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**Integration and coordination of efforts by the
United Nations Office on Drugs and Crime and
Member States in the field of crime prevention and
criminal justice: ratification and implementation of the
international instruments to prevent and combat
terrorism**

Assistance in implementing the international conventions and protocols related to terrorism

Report of the Secretary-General

Summary

The present report reviews progress made in 2011 by the United Nations Office on Drugs and Crime, in particular by its Terrorism Prevention Branch, in delivering technical assistance in the area of counter-terrorism. The report highlights efforts made and challenges faced in responding to the evolving needs of Member States regarding criminal justice aspects of countering terrorism and emphasizes the need for enhanced governmental support to meet those challenges. The report concludes with a set of recommendations for consideration by the Commission on Crime Prevention and Criminal Justice.

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I. Introduction

1. The present report covers the activities undertaken during 2011 by the United Nations Office on Drugs and Crime (UNODC), in particular its Terrorism Prevention Branch, in providing assistance to Member States for implementing the international conventions and protocols related to terrorism.

2. During the period under review, the mandate of UNODC in providing technical assistance related to counter-terrorism was reiterated by the General Assembly in its resolutions 66/105, entitled “Measures to eliminate international terrorism”, 66/171, entitled “Protection of human rights and fundamental freedoms while countering terrorism”, 66/178, entitled “Technical assistance for implementing the international conventions and protocols related to counter-terrorism”, and 66/181, entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”.

II. Delivering technical assistance

3. Technical assistance in the area of counter-terrorism is provided mainly by the Terrorism Prevention Branch of UNODC. Since January 2003, the Branch has directly or indirectly supported 168 States in ratifying and implementing the international legal instruments related to terrorism and in strengthening the capacity of national criminal justice systems to effectively implement the provisions of those instruments in conformity with the rule of law.

4. In addition to continuing to assist Member States with ratification and legislative incorporation, the Branch has been working to meet the increased demand for in-depth capacity-building assistance. The capacity of national criminal justice officials to apply the provisions of international instruments to prevent and combat terrorism and related national legislation in their day-to-day work remains limited. They frequently lack the required policies, procedures and practices, as well as the substantive knowledge and skills, to do so.

5. Building upon the positive results of its structural reorganization, implemented in 2010, the Branch continues to effectively respond to those evolving needs by increased decentralization of programming and delivery at the field level and by enhanced substantive expertise-building and policy guidance from Headquarters.

6. The counter-terrorism work of UNODC is carried out within a comprehensive framework, taking fully into account the work done with regard to the international legal instruments on drugs and crime. The Branch works in close cooperation with other parts of UNODC and with various UNODC field offices. It draws on a network of field-based terrorism prevention experts in Africa, Latin America and the Caribbean and Asia and the Pacific.

A. A multipronged approach

7. In response to the increased demand for counter-terrorism technical assistance, the Branch has continued to pursue a multipronged approach, comprising the following key elements: (a) the provision of sustained, tailor-made assistance on the

ground, reaching out to domestic criminal justice practitioners involved in the investigation, prosecution and adjudication of concrete cases; (b) assistance for strengthening international, regional and subregional cooperation related to terrorism cases; and (c) expertise-building in specialized thematic areas, including through the development of tools and specialized substantive publications.

1. Country-level technical assistance delivery and programming

8. During 2011, specific direct assistance was provided to the following 31 countries: Afghanistan, Algeria, Antigua and Barbuda, Belize, Botswana, Burkina Faso, Cameroon, Colombia, Costa Rica, Dominica, Fiji, Indonesia, Iraq, Jordan, Mali, Mauritania, Morocco, Niger, Nigeria, Niue, Pakistan, Papua New Guinea, Philippines, Republic of Moldova, Samoa, Somalia, Suriname, Tonga, Tuvalu, United Republic of Tanzania and Vanuatu. In addition, 22 thematically focused regional and subregional workshops were held, reaching an additional 65 countries.

9. The Branch made use of cost-effective telecommunications facilities, especially videoconferences, in preparation for or follow-up to on-the-ground activities, as well as electronic communications for the provision of ad hoc legal advice.

10. The Branch worked closely with national authorities responsible for drafting national counter-terrorism strategies and action plans that require continuous local engagement by UNODC to support successful implementation.

11. In the period under review, UNODC developed in-depth counter-terrorism programmes for a number of countries, including Afghanistan, Colombia, Indonesia, the Lao People's Democratic Republic, Morocco, Nigeria, the Philippines, Viet Nam and Yemen. Other country-specific programmes are currently under development. At the regional level, UNODC developed, in partnership with countries in the region, a subprogramme on counter-terrorism for 2011-2013 entitled the East and South-East Asia Partnership on Criminal Justice Responses to Terrorism.

2. Technical assistance tools

12. A large number of technical assistance tools have been developed by the Branch since 2003. Most of these tools are available in the six official languages of the United Nations, and many have been translated into various national languages.

13. The Electronic Legal Resources on International Terrorism database (see www.unodc.org/tldb) is accessible to the public and contains the domestic counter-terrorism legislation of over 140 Member States, classified by substantive criminal law, procedural law and international cooperation in criminal matters. The database also contains the text of international legal instruments and their ratification status, updated monthly, and a complete list of counter-terrorism conventions adopted by regional organizations, as well as relevant case law.

14. The *Digest of Terrorist Cases*, launched in 2010, continues to be used by the Branch for training and provides policymakers, criminal justice officials and investigative police with practical perspectives based on an analysis of concrete cases. This annotated compilation of cases shows how to address challenges in conducting efficient investigations and prosecutions. The *Digest* has been used for

the development of specialized capacity-building workshops, such as the national training workshop held in Antigua and Barbuda from 12 to 15 July 2011.

15. The Branch continues to develop a comprehensive legal training curriculum for national criminal justice officials, a platform for transferring the knowledge and expertise needed to strengthen their capacity to implement the universal legal framework against terrorism. The curriculum consists of 10 training modules on specific thematic issues (including chemical, biological, radiological and nuclear material; transportation security; the financing of terrorism; and the use of the Internet for terrorist purposes) for which additional tools and case studies will be developed. In July 2010, a module was issued on the universal legal framework against terrorism. And in July 2011, a module was issued on the theme "International cooperation in criminal matters: counter-terrorism".

