partnerships among concerned Organizations and agencies, as there are many that can contribute in this regard. IOM is ready to do our part to assist our Member, Observer and other States in this area, alongside OSCE, UNODC and other agencies with specialized experience.

In conclusion let me note that technical cooperation for capacity-building is very difficult to do from a distance. IOM’s experience from being on the ground in so many countries supports the approach of framing very practical capacity-building projects that help push this agenda forward – better border systems, better travel documents, issuance systems, better interrelationships of national systems, better external connectivity, and the human resource and policy and law actions that go along these endeavours. While expertise is often needed from distant locales, the projects work best when designed with the beneficiary and delivered locally, with continued support close at hand.
Session IV

Coordination between International, Regional, and Sub-regional Organizations
CTC’s work role with regards to relations between International, Regional and Sub-regional Organizations

Curtis A. Ward

Expert Liaison Officer, Counter-Terrorism Committee

Over the course of the past two years the Counter Terrorism Committee has pursued a deliberate policy of engaging international, regional and sub-regional organisations, in order to forge a partnership of co-operation in pursuing the objectives of Resolution 1373. To this end the Counter-terrorism Committee has encouraged international organisations to develop counterterrorism standards and best practices within their mandates and competencies. It has also urged regional and sub-regional organisations to work towards ensuring that these standards and best practices are implemented across their respective regions and sub-regions.

The two previous meetings of organisations held March 6, 2003, in New York, and October 12 2003, in Washington DC, served the principle purpose of sensitising organisations to their respective important roles in strengthening global counter-terrorism capacity. During these meetings we highlighted the understanding that international organisations were not only best suited to setting counter-terrorism standards related to their specific competencies and expertise, but that each one also had an obligation within its mandate to develop capacity building programmes to help its members implement these newly developed standards.

We also highlighted what the counter-terrorism committee had concluded from its interaction with states, both through its analyses of the reports made to the CTC and through a large number of bilateral meetings, that many of them lacked the capacity in human expertise and financial resources to implement fully Resolution 1373 and that those states needed help in order to achieve acceptable counter-terrorism standards. I wish to reiterate that while the CTC itself was not intended to be an assistance provider, its mandate, pursuant to the declaration of tasks to Resolution 1377, includes engaging international, regional and sub-regional organisations in developing relevant programmes to help states implement Resolution 1373. In this regard the CTC welcomes the contributions of those organisations which have devolved 1373 related programmes, to assist states to build their capacity to suppress and prevent terrorist acts.

We emphasised the important role for regional and sub-regional organisations in facilitating this process within each region. We urge them to assume this important complimentary role by building strong working relationships with international organisations and promoting region-wide implementation by their members of the capacity building programmes developed by international organisations in the area of counter-terrorism.

We recognise that some regional and sub-regional organisations as currently constituted, lack the requisite capacity to carry out these responsibilities and in this regard we urge them to seek ways to improve their capacities to fully engage in this process. One of the fundamental undertakings at the conclusion of the March 6 meeting was that regional and sub-regional organisations would ensure that counter-terrorism was given a high priority by their member Governments within the framework of implementing Resolution 1373. The overall response has been positive, particularly with regards to the counter-terrorism standards established and the capacity building programmes developed so far by

42 Curtis A. Ward was appointed, effective 1 May 2002, as the UN Counter-Terrorism Committee’s (CTC) Expert Adviser on Technical Assistance and Liaison with Regional and International Organizations. During this period, he developed the UN Counter-Terrorism Committee’s capacity building technical assistance facilitation programme. He represented the CTC in 25 different fora (conferences, meetings, and seminars) in 17 countries. Prior to joining the CTC, Mr. Ward served as Ambassador of Jamaica on assignment as “Deputy Permanent Representative of Jamaica to the United Nations, with special responsibility for matters relating to Jamaica’s membership of the United Nations Security Council.” He served as Alternate Representative of Jamaica in the United Nations Security Council from 1 Jan 2000 to 31 Dec 2001. On other UN-related matters, Mr. Ward served as Chairman of Working Group 2 - “Measures to Strengthen the Capacity of States to Implement Targeted Sanctions” - in the Stockholm Process on Implementation of Targeted Sanctions, sponsored by the Government of Sweden (4 sessions in Sweden, Feb. – Nov 2002). Prior to his appointment in 1999 as Ambassador to the UN, Mr. Ward engaged in the private practice of law in Washington DC for a period of nineteen years, was an adjunct Assistant Professor of “Export/Import Administration” and “International Lending” at Southeastern University in Washington, DC, and was a Foreign Service Officer in the Government of Jamaica, with service in Jamaica’s Embassy in Washington, DC. Mr. Ward holds a LL.M. in International Economic Law for Georgetown University, a J.D. in International and Commercial Law and a B.A. in Economics and Political Science from Howard University.
a number of international organisations. Many of the international organisations participating in this and prior meetings have expressed their deep interest in working with the Counter Terrorism Committee and with regional and sub-regional organisations in building counter-terrorism capacity.

In addition to counter-terrorism legislation, including implementing legislation for the twelve international anti-terrorism Conventions and protocols, a number of international organisations...

In this regard, the CTC welcomes the contributions of those organisations which have developed Security Council Resolution 1373-related programmes to assist states to build their capacity to suppress and prevent terrorist acts. We emphasise the important role for regional and sub-regional organisations in facilitating this process within each region. We urge them to assume this important complementary role by building strong working relationships with international organisations and promoting region-wide implementation by their members of the capacity building programmes developed by international organisations in the area of counter-terrorism.

We recognise that some regional and sub-regional organisations, as currently constituted, lack the requisite capacity to carry out these responsibilities and in this regard we urge them to seek ways to improve their capacities to fully engage in this process. One of the fundamental undertakings at the conclusion of the March 6th meeting, was that regional and sub-regional organisations would ensure that counter-terrorism was given a high priority by their member governments, within the framework of implementing Security Council Resolution 1373.

The overall response has been positive, particularly with regard to the counter-terrorism standards established and the capacity-building programmes developed so far by a number of international organisations. Many of the international organisations participating in this and prior meetings, have expressed their deep interest in working with the Counter-Terrorism Committee and with regional and sub-regional organisations in building counter-terrorism capacities.

In addition to counter-terrorism legislation, including implementing legislation for the Twelve international anti-terrorism Conventions and protocols, a number of international organisations have developed programmes that are oriented towards establishing regional and global counter-terrorism standards. These include standards and measures developed for combating the financing of terrorism and for ensuring aviation security, effective border management and controls, shipping and port facilities’ safety and security and securing the global trade supply chain. However, in order to effectively implement a number of these programmes, region-wide co-operation and co-ordination is required.

Some regional organisations have developed action plans for their members to implement counter-terrorism measures, in particular the provisions of Resolution 1373. A number of these regional action plans also encourage their members to implement international standards and Best Practices developed by international organisations. Some regional organisations have established effective monitoring mechanisms within their programmes which complement the work of the Counter Terrorism Committee. However, after more than two years since the adoption of Resolution 1373, a number of regions and sub-regions still lack the technical competence to engage in this process to carry out their roles effectively.

The result is that a number of counter-terrorism capacity-building standards, while being implemented in a few countries in each region, still do not enjoy region-wide implementation. Hence there is great disparity between the countries in each region with respect to counter-terrorism capacity. Although countries sharing regional space also should share a common goal of ensuring that all countries in the region fully implement counter-terrorism measures so that no country in the region may be used by terrorists to carry out any act within the region or against another country outside the region, many countries are falling further and further behind.

While some organisations are collaborating in developing and delivering Security Council Resolution 1373-related programmes, there is significant room for improvement in the level of co-operation and co-ordination that is desired between international organisations on the one hand and regional organisations on the other, and between organisations and the Counter-Terrorism Committee. A number of organisations have provided information on their programmes to the CTC which, when collected, will provide a comprehensive source of information not only for states needing assistance, but also for each organisation to see what others are doing with a view to developing synergies and complementarities of capacity-building programmes. Hence deeper co-operation and co-ordination
requires urgent collective action if counter-terrorism capacity-building on a global scale is to be significantly and effectively advanced.

Perhaps the most important objective of the discussions which have taken place over the course of the past two days in this, our third meeting, is to take this process forward with greater urgency. It is imperative that the result we seek, namely deeper co-ordination and co-operation between and among international and regional organisations, working closer with each other and with the Counter Terrorism Committee, is realised. Increased focus on these objectives will result in the development and delivery of more effective programmes and the avoidance of duplication and overlap; thereby realising greater efficiency in the use of resources.

The Counter-Terrorism Committee will continue to be central and vital to this process. The Chairman of the Counter-Terrorism Committee, in his report to the Security Council of 15 November 2003, recognised the urgent need for an improved CTC capacity to fulfil its Resolution 1373 mandate. This was followed by another report from the Chairman to the Security Council on January 17, 2004, setting out agreed recommendations to revitalise the CTC and to enhance significantly its capacity to carry out its responsibilities. When fully implemented, the CTC will have the capacity to work more closely with international and regional organisations, building on the relationships already established to help states identify more clearly their counter-terrorism capacity deficiencies and to target assistance in a more efficient and effective manner.

The joint Declaration to be adopted at the conclusion of this meeting sets out a number of undertakings which, when implemented will significantly enhance global counter-terrorism capacity. This is the goal we have set ourselves and this is the expectation of the global community. And so I entreat you to let us ensure, therefore, that co-operation and co-ordination are hallmarks of all our future efforts.
Successfully Targeting Terrorism

1. To deny terrorists the means to commit terrorist acts, e.g. **prevent financing**/procurement of weapons etc.
2. To deny terrorists a safe haven, and ensure they are prosecuted/extradited etc.
3. To overcome vulnerability to terrorism

To deny terrorists the means to finance their activities. How Terrorists **FINANCE** their ACTIVITIES?

