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### Strengthening international cooperation and technical assistance in preventing and combating terrorism

## Strengthening international cooperation and technical assistance in preventing and combating terrorism

### Report of the Secretary-General\*\*

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\* E/CN.15/2003/1.

\*\* The footnote required in accordance with paragraph 8 of resolution 53/208 B, in which the General Assembly decided that if a report was submitted late to the conference services, the reason for this should be included in a footnote to the document, was not included in the original submission.



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## I. Introduction

1. The United Nations has long been seized of the issue of terrorism and has carried out extensive work in that field. Following the adoption of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,<sup>1</sup> the Commission on Crime Prevention and Criminal Justice drew up a plan of action against terrorism that was approved by the General Assembly in its resolution 56/261 of 31 January 2002.

2. However, the attacks of 11 September 2001 and their aftermath gave urgency to the issue of concerted global action by Member States against terrorism. They also demonstrated the need for a comprehensive approach in addressing that phenomenon. Moreover, they generated a critical examination of the complementary functions of various relevant entities, including those of the United Nations system.

3. The role of the United Nations Office on Drugs and Crime (formerly known as the Office for Drug Control and Crime Prevention) in assisting States in strengthening their legal frameworks and institutional capacity to prevent and combat terrorism, as well as in reinforcing the relevant international cooperation mechanisms and procedures, has been stressed in numerous resolutions of the policy-making bodies. In its resolution 2002/19 of 24 July 2002, the Economic and Social Council reaffirmed the important role that the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention had to play in providing technical assistance in preventing and combating terrorism, and reiterated its request to the Centre to promote effective measures to that end; and stressed that the Centre should include in its activities the provision to States upon request, of technical assistance for the signature, accession, ratification and effective implementation of the international conventions and protocols related to terrorism.

4. In its resolution 57/173 of 18 December 2002, entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity", the General Assembly affirmed the importance of the work of the Centre for International Crime Prevention in the fulfilment of its mandate, including to prevent and combat terrorism, and in particular in strengthening international cooperation and providing technical assistance, upon request, which complements the work of the Counter-Terrorism Committee established pursuant to Security Council resolution 1373 (2001) of 28 September 2001 to monitor the implementation of the resolution. In its subsequent resolution 1377 (2001) of 12 November 2001, the Council recognized that many States would require assistance in implementing all the requirements of resolution 1373 (2001) and called for the exploration of ways in which States could be assisted through technical, legislative and other assistance programmes and in the preparation of model laws.

5. The reinforced and expanded mandates described above required a revised and strengthened programme of work to provide Member States with adequate and focused assistance. Such a programme would build upon the related specialized expertise of the Centre, maintain coordination with the Office of Legal Affairs of the Secretariat, promote collaboration with external partners, especially regional and subregional organizations, and contribute to the objectives of the Counter-Terrorism Committee.

## **II. Implementation of relevant instruments: views of Governments**

6. In its resolution 2002/19, the Economic and Social Council requested the Centre for International Crime Prevention to take measures to draw the relevant international conventions and protocols to the attention of those States which were not yet parties to them, with a view to assisting them to become parties thereto; and urged States to continue working together, on a regional and bilateral basis, to prevent and combat acts of terrorism by strengthening international cooperation and technical assistance; and requested the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice on the implementation of the resolution, in particular on the role that the Centre has to play in promoting effective action in preventing and combating terrorism, including through providing technical assistance for the ratification and implementation of the international instruments related to terrorism, promoting international cooperation and raising public awareness of the nature and scope of international terrorism.

7. In response to Economic and Social Council resolution 2002/19, the Secretary-General sent a note verbale to Governments requesting relevant information on the issues raised in the resolution. As at 26 February 2003, the following Governments had responded: Austria, Azerbaijan, Denmark, Lebanon, Libyan Arab Jamahiriya, Mauritius, Mexico, Monaco, Oman, Pakistan, Panama, Qatar, Senegal, Sweden, Syrian Arab Republic, Tunisia, Turkey, Ukraine and United States of America.