16. The curriculum promotes a train-the-trainer approach. The Branch has developed partnerships with national training institutions in a number of recipient countries and is in the process of carrying out comprehensive train-the-trainer programmes for criminal justice officials. In the Sahel, UNODC-trained national trainers delivered workshops during 2011 in the Niger (in July), Burkina Faso (in September), Mauritania (in October) and Mali (in October). From 26 to 28 October, a regional workshop to train trainers on the judicial technical assistance tools of UNODC and the Terrorism Prevention Branch was held in Colombia for the Latin American region (Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Mexico, Paraguay, Peru and Venezuela (Bolivarian Republic of)). The workshop was aimed at fostering the adoption and implementation of those tools into the capacity-building programmes of schools for public prosecutors, for magistrates and for public ministries, as well as other training institutions. A similar approach is envisaged for other regions, including South Asia.

17. In close cooperation with and with the support of individual Member States and donors, the Branch has also developed thematically focused technical assistance tools. A handbook entitled *The Criminal Justice Response to Support Victims of Acts of Terrorism* was launched in November. Work is ongoing to develop a tool for use by criminal justice officials in cases involving the use of the Internet for terrorist purposes.

18. In February 2011, the Terrorism Prevention Branch of UNODC launched the new online Counter-Terrorism Learning Platform, an interactive tool specifically designed to provide tailor-made training to criminal justice officials in the fight against terrorism while bringing together practitioners involved in counter-terrorism around the globe into a single virtual community to share their experiences and perspectives. Platform members remain abreast of legal developments and benefit from both networking and continuous learning opportunities, further enhancing the sustainability of UNODC capacity-building activities.

19. During 2011, the Branch, through the Learning Platform, delivered six online six-week training courses and trained 155 criminal justice officials and law enforcement officers representing 28 countries: Algeria, Argentina, Bangladesh, Benin, Burkina Faso, Canada, Cape Verde, Chile, Côte d'Ivoire, El Salvador, Ethiopia, France, Gabon, Guinea-Bissau, Lebanon, Mali, Mauritania, Mauritius, Mexico, Niger, Nigeria, Pakistan, Philippines, Saint Vincent and the Grenadines, Senegal, Togo, Turkey and United Republic of Tanzania. In addition, 16 live events

were carried out for platform members in various official languages of the United Nations.

B. Expanded work in specific thematic areas

1. Strengthening international cooperation in criminal matters related to counter-terrorism

20. The Branch provided focused assistance to strengthen international cooperation in criminal matters related to counter-terrorism, including through (a) a regional workshop, organized in New Delhi from 12 to 14 December and attended by representatives of South Asian Member States; (b) a UNODC-Organization for Security and Cooperation in Europe (OSCE) regional workshop held in Almaty, Kazakhstan, from 11 to 13 July for Central Asian countries, Afghanistan, Iran (Islamic Republic of) and Pakistan; (c) a subregional workshop for North African and Sahelian countries, held in Algiers from 15 to 17 February; and (d) a subregional workshop co-organized with the Naif Arab University for Security Sciences, held in Riyadh from 13 to 15 February.

21. The Branch also organized the second meeting of the regional judicial platform for the Sahel countries from 17 to 19 May in Niamey, as well as the third meeting of focal points of the regional justice platform of the States members of the Indian Ocean Commission in Quatre-Bornes, Mauritius, on 7 and 8 June.

22. National capacity-building workshops on international cooperation in criminal matters related to counter-terrorism were held, inter alia, in Algeria from 11 to 13 October, Jordan on 27 and 28 February and Mali from 5 to 7 April and from 21 to 23 November. A workshop on extradition and mutual legal assistance matters was organized for 20 Malian criminal justice officials from 21 to 23 November.

23. In 2011, the Branch issued and developed, together with the Commonwealth and through the regional judicial platform of the Sahel, a practical guide containing legal and practical information that can be used to effectively submit an extradition or mutual legal assistance request to the four countries of the platform of the Sahel and ensure a positive response. The practical guide is available in Arabic and French and is being distributed to all relevant criminal justice officials in all four countries.

24. Activities of UNODC aimed at facilitating overall international cooperation in criminal matters included the development of tools such as best practices, model laws, an online directory of competent national authorities and the Mutual Legal Assistance Request Writer Tool. They also included legal advisory services to requesting countries and the training of relevant authorities through national, regional and interregional workshops. In carrying out its workshops, the Branch extensively utilized its handbook on *International Cooperation in Criminal Matters: Counter-Terrorism*, which is part of its counter-terrorism legal training curriculum and is aimed at enabling legal practitioners in that field to develop more rapid and effective responses by familiarizing them with the mechanisms of extradition and mutual legal assistance in criminal matters.

2. Addressing transportation-related security

25. An area of growing importance for specialized assistance is transportation-related security. Recent events show that aviation remains a high-priority target. Efforts are also required to strengthen land-transportation security and maritime security.

26. From 18 to 20 October, the Branch organized, in collaboration with the International Criminal Police Organization (INTERPOL), a national workshop in Douala, Cameroon, on the implementation of the universal instruments relating to the security of maritime navigation in the context of the fight against transnational terrorism. In addition, UNODC is undertaking work on countering piracy, in close cooperation with the International Maritime Organization (IMO).

3. Suppressing the financing of terrorism

27. UNODC works to provide legal and related assistance to counter the financing of terrorism. Specific initiatives are built around awareness-raising, institution-building and delivery of technical assistance and training at the national and regional levels.