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43 Mr. Harjit Sandhu is an expert in international criminal police investigations with particular specialties in financial crimes, money laundering, drug offenses and counter-terrorism. Mr. Sandhu, a Deputy Inspector General of Police from Indian Federal Police, is currently working with the United Nations International Criminal Tribunal for the former Yugoslavia (ICTY). Before taking his current assignment, Mr. Sandhu has held several important positions at national and international level such as Coordinator, United Nations Security Council’s Panel of Experts on Liberia, Somalia and Sierre Leone (between 2000 and 2002); Deputy Inspector General of Police (Operations), Manipur State of India (2001-2002); Specialized Officer, Interpol (1997-2000); Chief Superintendent of Police, Central Bureau of Investigations, India (1992- 1997), Superintendent of Police, Ukhrul District, India (1990-92); Commanding Officer, 7th Battalion Manipur Rifles, India – a counter-terrorism force (1988-1990) and Superintendent of Police Tamenglong District, India (1986-1988).

44 This presentation took place as part of Session II of the first day.
FATF, in the year 2001 identified the following major sources of terrorist funding:
- Drug Trafficking
- Extortion and Kidnapping
- Fraud
- Gambling
- Smuggling and trafficking in counterfeit goods
- Direct sponsorship by states
- Contributions and donations
- Sale of publications (legal and illegal)
- Legitimate business activities

Increasing shift towards raising funds through criminality

Once terrorists have generated funds they require to move it to operational levels

How do they move the money to operational levels?
- Formal banking channels
- Non-banking channels:
  - Physical smuggling of cash (self/courier)
  - NGOs, NPOs and Charity Organizations
  - Alternative Remittance Systems

UBS/ ARS/ IVTS - Different areas different names

CHINESE know it as:
- “hui kuan” means “to remit sums of money”
- “chiao hui” means “over-seas remittances”
- “phoe kuan” refers to “message houses”
- “ning sing kek” means “money letter shop”
- “fei chien” means “flying money”
  - others call it “chop shop”

VIETNAM ----- “hui”
THAILAND ----- “poey kuan”
LATIN AMERICA --- “stash house” “casa de cambio”
AFRICA-------- “gift services”
PHILIPPINES ----- “door-to-door services”
LATIN AMERICA --- “stash house” “casa de cambio”
AFRICA-------- “gift services”
South Asia /Indian Sub-continent ---- “hawala”or “hundi”
SLIDE 8

Hawala v/s Hundi

Hawala
• Meaning- trust or reference.
• Historically more recent as compared to Hundi.
Hundi
• Meaning- bill of exchange, promissory note
• Existed as early as 5000 B.C.- several legends associated with its usage
• Safety appeared to be the main concern

Certain countries use the words inter-changeably, but there are differences between the two.

SLIDE 9

On one side of the spectrum, it provides useful means for the poor immigrant labour to send money back home;
On the other hand, it is one of the most convenient tools for:
  _Terrorists
  _Gun-runners
  _Drug traffickers
  _Black-mailers & Fraudsters
Corrupt officials and politicians for moving and laundering their illicit proceeds
Hawala/ Hundi

SLIDE 10

If we are to regulate Hawala type systems, we must understand and address the issues that make ordinary people (non-criminals) use them?

SLIDE 11

Why ordinary people use ARS/ IVTS?
  - Socio-economic & political reasons
  - Higher returns
  - Anonymity
  - No available Banking Channels
  - Illiterate / semi-literate people
  - Avoidance of local taxes
What is Hawala?

An alternative or parallel remittance system that relies heavily on trust - a “non-bank” means of “money transfer without money movement”

Hawa mein lena-dena (transactions in air)

HAWALA Terminology

“hawala” means “trust”, “reference”, “exchange” etc.
“hundi” means “bill of exchange” or “promissory note”. The word “hundi” comes from a Sanskrit root meaning “collect”
“hawaladar” and “hundiwala” are words for “hawala or hundi broker/banker”
Peti, khokha and tola

Where Did Hawala Come From?

The system probably grew in “South Asia” and with their establishment as traders around the world, the Hawala network has achieved international organisation and status. It predates and was never completely replaced by “western” banking

Hawala

• “White Hawala”--hawala where the money comes from a licit source, not generally considered a problem.
• “Black Hawala”--hawala where the money comes from an illicit source, this is almost always a problem!
**Traditional Hawala Scenario**

sender

Payment instructions code

(Hawala Dealer
country A)

Payment instruction code

Confirmation of payment

(Hawala Dealer.
country B)

recipient

**How Does Hawala Work?**

TRUST

CONTACTS

“Two dishonest persons have to be honest with each other”
Some Known Hawala Cases

- Drug Trafficking
- Alien Smuggling/illegal immigrants
- Corruption
- Customs and Tax Violations
- Terrorism
Hawala- The Invisible Financing System of Terrorism

Funding Terrorism through Hawala comprises only a miniscule part of the overall hawala networks

How much money is moved through Hawala?

• “$2 billion to $5 billion moved through Hawala system annually in Pakistan”- Pakistan Finance Minister Shaukat Aziz
• No such estimate for India has been made, but based on discussions and my personal experiences, it could be:
  – Importers- 65% Exporters- 10%
  – Expatriates-15% Travelers- 5%
  – Funding terrorism- 5%
Why use of hawala for financing of terrorism should be viewed more seriously

- It is not the amount of money involved
- It is the damage it causes to life and dignity of human beings
- Blood diamonds, child soldiers etc.

Terrorism will remain a major transnational problem, driven by:
- Ethnic
- Religious
- Nationalistic
- Separatist
- Political, and
- Economic motivations

Attacking the Finances of Terrorism

Myths about Terrorism Financing- 1
First myth is that terrorism does not need money to terrorize; money to terrorize;
- Previously we had to deal with disorganized local entities or State sponsored entities,
- Now a complex confederation of militant bases and financial support networks
- They have been able to build a complex web of political, religious, business and financial instruments or supports
Contd.
**SLIDE 28**

<table>
<thead>
<tr>
<th>Terrorist Attack</th>
<th>Date</th>
<th>Operational Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>African Embassy Bombings</td>
<td>1998</td>
<td>&gt;$30,000</td>
</tr>
<tr>
<td>USS Cole Bombing</td>
<td>2000</td>
<td>$5000- $10,000</td>
</tr>
<tr>
<td>September 11, 2001</td>
<td>2001</td>
<td>&gt;$500,000</td>
</tr>
<tr>
<td>Djerba Mosque Bombing</td>
<td>2002</td>
<td>$20,000</td>
</tr>
<tr>
<td>Limburg Bombing</td>
<td>2002</td>
<td>$127,000</td>
</tr>
<tr>
<td>Bali Bombing</td>
<td>2002</td>
<td>$74,000</td>
</tr>
</tbody>
</table>

Source: Terrorism Financing- Roots and trends of Saudi Terrorism Financing- Jean Charles Brisard

**SLIDE 29**

*Myths about Terrorism Financing- 2*

Second myth about Al Qaeda and other terrorist organizations is that they use offshore facilities to cover their operations, thus substantially reducing the reach of law enforcement tools and procedures. With the exception of al Taqwa Bank and Dar Al Maal Al Islami (DMI) operating from the Bahamas and Switzerland, no such examples have been found.

**SLIDE 30**

*Myths about Terrorism Financing- 3*

- Third myth is to focus on the Hawala ARS as the main tool for moving terror money
  - Hawala system is basically an “end-user” tool for terrorists on the ground used to transfer money for operational purposes.
  - It has rarely been a primary tool or instrument for moving terror money
  - Some militants have been making extensive use of Hawala to finance their operations. It is also used in isolated localities, such as tribal areas of Afghanistan.
Zakat and Terrorism

• Zakat continues to be misused by terrorists and al Qaeda in particular.
  – Feesabeelillah (in the way of Allah),
  – Lil-Fuqara (for the poor)
  – Lil-Masakeen (for the needy)

First form of Zakat has raised questions and interpretations among Muslim scholars

What encourages Hawala type systems?
Rigid Foreign Exchange Regulations /
Restrictions,
Blanket policies without diagnosing genuine reasons of shortage of foreign exchange,
Indirectly encouraged by government policies,
Reluctance of governments to recognize legitimate requirements (e.g. education, medical etc.),
Lengthy and uncertain approval procedures.
**SLIDE 34**

*FATF – 8 Special Recommendations on Terrorist Financing*

Recommendation VI concerns Alternative remittance systems

“Each country should take measures to ensure that persons or legal entities, including agents, that provide a service for the transmission of money or value, including transmission through an informal money or value transfer system or network should be licensed or registered and subject to all the FATF recommendations that apply to banks and non-bank financial institutions. Each country should ensure that persons or legal entities that carry out this service illegally are subject to administrative, civil or criminal sanctions.”

**SLIDE 35**

Hawala is unique or new,
It is typically associated with violence and corruption,
Mainly used by criminals and terrorists,
No records are kept,
It can or should be shut down,
It can be regulated in the same way as Western institutions
Some serious misconceptions

**SLIDE 36**

05.4.2004
*Impediments for Law Enforcement Agencies*

Transactions through code words- difficult to decipher
No physical movement of major amounts,
makes recoveries difficult
linking of money or couriers to illegal transactions virtually impossible
Law Enforcement Shortcomings- exploited by operators
Lack of resources
Inadmissibility of evidence etc.
Telephonic Surveillance- not possible /allowed in most cases

**SLIDE 37**

*Challenges of Regulating Hawala*

• “Hawala College” Scenario
• What could regulation accomplish?
One example:

• “Hawala College” Scenario
• What could regulation accomplish?
Summing Up

Hawala is an effective way to move money,
Hawala is an effective way to launder money,
Gold often plays a significant role in hawala transactions,
Hawala transactions are difficult to trace...
Lack of records
Coded records
“Ethnic” connections/networks based on trust
Resistant to CTR and SAR reporting mechanisms
Difficult to get Mutual Legal Assistance due to duality of criminality concept

Need for an Integral Approach

There is a need to take a fresh look at the:
tax laws,
export/import policies,
banking, legal and enforcement systems.
Need to identify and plug the existing loopholes to choke this smooth, efficient and untraceable conduit.