28. At the regional level, initiatives included:

(a) A regional training workshop on preventing and countering the financing of terrorism for high-level prosecutors, analysts from financial intelligence units and representatives of the ministries of justice and foreign affairs of Djibouti, Ethiopia, Kenya, Somalia and Yemen, held in Nairobi from 6 to 8 December;

(b) A regional workshop on cross-border cooperation, organized in partnership with the Secretariat for Multidimensional Security and the Inter-American Committee against Terrorism of the Organization of American States (OAS), held in Montego Bay, Jamaica, from 11 to 13 October;

(c) A subregional follow-up workshop focused on the freezing, seizure and confiscation of terrorist assets, co-organized with OSCE and held in Bucharest on 13 and 14 December;

(d) A subregional high-level focus group on the elaboration and implementation of the legal regime for countering the financing of terrorism, held in Bangkok from 30 November to 2 December;

(e) A subregional workshop in collaboration with the Inter-American Committee against Terrorism of OAS and the United States of America Immigration and Customs Enforcement of the Department of Homeland Security for participants from four South American countries, held in Asunción from 21 to 23 September;

(f) A subregional workshop on the investigation of cross-border bulk cash smuggling, organized in partnership with the Secretariat for Multidimensional Security and the Inter-American Committee against Terrorism of OAS, bringing together participants from Costa Rica, the Dominican Republic, Guatemala and Mexico in Mexico City from 26 to 28 October;

(g) A subregional workshop, organized jointly with MECOOR (Mesa de Coordinación on terrorist financing), aimed at enhancing the institutional capacities of Argentina, Brazil, Chile, Paraguay and Uruguay to correctly apply special

recommendation III of the Financial Action Task Force on Money Laundering, related to the freezing and seizing of terrorist assets, held in Montevideo from 6 to 9 September;

(h) A subregional workshop attended by participants from Ethiopia, Kenya and the United Republic of Tanzania, touching upon matters related to the investigation and prosecution of illicit transboundary movements of cash and other financial crimes committed in border areas, held in Addis Ababa from 19 to 21 July;

(i) A subregional workshop on bulk cash smuggling and bearer financial instruments, bringing together participants from Colombia, Ecuador, Panama and Peru, organized in cooperation with the Inter-American Committee against Terrorism of OAS and the Inter-American Drug Abuse Control Commission and held in Bogotá from 26 to 29 April;

(j) The Pakistan-South East Asia workshop on implementing the legal framework on countering the financing of terrorism, organized in partnership with the South-East Asia Regional Centre for Counter-Terrorism and held in Kuala Lumpur from 20 to 22 September.

29. Focused national-level workshops were held, inter alia, in Afghanistan (26-29 April and 20-22 June), Antigua and Barbuda (12-15 July), Costa Rica (15-18 February), Morocco (20-22 June), Nigeria (28-30 March), Pakistan (8-10 September), the Philippines (29-31 March), Suriname (29 November-1 December) and the United Republic of Tanzania (1-3 March). Legislative drafting assistance was provided to, Afghanistan (30 September-7 October and 4-5 December), Belize (15-18 March), Dominica (3-5 October 2011), the Philippines (25-29 July) and Suriname (28 November to 2 December).

30. A workshop aimed at strengthening cooperation between the Financial Transactions and Reports Analysis Center of Afghanistan and the Financial Crimes Investigation Board of Turkey in combating the financing of terrorism and money-laundering was organized by the Terrorism Prevention Branch in Ankara from 12 to 15 December. Additionally, a regional workshop focusing on cooperation between financial intelligence units, organized jointly with the World Bank, was held in Astana on 25 and 26 January for countries from West and Central Asia.

31. During 2011, the Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism continued to encourage the development of policies to counter money-laundering and the financing of terrorism, raise awareness of cross-cutting aspects and act as a centre of expertise. It provided over 40 training and capacity-building events and trained 1,362 private and public officers, as well as provided assistance in the setting up and operation of financial intelligence units. The work was supported by technical advisers in the field.

32. The Global Programme also continued to expand its International Money-Laundering Information Network, a one-stop research resource administered on behalf of a partnership of international organizations. The Global Programme includes the Anti-Money-Laundering International Database, a password-protected service containing laws from 185 jurisdictions.

4. Preventing nuclear, chemical, biological and radiological terrorism

33. The Branch continued to assist countries in implementing the international legal instruments related to nuclear terrorism, in close cooperation with the International Atomic Energy Agency (IAEA) and other relevant organizations.

34. The Branch participated in a workshop, held in Vienna on 27 and 28 January, on the role of OSCE in facilitation of Security Council resolution 1540 (2004). Moreover, the Branch contributed to a workshop, jointly organized by the Center for International Trade and Security of the University of Georgia (United States) and the Caribbean Community (CARICOM) secretariat, on legislative gap analysis vis-à-vis Security Council resolution 1540 (2004), held in New York on 22 and 23 September for six members of the Caribbean Communities: Antigua and Barbuda, Bahamas, Belize, Saint Kitts and Nevis, Saint Lucia and Trinidad and Tobago.

35. As an official observer to the Global Initiative to Combat Nuclear Terrorism, the Branch attended the first technical meeting organized by the Global Initiative of its newly created Implementation and Assessment Group, in Cordoba, Spain, from 28 February to 3 March. The meeting featured plenary sessions and technical working group sessions in nuclear detection and nuclear forensics. On 29 and 30 June, the Branch participated in the plenary meeting of the Global Initiative, held in Daejeon, Republic of Korea.

36. UNODC participated in a seminar on the contribution of the Organization for the Prohibition of Chemical Weapons to security and the non-proliferation of chemical weapons, held in The Hague, the Netherlands, on 11 and 12 April.

37. UNODC participates in the Counter-Terrorism Implementation Task Force working group on preventing and responding to terrorist attacks using weapons of mass destruction and took part in the workshop on international response to and mitigation of a terrorist attack using chemical and biological weapons and materials, held in The Hague, the Netherlands, on 16 and 17 May.