Risk of being accused of unfair treatment.
Take not a musket to kill a butterfly.

We need to anticipate their methods,
not simply respond to what they did in the past (of course lessons do need to be learnt from history)

Access to financial information is of key importance
Enhanced and timely sharing of relevant and reliable data among FIUs and law enforcement Authorities
SLIDE 43

Criminals know no geographical boundaries nor does their dirty money recognizes any such boundaries; Why should the Law enforcement stop at the frontiers?

SLIDE 44

Criminals have no regard for national boundaries and they take further advantage of: Differences between legal systems Clash of bureaucracies Over-emphasis on concept of Sovereignty Incapacity of some nations to work together to overcome their differences Breaking down the Barriers There is need to break down these barriers.
Prospects for Enhancing Future Coordination & Cooperation among International, Regional and Sub-Regional Organizations, and the Counter-Terrorism Committee (CTC)

Ahmed Seif El-Dawla

Expert Adviser, Counter-Terrorism Committee

Introduction

This presentation is intended to create a common platform between work of the CTC and the anti-terrorism action plans and assistance programs provided by international, regional and sub-regional organizations. For such purpose, the presentation shall address four issues:

I. Common Element
II. Purpose
III. Potential obstacles and lessons learned
IV. Prospects for enhancing future cooperation and coordination

I. Common Element

By common element I mean the common factor between the CTC on the one hand, and international, regional and sub-regional organizations on the other hand. This common factor is ‘Member States of the United Nations’, which happen to be also Member States to other organizations, which have adopted anti-terrorism action plans and technical assistance programs.

While Resolution 1373 (2001) is adopted under Chapter VII of the United Nations’ Charter, article 25 thereof should be recalled, whereas it states: “[t]he Member States of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.” Henceforth, UN Member States which are also parties to other international, regional and sub-regional organizations are bound by this obligation. Here, some may ask: what is the relevance of this for international, regional and sub-regional organizations?

The answer for this rests in the very nature of the present work of the CTC. The latter does not monitor international, regional and/or sub-regional organizations but monitors the anti-terrorism measures adopted by their Member States. Furthermore, at present the CTC itself is not a technical assistance provider but many international, regional and sub-regional organizations are technical assistance providers themselves.

In view of the nature of CTC’s work - as well as Member States’ obligations under the UN Charter - international, regional and sub-regional organizations can play a significant role in assisting their own Member States in meeting their obligations under the UN Charter in general, and Resolution 1373 (2001) in particular. This can be realized through those anti-terrorism action plans and technical assistance programs adopted by the different international, regional and sub-regional organizations – provided that these action plans and programs fall within the measures outlined under Resolution 1373 (2001), as shall be discussed in the following.

II. Purpose

This section focuses on the purpose of anti-terrorism action plans and technical assistance programs provided by international, regional and sub-regional organizations. In general, these organizations have different objectives and mandates. As a consequence, their anti-terrorism action plans and technical assistance programs differ accordingly. In this regard, while differences between anti-terrorism action plans and technical assistance programs are inevitable due to their interconnection with the objectives and mandates of the different organizations that have adopted them, nevertheless...
their main purpose is expected to be the implementation of the legislative and/or operational measures outlined under Resolution 1373 (2001).

Such expectation is based on the very wordings of Resolution 1377 (2001), adopted on 12 November 2001, which is the constitutive Security Council document for the CTC’s involvement in technical assistance. According to Resolution 1377 (2001), the Security Council “invite[d] the CTC to explore ways in which States can be assisted, and in particular to explore with international, regional and sub-regional organizations: • …; • the availability of existing technical, financial, regulatory, legislative or other assistance programs which might facilitate the implementation of [R]esolution 1373 (2001).” (Emphasis added)

It is for this reason that one may say that Resolution 1373 (2001) brings the ‘different’ anti-terrorism action plans and technical assistance programs ‘together,’ in as much as those action plans and assistance programs serve as catalyst to facilitate the implementation of Resolution 1373 (2001). To such end, and as far as Resolution 1373 (2001) is concerned, anti-terrorism action plans and assistance programs are encouraged to correspond with the measures outlined under the subparagraphs of Resolution 1373 (2001), be they legislative or operational. Last but not least, action plans and technical assistance programs of organizations should also encourage Member States to become parties to the 12 universal conventions and protocols on the suppression of terrorism and fully implement them – each organization within its own mandate.

To this end, one can suggest a few examples for international, regional and sub-regional organizations, which may wish to follow when aiming at facilitating the implementation of Resolution 1373 (2001) by their Member States:

- Consult the reports submitted by their Member States to the CTC. These reports are available in the public domain on the UN website.
- Target priority areas as identified by the CTC. This could be attained through the established liaison between the CTC and international, regional and sub-regional organizations.
- Examine their anti-terrorism action plans and technical assistance programs in the light of these measures outlined under Resolution 1373 (2001).
- Regional and sub-regional organizations may wish to compare their regional conventions with the relevant universal conventions and protocols on the prevention and suppression of terrorism.

III. Potential Obstacles and Lessons Learned

Taking into account the above role which international, regional and sub-regional organizations can play in assisting their Member States in fulfilling the latter’s obligations under Resolution 1373 (2001), such role may be hindered, or worse not attain its objectives, when duplication and/or overlap occurs between the various anti-terrorism action plans and/or technical assistance programs.

As a point of departure, duplication and/or overlap raise the question whether or not the more anti-terrorism technical assistance programs a State receives, the more capacity it builds for combating terrorism. In order to answer this question, one should examine whether duplication and overlap has a negative or positive impact on anti-terrorism action plans and/or technical assistance programs.

First and foremost, one of the effects that may occur in the course of technical assistance programs is the non-equal treatment of interrelated measures under Resolution 1373 (2001). This occurs often in those cases when a program or an action plan focuses on one aspect or measure under Resolution 1373 (2001). Taking into account that those programs ought to facilitate the implementation of Resolution 1373 (2001), the latter - in turn - does not consist of one single measure or two. Rather, there are several legislative and operational measures under the Resolution and their effective implementation by Member States should be treated equally. By equally, we mean that focus should not be solely one measure while not acknowledging the relevance of another. Thus, the effective implementation of Resolution 1373 (2001) could be attained through both: vertical and horizontal implementation. By vertical, we mean addressing one measure under the Resolution thoroughly, and by horizontal we mean to address also all other measures related thereto under the Resolution. Therefore, anti-terrorism action programs, in particular those introduced by regional and sub-regional organizations, should take into account the vertical and horizontal implementation of the measures outlined under Resolution 1373 (2001).
The consequence of not taking the above into account is that the result could be what maybe called a ‘water-mattress’ policy. According to this policy, the governmental implementation strategies would focus on one anti-terrorism measure only while neglecting another, leaving it consequently vulnerable and subject to potential misuse by perpetrators. An example of this is when governments focus on regulating financial institutions through various anti-terrorism programs, while not paying attention to alternative financial remittance forms. Few will doubt that the very regulation of one financial channel among countries does not necessarily mean that other channels will not be used or utilized by perpetrators; in particular when these remain relatively unregulated. It is therefore important to take into account the interrelation between the different measures under Resolution 1373 (2001) and address them, consequently, on an equal footing when it comes to their incorporation into an anti-terrorism action plan or a technical assistance program.

With regards to the above-mentioned interrelation, many measures under Resolution 1373 (2001) are interrelated, although they may be addressed by different departments within one government. For example, measures aimed at preventing forgery or fraudulent use of identity papers are often addressed in a government by a department and/or a Ministry other than the one designated to address the freezing of funds and other financial assets or economic resources of persons who commit or facilitate the commission of terrorist acts. In fact, the provisions that regulate both measures may indeed be found in a set of two different sets of codes. Some governments have addressed this through, for example, the adoption of a new anti-terrorism legislation which would include amendments to those pre-existing codes, as well as the establishment of a focal competent authority/office in charge of certain anti-terrorism competences that may have fallen earlier on under the mandate of different Ministries.

Furthermore, when anti-terrorism technical assistance programs proliferate, they may in fact lead to a situation where States become the ‘clearing house’ for such programs. The potential for this to happen exists when a request for technical assistance is needed from a Member State, whilst such a request often, if not always, rests within the sovereign prerogatives of such a Member State. It is therefore important for international, regional and sub-regional organizations to liaise and coordinate together to be fully aware of what technical assistance programs each of them has adopted, whether it has been already requested by a Member State, at what stage is it already in process, when is the envisaged completion date, and what further follow up would be still needed. Unless organizations would take the above into consideration, and to such end coordinate together to avoid overlap, situations such as interrupting the completion and/or postponing the effective implementation of a technical assistance program may occur.

Therefore, lessons learned from the above can be summed up as follows: duplication and overlap may indeed have a large negative impact on anti-terrorism action plans and/or technical assistance programs. Duplication and/or overlap may lead to:

- Non-equal implementation of the interrelated subparagraphs of Resolution 1373 (2001);
- Member State becoming the clearing house for technical assistance programs.
- Potential non-completion of anti-terrorism action plans or technical assistance programs which have already commenced;
- Prolonging and hindering the implementation of measures under Resolution 1373 (2001);
- Inconsistency with the CTC’s method of work, including identified areas for each Member States; and/or, yet worse,
- Jeopardize the assistance and facilitation role which anti-terrorism action plans and/or technical assistance programs can play, as envisaged by Resolution 1377 (2001), for the effective implementation of Resolution 1373 (2001).

It is therefore important that international, regional and sub-regional organizations liaise and coordinate with each other to avoid duplication and overlap which may lead to impede the effective implementation of Resolution 1373 (2001). In addition, when taking into account the CTC’s vital and central role in the global effort to combat terrorism, international, regional and sub-regional organizations should also liaise with the CTC to be aware of the anti-terrorism priority areas as identified by the CTC vis-à-vis each Member State.
IV. Prospects for Enhancing Future Cooperation and Coordination

In order to identify prospects for enhancing future cooperation and coordination, one should not ignore the status of such cooperation and coordination in the past and present in order to build upon it in the future.