38. UNODC attended the annual meeting of the International Nuclear Security Education Network, hosted by IAEA in Vienna from 8 to 12 August. Together with the United Nations Interregional Crime and Justice Research Institute, UNODC is drafting the chapter on counter-terrorism of the nuclear security training curriculum developed by the Network. UNODC participated as a legal expert in an IAEA mission to Mexico from 13 to 19 November to evaluate the nuclear legislative and regulatory framework of that State. In addition, UNODC participated in the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization pilot workshop on implementing legislation for the Comprehensive Nuclear-Test-Ban Treaty, held in Vienna from 1 to 4 November. UNODC attended the second round-table meeting of national focal points for South-East Asia, held in Bangkok on 11 May, which was organized by the United Nations Interregional Crime and Justice Research Institute. The aim of the meeting was to further shape the establishment of centres of excellence through the participation of South-East Asian countries.

39. On 6 December, the Branch conducted a national training workshop in Jakarta on preparations for ratification of the International Convention for the Suppression of Acts of Nuclear Terrorism.

40. Via the online Counter-Terrorism Learning Platform, the Branch carried out various live events that touched upon, inter alia, the international legal framework for combating nuclear terrorism and its associated legal challenges.

5. Enhancing procedural aspects of countering terrorism, including the strengthening of the position of victims during criminal proceedings, related to the rule of law

41. In accordance with the United Nations Global Counter-Terrorism Strategy, all UNODC activities in the area of counter-terrorism seek to reinforce the principle that effective counter-terrorism measures and respect for the rule of law are complementary and mutually reinforcing goals.

42. In response to the urging of the General Assembly in its resolution 64/168, the Branch is focusing attention on the legal needs of victims of terrorism during criminal justice procedures, including the provision, upon request, of technical assistance for building the legal and judicial capacity of Member States with regard to the corresponding criminal justice aspects.

43. Drawing from the outcome of two expert group meetings, held in Vienna in May 2010 and in Bogotá in January 2011, a specialized technical assistance policy guide entitled *The Criminal Justice Response to Support Victims of Acts of Terrorism* was prepared and launched on 22 November at United Nations Headquarters, in New York, at an event co-chaired by the Executive Director of UNODC and the Chair of the Counter-Terrorism Implementation Task Force. The publication, prepared in cooperation with the Justice Section, has been integrated into the capacity-building activities of the Branch and is aimed at providing policymakers and criminal justice officials practical insights into the challenges faced and the good practices developed by their counterparts at the national and regional levels.

44. UNODC technical assistance projects were also aimed at improving the management and operation of law enforcement agencies, the judiciary and penitentiary systems, in accordance with United Nations standards and norms in crime prevention and criminal justice.

6. Countering the use of the Internet for terrorist purposes

45. A specialized subregional workshop addressing the use of the Internet for terrorist purposes was organized in St. Petersburg, Russian Federation, from 26 to 28 July and attended by participants from Armenia, Belarus, Kyrgyzstan, Pakistan, the Republic of Moldova, the Russian Federation, Tajikistan and Ukraine. Additionally, a national-level workshop on the prevention of and the fight against the use of the Internet for terrorist purposes was held in Algiers from 8 to 10 March.

46. The Terrorism Prevention Branch, in cooperation with the Organized Crime and Illicit Trafficking Branch, is currently undertaking a project to develop a technical assistance tool for use by investigators and prosecutors in cases involving the use of the Internet by terrorists. The tool, which will be released in early 2012, will provide practical guidance for investigators and prosecutors on good practice when dealing with specific legal issues arising in cases involving cyberrelated activity by terrorists, particularly the criminalization of certain types of conduct, special investigative techniques, prosecution strategies, international cooperation,

cooperation between the public and the private sector and related human rights issues. When completed, the tool will be integrated within the range of tools and training that the Terrorism Prevention Branch delivers to countries on the implementation of the universal legal framework against terrorism. An initial expert group meeting, which brought together experts from law enforcement, academics, members of intelligence services, representatives from intergovernmental organizations and practitioners, was held in Vienna on 5 and 6 October. A second expert group meeting was held in Vienna on 2 and 3 February 2012. The project is being carried out in close coordination with the Counter-Terrorism Implementation Task Force Working Group on Countering the Use of the Internet for Terrorist Purposes.

C. Partnerships for delivery

47. The successful delivery of technical assistance has been fostered through enhanced coordination and partnerships with other entities and organizations.

1. Cooperation with Security Council bodies dealing with counter-terrorism

48. The counter-terrorism work of UNODC is carried out in close cooperation with the Counter-Terrorism Committee of the Security Council and its Executive Directorate. The respective functions are complementary and mutually supportive: the facilitation work of the Committee and its Executive Directorate precedes and guides the work of UNODC in delivering assistance; the technical assistance work of UNODC in turn helps countries to address the gaps and needs identified in their capacity and helps the Committee and its Executive Directorate to verify the measures taken by countries in that regard.

49. The following activities were undertaken during 2011:

(a) UNODC participated in visits of the Committee and its Executive Directorate to the former Yugoslav Republic of Macedonia from 12 to 14 October, Myanmar from 22 to 25 October and Mexico from 7 to 9 December;

(b) Experts from the Executive Directorate participated in UNODC activities and informed participants about priorities under Security Council resolution 1373 (2001);

(c) Information about planned activities was shared with all stakeholders;

(d) UNODC, upon request, provided assistance to States referred to it by the Committee and its Executive Directorate;

(e) UNODC continued to assist requesting Member States in compiling the elements needed for the submission of their responses to the Committee.

50. UNODC participated in several activities of the Committee and its Executive Directorate, including the following:

(a) A regional expert group meeting on preventing abuse of the non-profit sector for the purposes of terrorist financing, held in Bangkok from 22 to 24 March;

(b) A national workshop on strengthening the oversight role of the parliament of Pakistan in the implementation of laws on countering money-laundering and the financing of terrorism, held in Islamabad on 16 and 17 May;

(c) A regional workshop on countering the financing of terrorism in South-Eastern Europe, held in Belgrade on 29 and 30 June;

(d) A seminar on bringing terrorists to justice, held in Ankara from 18 to 20 July;

(e) A workshop on the implementation of Security Council resolution 1624 (2005) in East Africa, held in Nairobi from 29 November to 1 December.

51. At the request of the Chair of the Security Council Counter-Terrorism Committee, UNODC participated in the special meeting of the Committee, co-organized with its Executive Directorate and the Council of Europe, held in Strasbourg, France, from 19 to 21 April. The special meeting was focused on preventive approaches to counter-terrorism.

52. Cooperation continued with the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities¹ and its Analytical Support and Sanctions Monitoring Team, as well as the Security Council Committee established pursuant to resolution 1540 (2004) and its group of experts. Regular consultations were held.

53. UNODC and the Terrorism Prevention Branch organized a workshop for Afghan officials on national reporting to the Security Council committees on the implementation of the counter-terrorism resolutions of the Council, with the active participation of the Monitoring Team, the Committee established pursuant to resolution 1540 (2004) and the Counter-Terrorism Committee Executive Directorate.

2. Participation in the Counter-Terrorism Implementation Task Force

54. UNODC actively participates in the Counter-Terrorism Implementation Task Force, which brings together some 31 United Nations actors and INTERPOL, thus ensuring that its work related to counter-terrorism is carried out in the broader context of United Nations system-wide efforts.

55. In May and December, UNODC attended the two inter-agency meetings of the Task Force, which focused on strengthening coordination and cooperation among the different entities with respect to all four pillars of the United Nations Global Counter-Terrorism Strategy. UNODC gave presentations on lessons learned through its work with the Integrated Assistance or Countering Terrorism (I-ACT) initiative, and highlighted the need for strong efforts to solicit and manage information, as well as the potential to enhance the utility of the system as a more general platform for the sharing of information related to different aspects of the work of the Task Force. UNODC provided constructive input to the discussions, including in relation to expanding the initiative and strengthening coordination and effective implementation of the working groups of the Task Force.

¹ On 30 June 2011, the Security Council decided to change the name of the Committee to “Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities”.

56. Together with the International Monetary Fund (IMF) and the World Bank, UNODC co-chairs the Task Force working group on tackling the financing of terrorism. UNODC participated in a three-day expert group meeting on preventing abuse of the non-profit sector for the purposes of terrorist financing, held in London from 18 to 20 January. This was the first of several meetings to be held within the framework of the working group during 2011 and 2012 to support the efforts of Member States to prevent non-profit organizations from being abused by terrorist organizations, by discussing practical tools available to both Governments and non-profit organizations to mitigate that risk.

57. UNODC is also actively involved in the Task Force working group on protecting human rights while countering terrorism and in assisting with the development of a set of basic human rights reference guides on specific issues. The Terrorism Prevention Branch participated in a regional expert symposium, held in Bangkok on 17 and 18 February, on securing the fundamental principles of a fair trial for persons accused of terrorist offences.

58. UNODC participates in the Task Force working group on supporting and highlighting victims of terrorism. Its technical assistance tool, *The Criminal Justice Response to Support Victims of Acts of Terrorism*, represents the contribution of the Branch to that group.

59. UNODC is also an active member of the Task Force working group on countering the use of the Internet for terrorist purposes. Its work to develop a technical assistance tool on that topic is carried out in the context of that working group.

60. As part of the Task Force working group on preventing and resolving conflicts, UNODC participated in the three expert meetings in preparation of the Joint Plan of Action for the Implementation of the United Nations Global Counter-Terrorism Strategy in Central Asia and in the ministerial meeting held on 30 November, during which the Strategy was endorsed.

61. UNODC actively participates in the Task Force working group on border management related to counter-terrorism and provides input for the web-based compendium of technical support materials for Member States on that subject.

62. Together with the Executive Office of the Secretary-General and the Counter-Terrorism Committee Executive Directorate, UNODC has been coordinating the I-ACT initiative, which enables partnering Member States to address to Task Force entities their requests for strategy-related assistance related to all four pillars of the United Nations Global Counter-Terrorism Strategy in a user-friendly way, via a single access point. The initiative aims to avoid duplication, fosters consultation and maximizes the impact of assistance delivery. Throughout 2011, UNODC continued to contribute to the work of I-ACT in partnership with the Governments of Burkina Faso and Nigeria and, through the Information Technology Service, continued to provide information technology services to maintain the system.

63. In addition, in partnership with the Task Force secretariat and the Government of Hungary, UNODC organized a seminar, held in Budapest on 17 June, on promoting awareness of the Strategy and efforts made to implement it at the national, regional and international levels. The principal aim of the seminar was to

share best practices in the sphere of terrorism prevention and to enhance national, regional and global capacity in countering terrorism.

64. During 2011, UNODC took part in a series of Task Force events, including regional meetings on the implementation of the Strategy in East Africa (held in Addis Ababa on 27 and 28 July) and in Southern Africa (held in Windhoek on 5 and 6 October).

65. The Executive Director of UNODC participated in the symposium of the Secretary-General on international counter-terrorism cooperation, organized by the Task Force in partnership with the Executive Office of the Secretary-General and the constituent Task Force entities and held in New York on 19 September.

3. Partnerships with other organizations

66. The Branch continued to work with many international partners: the Commonwealth, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, the Financial Action Task Force on Money Laundering, IAEA, the International Civil Aviation Organization, IMF, IMO, INTERPOL, the International Organization for Migration, the Organization of Islamic Cooperation, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the Organization for the Prohibition of Chemical Weapons, the United Nations Interregional Crime and Justice Research Institute and the World Bank, as well as with a large number of regional and subregional partners, such as the African Union, the Association of Southeast Asian Nations (ASEAN), the Central African Economic and Monetary Community, the OAS Inter-American Committee against Terrorism, CARICOM, the Commonwealth of Independent States (CIS), the Common Market for Eastern and Southern Africa, the Cooperation Council for the Arab States of the Gulf, the Council of Europe, the Economic Community of Central African States, the Economic Community of West African States, the European Union and Eurojust, the Indian Ocean Commission, the International Law Enforcement Academy, the Jakarta Centre for Law Enforcement Cooperation, the League of Arab States, the Organisation of Eastern Caribbean States, OSCE, the Naif Arab University for Security Sciences, the University College of Dublin (Ireland) Centre for Cybersecurity and Cybercrime Investigation, the Southern African Development Community, the Central American Integration System, the South-East Asia Regional Centre for Counter-Terrorism and the West African Economic and Monetary Union (UEMOA).