1. In the Past

Prior to this meeting in Vienna (March 11/12 2004), the CTC had a special meeting with international, regional and subregional organizations on 6 March 2003, followed by a meeting on 7 October 2003. Discussions in the previous meetings addressed the question of: how international, regional and sub-regional organizations might further develop cooperation with the CTC. The agreed upon answer was:

- International organizations should share information on codes, standards and Best Practices in their areas of competence.
- Regional and Sub-regional organizations should develop mechanisms to facilitate assistance and cooperation between neighbors.

2. At Present

While the CTC encourages Member States to approach organizations directly with their needs, the CTC nevertheless requests to be informed of such contacts so that it can continue to have a global overview of counter terrorism activities, minimize duplications of efforts and identify where needs are still to be met.

This CTC follow up meeting ought to facilitate coordination and cooperation between international, regional and sub-regional organizations to assist their Member States in implementing Resolution 1373 (2001).

The CTC is monitoring the counter-terrorism measures adopted by a Member State through letters and reports. The Member State requests technical assistance from an assistance provider. After the completion of a technical assistance mission by a provider, the latter forwards a mission report to the CTC, which in turn examines and follows up with the outcome of such mission; in particular when the mission report incorporates an action plan for implementing Resolution 1373 (2001).

While this practice has brought significant results thus far, nevertheless the purposed CTC follow up with anti-terrorism activities of international, regional and sub-regional organizations would benefit from a better exchange of information, and a transparent circulation thereof among all actors in the process.

The coordination between the different anti-terrorism programs pertaining to legislative and operational measures under Resolution 1373 (2001) should occur through various modalities, which include, but are not be limited to, the exchange of information. Simultaneously, the CTC ought to be provided with information from both, while monitoring the progress made by the concerned Member State in relation to its adopted anti-terrorism measures.

Such communication and information flows would enable the CTC to follow up with the ongoing efforts undertaken by all actors in this process: the different technical assistance providers as well as the Member States concerned. This, in turn, would also enable the CTC to identify the needs which still have to be met in order to implement Resolution 1373 (2001). Here, it is also worth noting that identifying those needs is crucial in order to not exhaust efforts of some actors without clear outcome.

3. The Future

When taking the above into account, one should realize that it is important for international, regional and sub-regional organizations to:

- Improve coordination and cooperation among themselves.
- Provide the CTC with all the relevant information pertaining to such cooperation and coordination.
- Provide the CTC with all the relevant information pertaining to the substance matter of the anti-terrorism action plans and/or technical assistance programs, including the status thereof, the progress made, and what follow up remains to be done.
- Tailor their relevant anti-terrorism action plans and assistance programs to the measured outlined under Resolution 1373 (2001), in particular to the targeted and prioritized areas as identified by the CTC.
- Prevent duplication through coordination, and the exchange of information, including, where appropriate, by conducting joint technical assistance programs or joint missions to Member States.
- Encourage Member States to become parties to the twelve international conventions and protocols related to the prevention and the suppression of terrorism, and fully implement them.

To such effect, the establishment of a Matrix of Joint Activities, to be maintained by the CTC, can provide a comprehensive compilation of the technical assistance offers and programs, which will, in turn, facilitate the sharing of information with other assistance providers, with a view of avoiding duplication and overlap in the provision of technical assistance. This would also ensure that priority areas are targeted by anti-terrorism action plans and technical assistance programs.

To conclude, a more comprehensive Matrix of Joint Activities should include:

- Anti-terrorism action plans and technical assistance programs of the relevant international, regional and sub-regional organizations.
- Action plans and technical assistance programs relevant to the measures outlined under Resolution 1373 (2001), and to the targeted priority areas identified by the CTC.
- The legislative and/or operational aspects (where applicable) of anti-terrorism action plans and technical assistance programs.
- Details of the name and contact information of focal point(s).
- The various joint activities already taking place by international, regional and/or sub-regional organizations.
Continued Coordination among International, Regional, and Sub-Regional Organizations to Combat Terrorism

Brian Woo 46
Head, OSCE Action against Terrorism Unit

Our experts yesterday did an excellent job in their presentations on three real global terrorism concerns – MANPADS, non-banking conduits, and narco-terrorism. These are by no means, the only terrorism issues of the day. Time did not allow us to be more comprehensive.

From these three presentations, some common themes emerged:

We represent organizations that have unique strengths and specializations. As such, we are resources to each other. As our experts pointed out, we can and must better utilize our respective strength and leverage our comparative advantages more effectively in our anti-terrorism efforts.

Our speaker from the CIS noted the need for more effective information sharing whether it relates to terrorist organizations or other intelligence-related information that sub-regional organizations such as the CIS need. Our speakers on non-banking conduits similarly identified the need for enhanced international co-operation to remove this funding channel from the terrorists’ toolbox. Our experts on narco-terrorism noted that facing this challenge requires co-ordinated action between police, military and international organizations.

If terrorists and state sponsors of terrorism have globalized their operations, we, as international organizations combating terrorism, must do so as well.

We can do this by real-time co-ordination of resources, real-time capacity-building assistance and training to our member States, real-time responses to current and emerging threats.

We learned that while this may be ambitious, it can be done.

You and our presenters have done a very good job in discussing both the problem and the solution. As a result, we have some constructive suggestions on how to strengthen the UN's Counter-Terrorism Matrix of Assistance to better serve the United Nations, our organizations, and constituent States.

The Matrix is an important tool. From the information provided on the UN Matrix, we extrapolated the programmes that are ongoing in the OSCE region. We added the OSCE programmes that were being undertaken to the Matrix.

The result was, for the first time, a comprehensive snapshot of what counter-terrorism capacity building programmes are being provided to OSCE States. From this information we can do further analyses on a regional and country-specific basis.

While we found the current Matrix very useful for this purpose, I would suggest that UNCTC consider a thematic matrix that lists some of the priority areas of terrorism concern (i.e., MANPADS, smuggling of radiological materials, non-banking conduits, etc.) along with providers of technical assistance, funding and other resources, whether they be international organizations or bilateral donors. By doing so, CTC might better focus our international CT efforts and resources not just on ratification and implementation, but on the evolving and deadly threat that global terrorists will continue to pose.

46 Mr. Brian Woo is Head of the OSCE Secretariat's Action against Terrorism Unit since April 2003. This Unit which supports and develops programmes aimed at bolstering the capacity of OSCE States to combat terrorism. Prior to this appointment, Mr. Woo was Director of the U.S. State Department's Counter-Terrorism Programmes, Planning and Public Diplomacy Directorate. His previous positions included a posting as Consul-General and Principal Officer in Chengdu, China. Mr. Woo, a native of Hawaii, holds degrees from the University of Hawaii and the Asia Pacific Center for Strategic Studies.

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Operational Aspects of Coordinating Among Organizations and Member States, Problems They Encounter, and the Importance of Information Sharing

Jean Paul Laborde
Chief, Terrorism Prevention Branch, United Nations Office on Drugs and Crime

Whilst reflecting on the organisation of this session, my colleague Brian Woo, from the OSCE, and myself decided that it should have a truly “operational” orientation. What do I mean by “operational” in the context of international organisations? I will try to explain this as Brian Woo has already begun to do, by focusing on those factors which can hinder operational co-operation.

First, each organisation should make an effort to provide the names of the persons who are responsible for relations with other organisations, far more frequently than at present. Indeed, it is critical that we are all aware whom we should contact in each organisation when working on a specific effort. This is a very basic effort, but there is a real need for a list of points of contact.

Second, beyond this exchange, it is essential to maintain a permanent flow of information among these focal points in order to be in a position to provide the best relevant assistance with regard to the areas of speciality of each of the IGOs and to call upon the most specialised unit to comply with the requests of countries. For example, at the United Nations Office on Drugs and Crime, the percentage of work dealing with judicial matters is 12%, however, in the Terrorism Prevention Branch (TPB) it is 100%. When we, at the TPB, face a request for a border related issue, we should almost instantly know whom to contact at the World Customs Organisation. Each of us should be in the position to ensure full collaboration on all the main subjects that we work on. We also need to exchange in-depth information on each programme or theme; all these elements must be reflected not only in our respective environments but also in the context of the CTC.

Third, on the problems that we encounter, I would like to mention the example of good cooperation with the OSCE. While we, at the UNODC, are in the position to provide legal advisory services, the OSCE can offer its political organisation capabilities. If we could have this mutual, and quite voluntary enrichment, we could enact a permanent dialogue between us, which might have an effective and decisive impact on the fight against terrorism.

The fourth point I would like to make concerns the field missions. There is nothing worse than going on a mission to a country where you are told “I just hosted another organisation some days ago. And tomorrow I will see another colleague from another one.” It is essential that each one of us is at least up-to-date regarding the missions that we take on. This may sound ambitious, but it is easy. There are currently about forty organisations working in depth on terrorism issues. Consequently, it would be interesting to know the contents of the missions of each of us, how we will go there and, if possible, go there together. We have begun to work together with the International Monetary Fund, as well as with the OSCE, initially because of geographical coincidence or close substantive relationship. We should institutionalise this practice. Therefore when we undertake joint missions we can enrich them; we can offer countries specific assistance with the best quality, each of us bringing its specialised expertise in this own field.

The fifth factor is the issue of difficult exchanges. I will take a judicial example which is at the limit of many organisations. This is because when we speak about terrorism, and, if I dare say it, when we are not talking about prevention, it should always end with a trial. In any case when we talk about tackling terrorism we must be able to achieve results. Moreover, in order to do that, information must be able to be proven in front of a court of law. It is perhaps easy for the well-institutionalised agencies

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47 Mr. Laborde began his UN career in 1994 as Senior Interregional Adviser with the Crime Prevention and Criminal Justice Programme. Subsequently, he was assigned as Chief, Conventions and Legal Affairs Section, Commission Secretariat and Legal Affairs Branch of CICP. He also served as a member of the Joint Appeals Board. Prior to joining the Organization, Mr. Laborde was a member of the French Judiciary. His previous work experience included servicing as a Judge, Chief of the National Inspection of the Penitentiary Services and Assistant Prosecutor General. Mr. Laborde has a Post-Graduate degree in International Development and a Master's degree in Law, and holds a degree in Judicial Sciences. He was a member of the Bar Association of the Court of Appeal of Toulouse. He was also Deputy-Secretary-General of the International Association of Penal Law. Mr. Laborde has been promoted to the position Chief, Terrorism Prevention Branch in May 2003.
to get information. It is however, very difficult to transform that information into evidence, especially when it comes from intelligence services and particularly when this information concerns the financing of terrorism as this a preliminary violation of the principle violation, for example, money laundering.

The sixth issue is the conflict which exists between for example international and domestic criminal law. I am going to mention that distinction because it is something which is not common in the diplomatic arena. On the list established by the Security Council you will find people whose assets have been frozen. At a country-level such binding Resolutions will oblige the country to freeze the funds of people who appear on this list. From the criminal law perspective, such a case will not stand up in court if there is no additional evidence. Once you start freezing assets, the suspects whose funds were frozen will go to the judge and claim for the return of these funds. The judge will not allow insufficient evidence and will return the funds.

Consequently, it would be necessary to adjust policy and practice in order not only to comply with international law but also with international criminal law. For that purpose it would be important to launch joint studies and establish guides on Best Practices in this regard. This is another path that we must widen, creating better links between international and criminal law.

In conclusion, let us call for other practical proposals that we can protect and work on. Moreover, I think that it is the meaning of the Declaration which will, I hope, energise our future joint actions.
Final Remarks

Eduardo Vetere

Director Division for Treaty Affairs

First of all, I would like to convey here the apologies of Mr. Costa for not being here with you, at the conclusion of this Meeting. However he also asked me to convey to you, your colleagues, and to all those who are present his gratitude for the possibility that you have given us to host the Follow Up Meeting, together with OSCE. It has been a great pleasure, and this pleasure has become even greater in view of the important outcome of the discussions that we have been conducting here.

Yesterday, Mr. Costa referred in his opening statement to ten factors which can make some countries more “hospitable” than others to terrorism and organized crime. In these short concluding remarks, I would like to refer to a different list of ten factors - this time of factors and conditions which are likely to encourage future terrorism - if we do nothing or not enough to cope with them.

The list covers an area broader than what we discussed here yesterday and today. Yet, it is sometimes useful to “think outside the box”, even when the box is as big and heavy as Security Council resolution 1373 and the twelve international legal instruments against terrorism.

According to a recent study, there are ten factors and conditions which are likely to encourage future terrorism:

1. The absence of a universal definition of terrorism;
2. Disagreement as to the root causes of terrorism;
3. Religionisation of politics;
4. Exploitation of the media;
5. Double standards of morality;
6. Loss of resolve by governments to take effective action against terrorism;
7. Weak punishment of terrorists;
8. Violation of international law and promotion of terrorism by non-compliant countries;
9. Complexities of modern societies; and


I would like to comment briefly on each of these factors.

As far as the first factor is concerned, even in the absence of a universal definition, there are twelve universal legal instruments where definitions are very clear for specific terrorist acts. In addition, as you know, there is in New York an Ad Hoc Committee which is working on a comprehensive convention against international terrorism. The draft definition which is proposed there is not very different from the definition contained in the Convention for the Suppression of the Financing of Terrorism, particularly in article 2 – a Convention ratified by more than one hundred Member States.

As far as the second factor is concerned, it is clear that it would be very desirable to have agreement on the causes of terrorism. Yet again, for the last couple of centuries criminologists have been discussing the causes of crime. We all know that these causes and those enabling factors have not only been changing over time but can also be different from country to country and from one society and culture to the other. Therefore, it is very difficult, despite all good intentions, to reach a general agreement on the root causes of terrorist crimes. In addition, it may be futile as it may change over time!

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48 Eduardo Vetere, a national of Italy, has been associated with the United Nations Crime Prevention and Criminal Justice Programme for more than thirty years, serving as Head of the Crime Prevention and Criminal Justice Programme of the United Nations Office and as Director of the then re-constituted Centre for International Crime Prevention. In 2003, Mr. Vetere was appointed as the Director of the Division for Treaty Affairs of the UN Office on Drugs and Crime. The United Nations Secretary-General has appointed him as Executive Secretary of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, to be held in Bangkok, Thailand, in April 2005. During his long career, Mr. Vetere also served on peace-keeping missions in Cambodia, Iraq and with the United Nations Mission for the Referendum on Western Sahara.
In relation with the third factor, yes, there has been a tendency to equate terrorism with religion in some quarters. But, as has been demonstrated, that is not appropriate, is counter-productive and also anti-scientific. What emerges from a number of studies is that religious beliefs tend to be exploited for political purposes.

As far as the fourth point is concerned: there is no doubt that terrorists attempt to use the media to magnify the threat. But it should be up to responsible media to devise guidelines against terrorist exploitation. After the killing of so many journalists by terrorists, I am convinced that this profession is ready for it.

In connection with the fifth factor: of course human beings have the deplorable tendency to judge what they do more positively than what others do. That is where the Rule of Law comes in with its principles of equality, fairness and impartiality. Whether in our efforts against terrorism or against organized crime we must always try to strengthen the Rule of Law over the more arbitrary rule of men. Only in this way we will achieve a system of justice which is more efficient, more fair, and manages to protect all citizens, including the victims of such crimes.

As far as factor six is concerned: we know that there have been cases in which some governments have allowed themselves to be blackmailed by terrorists. Others have been too weak to either spot, arrest or prosecute terrorists on their territory, or extradite them to other countries or, in general, to bring them to justice. To strengthen the capacities of governments against terrorists is a task in which all of the Organizations present here are involved. I think that this Meeting has demonstrated that much more can be done if this effort is conducted jointly. In this way we can maximize what everyone can do by enhancing our contributions. In all these endeavours, technical assistance and international cooperation are of paramount importance.

As to the seventh factor, have we really been too soft in the punishment of terrorists? Personally, especially if we look at the various new laws promulgated against terrorism in many countries, and the terms of punishment for terrorist crimes, I do not think so. Sanctions for terrorists are very stiff in most countries of the world. The problem, however, is that very often these sanctions cannot be applied, or they are applied too late because the criminal justice system is not efficient or does not have the capacity to react. This is why it is crucial to work together to render such systems more effective and punishment more swift. Only in this way we can make sure that those who have committed such heinous crimes are properly investigated, prosecuted, tried and sentenced; and, once in prison, that they are treated properly, based on the Standard Minimum Rules for the Treatment of Prisoners. Let’s not forget, in this connection, what Beccaria wrote in his “Dei Delitti e delle Pene” more than two centuries ago: “Quanto la pena sarà piú pronta e piú vicina al delitto commesso, ella sarà tanto piú giusta e tanto piú utile” (“the more punishment is swift and close to the crime committed, the more it will be fair and useful”).

In connection with factor eight: we do not have policemen to enforce international law in our system of nation states. This is why, to avoid the danger of double standards, I would like to emphasize here again, as I did it earlier, the crucial principle of respect for the Rule of Law. In addition, there are new mechanisms and institutions that are emerging or now coming into place – in addition to the CTC and the special role of the Security Council – namely the International Criminal Court (ICC). The ICC has begun its work in The Hague and it is up to us and up to Member States to see that the International Criminal Court is given a chance to work well.

As far as factor nine is concerned: no doubt societies are not only more complex, but, have become more and more exposed to the forces of globalisation. While this complexity admittedly makes for vulnerability, the other side of the coin is that increased awareness of our ‘global village’ is also helping the establishment of back-up systems. This should also allow to manage crises even in the cases of “catastrophic terrorism”.

With relation to the last point, the “high costs of security in democracies”, this is, again, a question of priorities. These costs must be balanced against the even higher costs of more crime and more terrorism if we are not doing enough to prevent and to control them. It would be “penny-wise” but “pound-foolish” if we would try to save money where our security and our safety and our very lives are directly at risk. In addition, governments would abdicate the basic responsibility to ensure peace and tranquillity, i.e. the security that all citizens need.
With these few considerations, I would like to say “goodbye” to you. We do hope that we will continue to work together, as we have done in these last few months. With the Vienna Declaration, we have a set of comprehensive recommendations that we can implement together. Our own path, set by Security Council Resolution 1373, is laid out clearly, and is there for all of us to follow. We have together produced a Declaration which now facilitates our task for all of us to better cooperate and coordinate our activities. And as, my dear good friend, the Secretary General of OSCE emphatically noted, “it is now up to us to transform this Declaration from words into concrete deeds.”
Vienna Declaration 49

Follow-up meeting to the United Nations Counter-Terrorism Committee (CTC) Special Meeting of 6 March 2003, hosted by the Organization for Security and Co-operation in Europe (OSCE) in Co-operation with the United Nations Office on Drugs and Crime (UNODC)

March 11-12 2004
Vienna, Austria

The participating representatives of the international, regional and sub-regional organizations, bodies of the United Nations system, and international institutions in the follow-up Meeting to the United Nations Counter-Terrorism Committee (CTC) Special Meeting of 6 March 2003, whose names are listed in the appendix;

Expressing appreciation to the United Nations Office on Drugs and Crime (UNODC) and the Organization for Security and Cooperation in Europe (OSCE) for hosting this meeting; the Inter-American Committee against Terrorism of the Organization of American States for hosting the meeting with regional organizations on 7 October 2003; and commending these organizations for their support of the work of the UN Counter-Terrorism Committee;

Noting with appreciation the many anti-terrorism action plans adopted by the various international, regional and sub-regional organizations, international institutions and bodies of the UN system in the global effort to combat international terrorism;

Acknowledging the vital and central role of the Counter-Terrorism Committee (CTC), established under Chapter VII of the United Nations Charter pursuant to Security Council Resolution 1373 (2001), in the global effort to combat terrorism;