67. Activities implemented in the Americas are jointly organized and carried out with the OAS Inter-American Committee against Terrorism to ensure full complementarity of programmes and action. A similar partnership exists with OSCE for activities undertaken in Eastern European and Central Asian countries. The Branch also closely cooperates with the Council of Europe, through participation in the Committee of Experts on Terrorism (CODEXTER). The Branch participated in the international conference on victims of terrorism, held in San Sebastian, Spain, on 16 and 17 June and co-organized by the Council of Europe and the OAS Inter-American Committee against Terrorism. UNODC signed, along with the regional counter-terrorism structure of the Shanghai Cooperation Organization, a protocol of cooperation in support of their joint effort to increase the effectiveness of coordinated action against terrorism. UNODC further participated in the

Interparliamentary Assembly of Member Nations of CIS meeting held in St. Petersburg, Russian Federation, from 6 to 8 April.

68. UNODC provided relevant experts from the Office of Legal Affairs of INTERPOL with training on the new UNODC online Counter-Terrorism Learning Platform. Training was provided in order for INTERPOL to conduct online training courses on the theme international cooperation in criminal matters: a key tool in the fight against terrorism, which were undertaken jointly with UNODC from 21 February to 1 April for selected criminal justice officials from the Sahel, from 29 July to 9 September for selected criminal justice officials and law enforcement officers from West Africa and from 28 October to 9 December for selected criminal justice officials from Algeria.

69. UNODC further strengthened the exchange of information with the European Union and engaged in regular policy dialogue. The Branch participated in the second and third meetings of the United Nations-European Union policy dialogue on counter-terrorism issues (7 February and 9 November). The Hungarian and Polish presidencies of the European Union invited UNODC to update the meetings of the Council of the European Union Working Party on Terrorism on recent developments in the counter-terrorism work of UNODC (8 February and 13 July). Regular policy and programme consultations were undertaken with counterparts of the European Union (European Commission and European Union Counter-Terrorism Coordinator), with representatives of European Union member States and with Brussels-based representatives of United Nations entities involved in counter-terrorism matters. UNODC and the Terrorism Prevention Branch participated in the meeting of senior officials from the European Union and UNODC held in Brussels on 14 October.

70. Cooperation with ASEAN included participation in the second ASEAN Maritime Forum, held in Pattaya, Thailand, from 17 to 19 August. In the context of the East and South-East Asia Partnership on Criminal Justice Responses to Terrorism, close collaboration and joint activities have been developed with the South-East Asia Regional Centre for Counter-Terrorism, the Jakarta Centre for Law Enforcement Cooperation and the International Law Enforcement Academy.

71. The Branch participated in activities organized by IMF, including a training workshop focused on the legislative framework for countering money-laundering and the financing of terrorism, held in Singapore from 7 to 11 March; the IMF Financing of Terrorism Convention Project Philippines/Sri Lanka, held in Colombo on 11 February; and the follow-up event held in Manila on 4 and 5 July.

72. The Branch also participated in activities of the Naif Arab University for Security Sciences, including a regional training workshop focused on controlling and protecting the movement of persons and commodities from terrorist attacks, held in Riyadh from 6 to 8 June.

73. The Branch further attended workshops organized by the Center on Global Counterterrorism Cooperation, including a seminar on lessons learned from investigating terrorism incidents, in partnership with the Intergovernmental Authority on Development (IGAD) Capacity-Building Programme against Terrorism, that focused on the implementation of the IGAD extradition and mutual legal assistance conventions, international cooperation in terrorism investigations and prosecutions, the strengthening of cross-border cooperation networks among

law enforcement officials in IGAD States, internal coordination, community engagement and the importance of financial investigations.

4. Cooperation with recipient and donor countries

74. The Branch adjusts its activities to the diversity of institutional arrangements and legal cultures in the countries in which it operates. To ensure a tailored approach, the Branch works closely with representatives and experts of recipient countries. In addition to the formal communications pursued through the permanent missions in Vienna and New York and the ministries of foreign affairs, extensive consultations and working-level contacts are maintained with concerned ministries and with judicial and prosecutorial services.

75. The Branch is most grateful to its donors for their invaluable substantive and financial support. Between January 2003 and 31 December 2011, voluntary contributions (paid and pledged) totalled \$57,881,743. Pledges/contributions have been made by Austria, Belgium, Canada, Colombia, Cyprus, Denmark, France, Germany, Greece, Hungary, Israel, Italy, Japan, Liechtenstein, Monaco, the Netherlands, New Zealand, Norway, Romania, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States, as well as by the Indian Ocean Commission, the International Organization of la Francophonie, IMO, INTERPOL, OSCE and the Counter-Terrorism Committee Executive Directorate. Some of the donor countries also supported the work of the Branch through the participation of their national experts in its technical assistance activities.

D. Evaluating delivery and assessing impact

76. In order to strengthen its ability to focus on delivering expected results, the Branch has developed a standardized monitoring and reporting approach. The management strategy of the Branch involves defining realistic results, monitoring progress towards achieving those results, integrating lessons learned into management decisions and reporting on performance. The monitoring and evaluation framework of the Branch contains performance indicators and tools through which to collect baseline data, against which progress is measured both at periodic intervals and at the conclusion of a project. The Branch uses those data to measure and critically analyse impacts, make changes to activities in order to increase effectiveness (if required), glean lessons for the purpose of information-sharing and organizational learning and inform the development of future projects.

77. Early 2011 brought with it the establishment of a new standardized information management system developed by the Branch. This comprehensive system provides the information technology structures for the Branch to track its training activities around the world, administer questionnaires regarding training events and generate specialized reports on the results. As such, the new standardized information management system plays an integral role in the monitoring and evaluation strategy of the Branch and therefore in its ability to provide high-quality, tailor-made technical assistance to requesting States.