Bearing in mind the obligations of all Member States of the United Nations to implement fully Resolution 1373 (2001);

Recognizing the difficulties that some Member States of the United Nations, as well as some members of participating international, regional and sub-regional organizations may face to implement fully Resolution 1373 (2001);

Noting that a large number of Member States of the United Nations require assistance in implementing fully all the provisions of Resolution 1373 (2001), and in this regard acknowledging the mandate of the CTC, to explore ways in which States can be assisted, and in particular to explore with international, regional, and sub-regional organizations: the promotion of best-practice in the areas covered by Resolution 1373 (2001) 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 (2001); and the promotion of possible synergies between these assistance programmes;

Noting further the role of the CTC, pursuant to the declaration annexed to Security Council Resolution 1456 (2003) to step up its efforts to facilitate the provision of technical and other assistance by developing targets and priorities for global action against terrorism;

Underlining the importance of technical assistance and capacity building, particularly in the fields identified by the CTC as priority areas for States;

Emphasizing that States must ensure that any measure 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;

49 The text of this declaration is annexed to Security Council document SC/2004/276 and was submitted on 1 April 2004 by the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, Inocencio F. Arias, to the President of the Security Council
Concerned with the potential duplication of technical assistance provided to States in the same areas for the effective implementation of Resolution 1373, while other priority areas may remain unaddressed;

Acknowledging that international, regional and sub-regional organizations should continue to evaluate ways in which they can enhance the effectiveness of their counter-terrorism related programs, including by establishing dialogue and exchanges of information with each other and with other relevant international actors, in particular with the CTC;

Acknowledging further the role of those organizations whose activities relate to the control or use of, or access to nuclear, chemical, biological and other deadly materials; and in this context the importance of fully complying with existing legal obligations in the fields of disarmament, arms limitation and non-proliferation and, where necessary, strengthening international instruments;

Reaffirming that regional and subregional organizations should continue to increase their cooperation with the CTC and other international organizations to facilitate sharing of best practice to enhance the collective effort against terrorism, and to assist their Member States in fulfilling their obligations to combat terrorism in accordance with the relevant Security Council Resolutions;

Stressing the importance of a sustained, comprehensive approach involving the active participation, cooperation and collaboration of all relevant international, regional, and sub-regional organizations, and UN bodies as a mean to enhance the effective implementation of all the provisions of Security Council Resolution 1373 (2001);

Determined to make further progress on the matters referred to in this Declaration in order to give effect to the commitments made during the CTC Special Meeting on 6 March 2003 and the follow-up meeting of 7 October 2003;

Agree as follows:

1. To seek ways in which to enhance the effectiveness of our efforts against terrorism within our respective mandates and competences and to coordinate and exchange information with the CTC, with one another, as well as with other relevant international actors in an effort to meet the capacity building needs of our members in order to assist them to implement fully their obligations under Resolution 1373 (2001);

2. To provide the CTC, where appropriate under existing arrangements, with relevant information for inclusion in the Matrix of Joint Activities, which provides a comprehensive compilation of the assistance offers and programs, thereby facilitating the sharing of such information with other assistance providers in order to avoid duplication and overlap in the provision of technical assistance;

3. To prevent duplication and to further improve our cooperation and coordination, including, where appropriate, by conducting joint technical assistance programs or joints visits to States with the consent of the States concerned;

4. To commend those organizations, institutions and UN bodies that have kept the CTC informed on their available and implemented technical assistance programs, and to urge those that have not yet done so to provide such information to the CTC on a regular basis;

5. To join our efforts in focusing relevant anti-terrorism action plans to the targets and priorities of Resolution 1373 identified by the CTC;

6. To intensify efforts to encourage States to become parties to and implement in domestic law the 12 anti-terrorism international conventions and protocols and to assist States in this regard;

7. To continue our efforts to strengthen cooperation and coordination to implement fully Resolution 1373 (2001); to follow-up on this Declaration through a future meeting of our organizations within six months; and to that end take note of the offer of the League of Arab States to host our next meeting.

Austria, Vienna
12 March 2004
Annex I - List of Participants

Asian-African Legal Consultative Organization (AALCO)
Ms. Christine J. NEMOTO
Permanent Observer to UNOV

Bank for International Settlements (Basel Committee on Banking Supervision)
Mr. Charles FREELAND, Deputy Secretary General
Co-Chairman of the Basel Committee’s Working Group on Standards for Customer Due Diligence & Combating Terrorist Financing

Collective Security Treaty Organization (CSTO)
Mr. Oleg GLUKHAREV, Head of New Threats and Challenges Department

Commonwealth Secretariat
Ms. Aruna NARAIN, Chief Programme Officer
Ms. Kimberly PROST, Head of Criminal Law Section
Deputy Director of Legal & Constitutional Affairs Division

Commonwealth of Independent States - Anti-Terrorist Centre (CIS)
Ambassador. Asan E. KOZHAKOV, Deputy Executive Secretary
Deputy Chairman of the Executive Committee
Mr. Boris Aleksandrovich MYLNIKOV, Head of the Anti-Terrorism Centre

Council of Baltic Sea States (CBSS)
Mr. Paul TEESALU, Deputy Head of Mission, Permanent Mission of the Republic of Estonia to the OSCE, Ministry for Foreign Affairs of Estonia, Chairmanship of BSS

Council of Europe (CoE)
Mr. Guy DE VEL, Director General of Legal Affairs
Mr. Rafael BENITEZ, Head of the Counter Terrorism Task Force Directorate General of Legal Affairs

European Union (EU)
Ms. Patricia O’Grady, Chairperson, EU Counter-Terrorism Working Group (COTER), Irish Ministry for Foreign Affairs (EU Presidency)
Ms. Patricia HOLLAND, Counter-Terrorism Expert, Security Policy Unit, Directorate-General External Relations
Mr. Johannes VOS
Chief of Division, Directorate-General Justice & Home Affairs

Financial Action Task Force ( FATF )
Mr. Vincent SCHMOLL, Principal Administrator FATF Secretariat

G8 Counter-Terrorism Action Group (G8 CTAG)
Ms. Celina B. REALUYO, Senior Policy Advisor, Office of the Coordinator for Counterterrorism
U. S. Department of State (G8 CTAG Chair)

Georgia, Ukraine, Uzbekistan, Azerbaijan, and Moldova (GUAM)

International Association of Insurance Supervisors (IAIS)
(Guernsey Commission)
Mrs. Diane COLTON, Deputy Director of Insurance, Guernsey Financial Services Commission

International Atomic Energy Agency (IAEA)
Ms. Anita NILSSON, Head, Office of Nuclear Security
International Civil Aviation Organization (ICAO)
Mr. Dominique ANTONINI, Chief, Aviation Security Section,
Air Transport Bureau

International Monetary Fund (IMF)
Mr. Peter J. CSONKA, Senior Counsel, Legal Department
Mr. Francisco FIGUEROA, Financial Sector Expert

International Organization for Migration (IOM)
Mr. Charles HARNNS, Head, Technical Co-operation Service,
Migration Management Service
Mr. Claus FOLDEN, Technical Co-operation Center Coordinator

Interpol-ICPO
Mr. Robert BOYLAN, Technical Advisor, Legal Counsel’s Office

League of Arab States (LAS)
Mr. Mohamed Redouane BEN KHADRA, Head of Delegation
Legal Counsel, Head of the Legal Department, Head of the Technical Secretariat, Council of Arab
Ministers of Justice
Prof.-Dr. Bouachba TAOUFIK, Legal Advisor
Council of Arab Ministers of Interior / General Secretariat Les Berges du Lac
Mr. Hassan KHORSHEDE, Deputy Head of Arab League Mission, Vienna
Mr. Ali MAAN, Member of Arab League Mission, Vienna

North Atlantic Treaty Organization (NATO)
Mr. Patrick HARDOUIN, Deputy Assistant Secretary General
Regional, Economic and Security Affairs
Mr. David COOPER, Senior Policy Advisor
Office of the Assistant Secretary General for Defence Investment
Ms. Susan POND, Head, Partnership for Peace and Co-operation Programmes Section,
Political Affairs and Security Policy Division
Mr. George KATSIRDAKIS, Head, Defence Co-operation Section,
Defence Policy & Planning Division
Ms. Dagmar MORA-FIGUEROA, Officer, NATO and Multilateral Affairs Section, Political Affairs & Security Policy Division

Offshore Group of Banking Supervisors (OGBS)
Mr. Marcus KILLICK, Chairman Gibraltar Financial Services Commission

Organization for Security and Co-operation in Europe (OSCE)
Ambassador Jan KUBIS, Secretary-General, OSCE Secretariat
Ambassador Ivo PETROV, Chairman of the Permanent Council,
OSCE Chairmanship-in-Office, OSCE Chairmanship Directorate,
Ministry of Foreign Affairs of Bulgaria
Brian Woo, Head, OSCE Action Against Terrorism Unit

OSCE Secretariat
Mr. Marc BALTES, Deputy Coordinator for Economic and Environmental Activities
Ms. Monika WOHLFELD, Head, External Cooperation Section
Mr. Richard MURPHY, Head, Press and Public Information Section (Spokesperson)
Mr. Fernand BATARD, Strategic Police Matters Unit
Police-Borders, Military and ATU Liaison

OSCE Office for Democratic Institutions and Human Rights (ODIHR)
Mr. Peter KEAY, Coordinator on Anti-Terrorism Issues
Office for Democratic Institutions and Human Rights

OSCE Parliamentary Assembly
Mr. Oliver R. SPENCER, Secretary-General, OSCE Parliamentary Assembly
Ambassador Andreas NOTHELLE, Special Representative
OSCE Parliamentary Assembly
Ms. Kathrin Miriam VOLZ, OSCE PA Liaison Officer

Organization for the Prohibition of Chemical Weapons (OPCW)
Ambassador Alexander KHODAKOV
Mr. Irakli BERIDZE, Office of Special Projects

Organization of American States (OAS)
Mr. Kevin NEWMEYER, Program Director, Inter-American Committee Against Terrorism (CICTE)

Organization of Islamic Conference (OIC)
Ambassador Atta Elmanan BAKHIT, Director of Political Department
Ambassador Babacar BA, Director OIC Mission Geneva
Mr. Mojtaba AMIRI-VAHID, Deputy Permanent Observer

Organization of the Black Sea Economic Co-operation
[Black Sea Economic Cooperation (BSEC)]
Ambassador Tugay ULUCEVIK, 1st Deputy Secretary General

Shanghai Cooperation Organization (SCO)
Mr. Melsat I. KHALIMOV, Counselor of the Executive Committee for the Regional Anti-Terrorism Structure of the SCO

South Asian Association for Regional Co-operation (SAARC)
Mr. C.A.H.M. WIJERATNE, Director Legal Affairs

South East European Cooperative Initiative (SECI) – Regional Center for Combating Trans-border Crime
Mr. Ridvan GUNAYDIN, Chief Superintendent
Anti-Terrorism Task Force (ATTF) Project Manager

Stability Pact for South Eastern Europe (SP)
Mr. Sorin STERIE, Expert on Security Issues, Office of the Special Coordinator for the Stability Pact

United Nations Department of Political Affairs (UNDPA) / UNCTC Secretariat
Mr. Axel WENNMANN, CTC Deputy Secretary, UNCTC Secretariat
Mr. Olivier CAVEY, CTC Consultant, UNCTC Secretariat
Ms. Susan MANUEL, Chief, Peace and Security Section
Department of Public Information

United Nations Information Service (UNIS)
Mr. Christian STROHMANN, Officer-in-Charge

United Nations Interregional Crime and Justice Research Institute (UNICRI)
Representative of UNICRI Director
Mr. Francesco CAPPÉ, Associate Expert, Co-ordinating Officer
Terrorism Prevention Unit
Mr. Massimiliano MONTANARI

United Nations Office on Drugs and Crime (UNODC)
Mr. Antonio Maria COSTA, Executive Director
Mr. Eduardo VETERE, Director, Division of Treaty Affairs
Mr. Jean-Paul LABORDE, Chief, Terrorism Prevention Branch
Mr. Walter GEHR, Project Coordinator for the Strengthening of the Legal Regime against Terrorism, Terrorism Prevention Branch
Mr. Tim LEMAY, Chief, Global Programme against Money Laundering

United Nations Counter-Terrorism Committee (UNCTC)
Ambassador Inocencio F. ARIAS, Chairman, UNCTC
Mr. Curtis WARD, UNCTC Expert Liaison Officer
Mr. Seif EL DAWLA ABBAS, UNCTC Expert Advisor
Mr. Juan LARRAIN, UNCTC Expert Advisor
Mr. Joel SOLLIER, UNCTC Expert Advisor
Appendix: List of Participant Organizations

Asian-African Legal Consultative Organization
Bank for International Settlements (Basel Committee on Banking Supervision)
Central Asian Cooperation Organization
Collective Security Treaty Organization
Commonwealth Secretariat
Commonwealth of Independent States/Anti-Terrorist Centre
Council of Baltic Sea States
Council of Europe
European Union
Financial Action Task Force
G8 Counter-Terrorism Action Group
GUUAM
International Association of Insurance Supervisors
International Atomic Energy Agency
International Civil Aviation Organization
International Monetary Fund
International Organization for Migration
Interpol
League of Arab States
North Atlantic Treaty Organization
Offshore Group of Banking Supervisors
Black Sea Economic Cooperation
Organization for Security and Cooperation in Europe
Organization for the Prohibition of Chemical Weapons
Organization of American States
Organization of the Islamic Conference
Shanghai Cooperation Organization
South Asian Association for Regional Cooperation
South-East European Cooperation Process
Southeast European Cooperation Initiative
Stability Pact for South Eastern Europe
United Nations
Counter-Terrorism Committee
Department of Political Affairs
Department of Public Information
Office of the United Nations High Commissioner for Human Rights
Office of the United Nations High Commissioner for Refugees
United Nations Interregional Crime and Justice Research Institute
United Nations Office on Drugs and Crime
World Customs Organization

Annex: List of Observers

Albania
Ambassador Zef MAZI
Permanent Mission of the Republic of Albania
Ms. Albana DAUTLLARI
1st Secretary
Algeria
Ambassador Taous FEROUKHI
Permanent Mission of Algeria
Mr. Ahmed KOUACHI
Counsellor
Ms. Thouraya BENMOKRANE
1st Secretary

Andorra
Mr. Jaume GAYTAN
Director of Multi-Lateral Affairs
Ministry of Foreign Affairs
Mr. Sergi VALDES
Envoy Extraordinary and Plenipotentiary for the FSC
Deputy Head of Delegation
Ms. Noemi DIAZ
Attache, Permanent Mission of Andorra to the OSCE
Ms. Marta SALVAT
Attache, Permanent Mission of Andorra to the OSCE

Angola
Ms. Dulce GOMES
1st Secretary, UN Mission

Argentina
Ambassador Elsa Diana Rosa KELLY
Embassy of Argentina
Mr. Hector Raul PELAEZ
Counsellor
Embassy of Argentina
Ms. Betina FONSECA
Counsellor
Embassy of Argentina

Australia
Ms. Elizabeth DAY
2nd Secretary
Australian Permanent Mission

Austria
Ambassador Thomas STELZER
Permanent Mission of Austria to the UNOV, IAEA, UNIDO and CTBTO
Mr. Johann FRÖHLICH
Minister, Head of Department for International Co-operation on Drug Control, Crime Prevention and the Fight Against Terrorism
Federal Ministry for Foreign Affairs
Mr. Wolfgang SPADINGER
Counsellor
Department for International Co-operation on Drug Control, Crime Prevention and the Fight Against Terrorism
Federal Ministry for Foreign Affairs
Mr. Philipp CHARWARTH
2nd Secretary
Permanent Mission of Austria to the UNOV, IAEA, UNIDO and CTBTO

Belarus
Ambassador Viktar GAISENAK
Embassy of Belarus
Mr. Igor MISHKORUDNY
Embassy of Belarus
Belgium
Mr. Jean Cedric JANSSENS DE BISTHOVEN
1st Secretary

Bolivia
Ms. Mary CARRASCO MONJE
Charge d’Affaires a.i.
Embassy of Bolivia
Mr. Sergio Olmos
Counsellor
Embassy of Bolivia

Bosnia and Herzegovina
Ambassador Bisera TURKOVIC
Permanent Mission of Bosnia and Herzegovina to the OSCE in Vienna

Bulgaria
Mr. Alexander PEYTCHEV
Minister Plenipotentiary
Government Adviser on UN and Anti-Terrorism, UN and Security Council Directorate, Ministry of Foreign Affairs
Mr. Georgi VASSILEV
Counsellor / Head of Department, “Chairmanship of the OSCE” Directorate, Ministry of Foreign Affairs
Mr. Danail CHAKAROV
Legal Adviser
International Law Directorate Ministry of Foreign Affairs
Mr. Peter POPTCHEV
Minister Plenipotentiary
Permanent Mission the Republic of Bulgaria to the UN, OSCE and other International Organizations

Canada
Ms. Nadia AHMAD
Counter-Terrorism Policy Advisor
Department of Foreign Affairs
Ms. Wendy HADWEN
Advisor
OSCE Mission
Mr. Yves BEAULIEU
1st Secretary
UN Mission

Chile
Mr. Luis PLAZA GENTINA
Alternate Permanent Representative
Permanent Mission of Chile in Vienna

China
Ambassador Yan ZHANG
UN Mission
Ms. Dong WANG
Counsellor
UN Mission
Mr. Xiaofeng GUO
3rd Secretary
UN Mission
Mr. Tian XIA
3rd Secretary
UN Mission
Croatia
Mr. Josko KLISOVIC
Head, Department for Political Analysis and Planning
Ministry of Foreign Affairs
Ambassador Vladimir MATEK
OSCE Mission
Ms. Vesna VUKOVIC
Minister Plenipotentiary
Ms. Martina PETER-STUPAR
Counsellor
OSCE Mission
Col. Nikola NOGOLICA
Military Adviser
OSCE Mission

Cyprus
Mr. Andreas NIKOLAIDES
2nd Secretary
UN Mission

Czech Republic
Ms. Hana ZVONKOVA
1st Secretary
OSCE Mission
Mr. Jaroslav STEPANEK
Counsellor, UN Mission

Denmark
Ms. Louise F. CALLESEN
First Secretary
OSCE Mission
Lt. Col. Joern RASMUSSEN
Senior Military Adviser
OSCE Mission

Ecuador
Ambassador Byron MORESON-ALMEIDA
Embassy of Ecuador
Ms. Rosa VASQUEZ DE MESSMER
2nd Secretary
Embassy of Ecuador

Egypt
Amb. Ramzy E. RAMZY
Embassy of Egypt
Mr. Hassan EL-LAITHY
Minister Plenipotentiary
Embassy of Egypt
Mr. Reham Zaki AMIN
2nd Secretary
Embassy of Egypt

Ethiopia
Ambassador Halima MOHAMED
UN Mission
Mr. Ajebe LIGABA
Minister Counsellor
UN Mission
Finland
Ms. Tarja KANGASKORTE
2nd Secretary
OSCE Mission

France
Ms. Claudia DELMAS-SCHERER
Assistant Deputy Director for Security
Ministry of Foreign Affairs
Ambassador Ms. Michele RAMIS-PLUM
Permanent Representative
Permanent Mission of France to the UN
Ms. Violaine BILLETE DE VILLEMEUR
1st Counsellor
French Representation to the OSCE
Mr. Frederic STROHM
Military Adviser
Permanent Representation of France at the OSCE
Ms. Olivia DIEGO
Attaché juridique
Permanent Mission of France to the UN

Germany
Ambassador Georg WITSCHEL
German Foreign Office – Berlin
Ambassador Dieter BODEN
OSCE Mission
Ambassador Herbert HONSOWITZ
UN Mission
Mr. Joern BEISSERT
1st Secretary
OSCE Mission
Mr. Bernd REINDL
1st Secretary, UN Mission
Mr. Torsten HAMPE
1st Secretary
UN Mission
Mr. Frank WIMMEL
Intern
OSCE Mission

Greece
Mr. Dimitrios PAPANDREOU
1st Secretary of Embassy
Terrorism & Disarmament Department
Ministry of Foreign Affairs

Mr. Louis-Alkiviadis ABATIS
Deputy Permanent Representative
OSCE Mission
Ms. Evangelia GRAMMATIKA
3rd Secretary
Permanent Mission of Greece to the U.N.O.V.