78. The latest combined training evaluation report of the Branch on technical assistance activities highlights, among other things, the positive course evaluations

by participants, particularly with respect to their self-assessment of knowledge and skills transferred during the training courses.

III. Challenges ahead

79. The Branch has adjusted the content of its assistance activities to ensure that its services remain pertinent and fully aligned with the actual and emerging needs of requesting countries, thereby taking into account changes in the external operating and funding environment. That process needs to be further consolidated. Strengthening operational partnerships and mobilizing increased substantive and financial support by Member States is crucial in that regard.

A. Enhancing the delivery of technical assistance through modalities that provide a response conducive to the evolving needs of Member States

80. The Branch needs to continue its assistance with respect to the ratification and legislative implementation of the international instruments to prevent and combat terrorism and to focus on those instruments with a lower ratification rate.

81. Special efforts are being made to engage with executive branch decision makers and with parliamentarians, whose support is needed during the ratification process and for the adoption of necessary domestic legislation.

82. In response to increased demand, in-depth capacity-building assistance programmes have been initiated in a number of countries, while other countries have also expressed an interest. An effective response to terrorism requires a criminal justice system that is capable of functioning in an integrated fashion and able to rely on the contribution of all components, including the police, the prosecution, the defence bar, the judiciary and the correctional system. Additional work is required to strengthen procedural aspects based on the rule of law, including for strengthening the position of victims of terrorism during criminal proceedings, drawing on the international legal framework and recognized standards and norms.

83. Moreover, to further regional and subregional cooperation among criminal justice practitioners, assistance needs to be provided for the establishment of judicial platforms, in line with the ones created for countries of the Indian Ocean Commission and the Sahel.

84. Special efforts are required to address the preventive aspects of countering terrorism, including criminalization of incitement and other supportive acts, such as travel with a view to attending terrorist training camps.

85. Because of the increasingly complex nature of terrorism, the Branch is challenged to further enhance activities to build and transfer expertise in specific thematic areas, such as transportation security, chemical, biological, radiological and nuclear materials, countering the financing of terrorism and countering the use of the Internet for terrorist purposes.

86. Overall, the Branch should work towards long-term capacity-building programmes, providing training to all stakeholders, based on a steady dissemination of easily accessible training materials, backstopped by effective follow-up and

reinforced by ongoing support services on the ground. In that regard, UNODC is steadily enhancing its “train-the-trainers” approach, by involving national training institutions in its activities and by strengthening the expertise of those institutions through the elaboration of counter-terrorism modules for integration into their national curricula. Further elaboration of the comprehensive legal training curriculum provides a good substantive basis in that regard.

87. The expansion of online training activities is supported by the positive feedback received from participants. The newly established permanent virtual communication forum will enable trainees to remain connected with the training facilitators at the Branch and with one another, which will enhance the sustainability of capacity-building activities. The forum will also facilitate the enhanced cooperation of the Branch with external partners, including the private sector and civil society.

88. Long-term, sustained engagement is facilitated by a field-based delivery approach. The placement of terrorism prevention experts in UNODC field offices has enabled the Branch to work closely with local officials in designing and implementing activities. The Branch envisages further decentralization of its programming and delivery capacity.

89. The Branch also seeks to further strengthen its results-based management approach. The current performance tools and information management application system will allow the Branch to enhance data management and reporting, demonstrating progress made in project implementation against defined targets. For capacity-building activities, the systematic analysis of evaluation questionnaires will enable the Branch to keep better track of the knowledge and skills development of participants.

90. A strengthened field-based approach facilitates the full integration of the counter-terrorism activities of the Branch into the regional and country programmes of UNODC. This responds to the increasing demand for more comprehensive packages of assistance that encompass assistance with respect to terrorism prevention, criminal justice reform and the prevention of transnational organized crime and corruption, and consequently strengthen counter-terrorism efforts by addressing related criminal activities.

B. Mobilizing increased support from Member States

91. Thanks to the financial support provided by its 25 donor countries and some donor organizations, the Branch has been able to establish, both at headquarters and in selected field locations, a core pool of expertise and the basic secretariat capacity for the planning, delivery, coordination and management of its counter-terrorism assistance and related partnerships.

92. The reliance of the Branch on voluntary contributions, however, makes long-term planning, including the maintenance of necessary technical expertise, challenging. Funding uncertainty remained a key issue in 2011.

93. Dependence on extrabudgetary resources for core expertise and basic secretariat functions is not tenable. In order to preserve that core expertise and to be able to deliver the basic secretariat functions, these capacities need to be stabilized

and ensured through increased regular budget allocations. Except for the addition of a junior-level post approved in December 2007 and a P-4 post approved in December 2011, the regular budget allocation has remained at almost the same level since 2003. Stable regular budget resources are needed to ensure that the Branch can adequately meet the expectations of Member States.

94. Moreover, the Branch needs predictable, multi-year, non-earmarked funding to be able to continue to conduct key technical assistance activities with a view to implementing its global mandate. Bearing in mind the importance of a properly functioning criminal justice system that prevents terrorism in the attainment of sustainable economic and social development in recipient countries, it might be worthwhile for donor States to explore whether development funds could increasingly be drawn on to support the activities of the Branch.

IV. Conclusions and recommendations

95. Given the continued threat posed by terrorism, it is imperative to sustain focused attention on and support for efforts to strengthen the legal regime against terrorism and the delivery of assistance for enhancing related national capacities. As underlined in the United Nations Global Counter-Terrorism Strategy, establishing a criminal justice response to terrorism that is based on the rule of law is crucial to global counter-terrorism efforts and is the backbone and prerequisite for other initiatives.

96. The technical assistance requests received by the Branch demonstrate the growing need for capacity-building assistance, in addition to the need for continued assistance for the ratification and legislative implementation of the international instruments to prevent and combat terrorism. In particular, there is an increased need for long-term, in-depth, custom-tailored assistance on the ground and for outreach to the criminal justice practitioners involved in the investigation, prosecution and adjudication of concrete cases. UNODC should continue to assist in reinforcing mechanisms for international cooperation in criminal matters to counter terrorism, including by providing support for the establishment of relevant networks and platforms.