Guatemala
Mrs. Sandra NORGUE URIZAR
Minister Counsellor, Charges d’Affaires a.i.
Permanent Mission of Guatemala
Hungary
Mr. Zsolt BUNFORD
Deputy
UN Mission

Iceland
Ambassador Thordur Aegir OSKARSSON
Permanent Mission of Iceland
Mr. Emil Breki HREGGVIDSSON

India
Ambassador T.P. Screenivasan
Embassy of India
Mr. Hemant KARKARE
Ecounsellor
Embassy of India

Indonesia
Ambassador T.A. Samodra SRIWIDJAJA
UN Mission
Mr. Simson GINTING
Counselor
Head, Bilateral Political Section

Iran
Mr. Mahmoud KHANIJOOYABAD
1st Secretary
Embassy of Iran

Ireland
Ms. Patricia O'GRADY
Chair of the EU Counter-Terrorism Group (COTER)
Director, International Terrorism Desk
Department of Foreign Affairs
Mr. Frank POWER
International Terrorism Desk
Department of Foreign Affairs
 Ambassador Ronan MURPHY
OSCE Mission
Mr. Nicolas TWIST
Presidency Counsellor
Ms. Maeve CLERY
1st Secretary
UN Mission
Ms. Rachel O'DONOVAN
Attache
UN Mission
Col. Peter RYAN
Military Adviser
OSCE Mission
Lt. Col. Brian DOWLING
Military Adviser
OSCE Mission

Israel
Mr. Ilan MOR
Director of Counter-Terrorism Department
Ministry of Foreign Affairs
Mr. Joseph MOUSTAKI
Deputy
OSCE Mission
Italy
Mr. Stefano TRAVIGLIA
Senior Police Officer
Ministry of Interior

Japan
Mr. Abe SATOSHI
Counsellor
UN Mission
Mr. Satoko TOKU
2nd Secretary
UN Mission

Jordan
Ambassador Muhyieddeen TOUQ
Permanent Mission
Mr. Jamal AL-SHAMAYLEH
Counsellor
Permanent Mission
Ms. Raya KADI
Attache
Permanent Mission

Kenya
Mr. James KIHWAGA
Counselor
Embassy of Kenya

Latvia
Ambassador Aivars VOVERS
Head of Delegation
Ms. Kristine OSTROVSKA
2nd Secretary
Permanent Mission of the Republic of Latvia to the OSCE
Mr. Maris STEPANOVS
Attache
Legal Department
Ministry of Foreign Affairs

Lebanon
Ambassador Samir OHAMMA
Permanent Representative to UNOV, IAEA, and UNIDO
UN Mission
Mr. Joumane KHADDAGE
1st Secretary
UN Mission

Liechtenstein
Ambassador Maria-Pia KATHBAUER-LIECHTENSTEIN
Permanent Mission
Mr. Guenter FROMMELT
Counsellor
Permanent Mission
Ms. Amelie LEITNER
Legal Adviser
Permanent Mission

Luxembourg
Ms. Cynthia JAERLING
Delegation Attache
Ms. Marie-Lise STOLL
Delegation Attache
Malta
Ambassador Walter BALZAN
Delegation of Malta to the OSCE
Dr. John Paul GRECH
Deputy Head of Delegation
Mr. Joseph DEBONO
Assistant

Mexico
Ambassador Patricia ESPINOSA CANTELLANO
UN Mission
Mr. Eduardo PENA HALLER
Minister, Head of Chancellery
Embassy of Mexico
Mr. Luis Javier CAMPUZANO PINA
Deputy
UN Mission
Mr. Julian JUAREZ CADENAS
1st Secretary
UN Mission
Mr. Jorge Luis HIDALGO CASTELLANOS
1st Secretary
UN Mission

Morocco
Ambassador Omar ZNIBER
UN Mission
Dr. Mehiedine LI KADIRI
Counsellor
UN Mission
Dr. Redouane HOUSSAINI
Counsellor
UN Mission

Netherlands
Ambassador Jaap RAMAKER
UN Mission
Ms. Nadine VAN LOON
Policy Officer
Ministry of Foreign Affairs
Ms. Anke TER HOEVE-VAN HEEK
1st Secretary
UN Mission
Mr. Alain ANCION
2nd Secretary
UN Mission
Mr. Jaap VRIEND
Intern
UN Mission

New Zealand
Ambassador Barbara BRIDGE
New Zealand Permanent Mission
Mr. Warren WAEFORD
Deputy Permanent Representative
New Zealand Permanent Mission

Norway
Mr. Jon Erik STROMO
Senior Adviser
Ministry of Foreign Affairs
Pakistan
Ambassador Ali Sarwar NAQVI
UN Mission
Mr. Mohammad Kamran AKHTAR
Deputy
UN Mission
Mr. Syed Haider SHAH
1st Secretary
UN Mission

Peru
Ambassador Javier PAULINICH
Embassy of Peru
Mr. Carmen AZURIN
Counsellor
Embassy of Peru

Philippines
Ambassador Victor G. GARCIA III
Ambassador and Permanent Representative
UN Mission
Mr. Julio C. DERY
Minister Counsellor
UN Mission
Mr. Josel F. IGNACIO
3rd Secretary
UN Mission

Poland
Ms. Anna GRUPINSKA
Deputy Head of Mission
Permanent Mission of Poland to UNOV and OSCE

Portugal
Ambassador Francisco SEIXAS DA COSTA
Permanent Representation of Portugal to the OSCE
Mr. Jose Carlos ARSENIO
1st Secretary
Permanent Representation of Portugal to the OSCE
Ms. Helena BICHO
2nd Secretary
Embassy of Portugal / Permanent Mission of Portugal to the UNOV

Republic of Korea
Mr. Chong-hoon KIM
Counsellor
Korean Embassy
Mr. Kyung-soo LEE
Counsellor
Korean Embassy
Mr. Yeon-jean YOON
1st Secretary
Korean Embassy
Mr. Jo-youn JEON
1st Secretary
Korean Embassy

Romania
Ms. Daniela BAZAVAN
Deputy Director UN Division
Foreign Ministry
Russian Federation
Mr. Sergey KAREV
Deputy Permanent Representative to the UN

Slovakia
Mr. Tomas HRBAC
Counsellor / Deputy
UN Mission

Slovenia
Ambassador Ernest PETRIC
OSCE Mission
Mr. Goran KRIZ
1st Secretary
OSCE Mission

South Africa
Mr. Nkosinathi Sidney MEMELA
1st Secretary
UN Mission

Spain
Mr. Gonzalo Quintero
Counsellor
Ms. Carmen BUJAN
Adviser
Delegation of Spain

Sri Lanka
Ambassador Dayantha Laksiri MENDIS
UN Mission

Sweden
Ambassador Krister BRINGEUS
OSCE Mission
Ambassador Gabriella LINDHOLM
UN Mission
Ms. Lena VON SYDOW
Counsellor
OSCE Mission
Ms. Asa GUSTAFSSON
1st Secretary
UN Mission

Switzerland
Col. GS Hans EBERHART
Military Advisor
Mr. Georg STEINER
First Secretary

Syrian Arab Republic
Ambassador Safwan GHANEM
Permanent Mission of the Syrian Arab Republic
Mr. Mohamed Onfouan NAEB
2nd Secretary
Permanent Mission of the Syrian Arab Republic

The former Yugoslav Republic of Macedonia
Ambassador Aleksandar TAVCIOVSKI
Permanent Representative to the UN
Mr. Zoran TODOROV
Deputy Permanent Representative to the UN
Turkey
Ambassador H. Aydin SAHINBAS  
UN Mission
Mr. Tufan HOEBEK  
Legal Counsellor
Ms. Oya YAZAR  
2nd Secretary

United Kingdom
Mr. Robert TINLINE  
Head of Multilateral Section  
Counter-Terrorism Policy Department  
Foreign and Commonwealth Office
Ambassador Colin MUNRO  
Permanent Representation of UK to OSCE
Ambassador Peter JENKINS  
UK Mission to the United Nations
Mrs. Alison CROCKETT  
1st Secretary
Mr. John STEVEN  
3rd Secretary  
UK Mission to the UN/NY (member of CTC)
Col. George Young  
Senior Military Adviser  
OSCE Mission

United States of America
Ambassador Ted McNAMARA  
Senior Adviser  
UN Counter-Terrorism Affairs  
US Mission to the UN, NY
Mr. Stephen NOBLE  
Deputy Chief of Mission  
US Mission to UNOV
Mr. Eric ROSAND  
Deputy Legal Counselor  
US Mission to the UN, NY
Mr. Howard SOLOMON  
Deputy Political Economic Counselor  
US Mission to UNOV
Mr. Cameron Scott THOMPSON  
Political Economic Counselor  
US Mission to UNOV
Mr. Rick TACY  
Advisor  
US Mission to OSCE

Uruguay
Ambassador Jorge PEREZ-OTERMIN  
Embassy of Uruguay
Mr. Gustavo ALVAREZ  
Counsellor  
Embassy of Uruguay

Yemen
Ambassador Ali Hameed Sharaf  
Mr. Nageeb Ahmed Obeid  
Minister Plenipotentiary, Alternate Representative

Zimbabwe
Ambassador Tirivai John Kangai  
Ms. Barbara CHIMHANDAMBA  
Counsellor