97. The requests received also highlight the need for enhanced, specialized and substantive expertise-building and transfer in such thematic areas as nuclear, chemical, biological and radiological terrorism; transportation security; the financing of terrorism; and countering the use of the Internet for terrorist purposes. There is a demand for more comprehensive packages of technical assistance that enable criminal justice practitioners to deal with a range of crimes potentially related to terrorism.

98. The delivery of expertise should continue to occur on the ground as well as through the use of innovative and cost-efficient training modalities and mechanisms, such as online and computer-based courses.

99. The Commission may wish to provide further guidance with regard to the reinforcement of UNODC technical assistance work on the criminal justice aspects of countering terrorism, both in terms of content and in terms of delivery mechanisms, with a view to better tailoring the assistance to meet the evolving

needs of Member States. The Commission may therefore wish to request UNODC to assist Member States in addressing possible connections between terrorist acts and related criminal activities.

100. UNODC, in particular its Terrorism Prevention Branch, is strongly committed to continuing to assist Member States in meeting their needs. It will therefore continue to explore synergies with other United Nations entities, including within the framework of the Counter-Terrorism Implementation Task Force, and to work with partner entities at the international, regional and subregional levels in order to enhance efforts towards maximizing consultation, coordination and cooperation in counter-terrorism assistance delivery.

101. The Commission may wish to provide further guidance concerning UNODC involvement in the work of the Counter-Terrorism Implementation Task Force. The Commission may invite the Security Council bodies dealing with counter-terrorism, the Task Force office and other Task Force member entities, as well as relevant international, regional and subregional organizations, to enhance their cooperation with UNODC on counter-terrorism issues, in order to strengthen synergies and avoid duplication.

102. The Commission may also wish to call upon UNODC to strengthen its cooperation with the private sector and with civil society on counter-terrorism issues and related areas.

103. UNODC relies on Member States to step up their support, both politically and financially, to enable the Office to continue to assist Member States in implementing a fully functional international legal regime against terrorism based on the rule of law. Whereas donor countries have provided invaluable voluntary contributions, it is important to reiterate that the current resource level is inadequate to meet the increasing requests and the required corresponding enhancement in technical assistance activities and substantive initiatives. Member States should therefore make available sufficient resources to make the counter-terrorism work of the Terrorism Prevention Branch sustainable, through an adequate increase in regular budget resources and through the provision of predictable and multi-year extrabudgetary resources.

104. The Commission may wish to express gratitude to donor countries for the voluntary contributions made available to UNODC, and to invite Member States to increase the level of extrabudgetary and regular budget resources to enable UNODC to continue to implement its work in the area of countering terrorism.

Annex

**Contributions to the United Nations Crime Prevention and Criminal Justice Fund for
technical assistance projects of the Terrorism Prevention Branch as at 9 January 2012**
(United States dollars)

<i>Donor</i>	<i>Total amount paid and pledged</i>	<i>1999- 2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012^a</i>
Austria	2 712 044	308 507	730 689		242 364	10 823	631 007		267 115	255 231	266 308	
Belgium	1 150 231							345 853	362 965	441 413		
Canada	6 741 356			47 071	74 371	689 211	465 967	727 787	934 389	1 375 870	2 426 690	
Colombia	483 630						80 000	70 667		332 963		
Cyprus	13 643										13 643	
Denmark	4 484 814			181 737	182 481	953 030	885 960	564 791	504 829	562 351	549 625	
France	2 758 137		247 578	246 305	283 314	365 475	346 629	310 419	215 827	399 021	343 569	
Germany	5 787 959		162 690	256 400	242 130	229 935	311 088	678 544	2 724 102	838 987	344 083	
Greece	70 000						70 000					
Hungary	52 562										52 562	
Israel	30 000								20 000		10 000	
Italy	3 214 990	263 259	271 150	306 373	600 000	523 965	535 000		557 103		158 140	
Japan	2 202 341	30 000			66 160	50 000	83 855	66 000	66 983	1 798 290	41 053	
Liechtenstein	454 172				50 000	50 000	100 000	100 000		45 594	108 578	
Monaco	405 227					60 000	60 000	59 611	65 616	80 000	80 000	
Netherlands	2 765 755		4 720		887 709	889 335	21 542	938 804		23 645		
New Zealand	411 064						137 691	118 548	51 144	103 681		
Norway	3 829 771			442 478	459 382	228 310	248 262	870 575	572 292	645 265	363 207	
Romania	123 305									123 305		
Spain	2 268 506		156 576		47 337	401 786	672 043	647 668		288 600	54 496	
Sweden	7 328 398				491 344	820 000	1 303 180	1 374 122	1 367 006	1 080 134	902 612	
Switzerland	328 074				40 000		40 000	80 000	122 619	45 455		
Turkey	504 534	45 170		25 000	25 000	27 942	76 422	50 000	140 000	100 000	15 000	
United Kingdom	4 318 887			478 000	212 146	584 348	957 092	877 594			449 221	760 486
United States	5 251 710	230 000		250 000	446 000	298 000	200 000	148 375	200 000	250 000	1 706 438	1 522 897
INTERPOL	11 536								11 536			

<i>Donor</i>	<i>Total amount paid and pledged</i>	<i>1999- 2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012^a</i>
Indian Ocean Commission	4 518								4 518			
Organization of La Francophonie	78 616							78 616				
Organization for Security and Cooperation in Europe	25 963					13 175			12 788			
International Maritime Organization	40 000									40 000		
Counter-Terrorism Executive Directorate	20 000									20 000		
Total	57 881 743	876 936	1 573 403	2 233 364	4 349 738	6 195 335	7 225 738	8 107 974	8 300 832	8 849 815	7 885 225	2 283 383

^a Including funds not yet pledged but informally confirmed and pledges yet to be finalized.