### **A. Adherence to the international instruments**

8. Fifteen Member States that responded to the note verbale made reference to their status as a party or a signatory to the 12 international instruments related to the prevention and suppression of international terrorism.<sup>2</sup> Austria, Denmark, Monaco, Tunisia and Turkey indicated that they were party to all of the instruments. Lebanon, the Libyan Arab Jamahiriya, Mexico, Oman, Pakistan and Panama reported that they were a party to half or more of them.

### **B. Implementation of Security Council resolutions**

9. Austria, Denmark, Lebanon, Mauritius, Mexico, Monaco, Pakistan, Panama, Qatar and Tunisia indicated that they had taken action pursuant to Security Council resolutions related to terrorism, including, in some cases, submitting reports to the Counter-Terrorism Committee of the Council. Denmark reported that it had presented a legislative package to Parliament that included a bill that had been adopted in May 2002 containing all the amendments necessitated by, inter alia, Security Council resolution 1373 (2001). Mauritius had established a committee to look into the implementation of Security Council resolutions and international instruments related to combating terrorism. It also made reference to the legislation enacted in order to implement its obligations under Security Council resolutions. Mexico reported that, in order to implement, inter alia, the resolutions of the Council, a proposal had been drawn up to amend the Federal Penal Code, the Federal Code of Criminal Procedure and the Federal Organized Crime Act. Monaco provided information on the measures it had implemented in pursuance of

resolution 1373 (2001), noting, inter alia, the legislative measures in force on its territory aimed at suppressing recruitment for the purposes of involving persons in terrorist activities and the suppression of terrorist financing.

### **C. Regional instruments**

10. Azerbaijan, Denmark, Lebanon, the Libyan Arab Jamahiriya, Mauritius, Mexico, Oman, Panama, Qatar, Senegal, the Syrian Arab Republic, Tunisia and Ukraine also reported on regional conventions related to the prevention and suppression of international terrorism or extradition. For example, Azerbaijan had acceded to the European Convention on Extradition of the Council of Europe.<sup>3</sup> In addition, over the past year it had detained and extradited more than 30 foreign nationals on the grounds of their connections to the attacks of 11 September.

### **D. Bilateral agreements**

11. Denmark, Lebanon, the Libyan Arab Jamahiriya, Mauritius, Mexico, Monaco, Pakistan, Qatar, Sweden, the Syrian Arab Republic, Tunisia and Turkey also made reference to their bilateral agreements on extradition or terrorism. For example, Turkey reported that it had concluded agreements concerning cooperation in the fight against terrorism, drug trafficking and organized crime with 42 States. Pakistan reported that it had entered into bilateral extradition treaties with 27 States, including on the subject of terrorist acts as extraditable offences, and noted that over 450 suspected terrorists had been extradited under those treaties.

### **E. National and international action to combat terrorism**

12. Denmark noted that it had increased both mutual cooperation between national authorities and international cooperation, including increased exchange of information. With reference to the exchange of information concerning the financing of terrorism, Monaco reported that a committee for coordination between the various administrative departments responsible for oversight of financial activities had been established. Oman noted that it was keen to continue working within bilateral, regional and international frameworks to prevent and combat all forms of terrorist acts by strengthening international cooperation and assistance within the framework of international conventions and protocols related to terrorism. Qatar reported that it had created a committee to consider accession to the international conventions and protocols related to terrorism. Within the framework of those instruments, Sweden reported that extensive cooperation between Swedish law enforcement and intelligence and security services and international counterparts existed prior to 11 September 2001, but had since intensified, at the bilateral as well as the multilateral level. Other States also reported on specific actions that they had taken at the national level to prevent and combat terrorism, examples of which are given below.

13. Pakistan reported that it had undertaken a number of other activities related to the prevention and suppression of international terrorism. For example, a number of radical and extremist organizations in Pakistan had been banned and a complete halt

to their activities had been ensured. In addition, special programmes initiated to enhance the counter-terrorism capacity of law enforcement, as well as of investigative and judicial authorities, had led to a strengthened anti-terrorist infrastructure within the country. While Pakistan remained steadfast in its commitment to combating and preventing terrorism, it was facing restraint in terms of technical and financial resources for which it hoped international assistance would be forthcoming.

14. Panama reported that, with a view to enhancing coordination between the various state departments and security agencies concerned with different prevention and monitoring activities regarding possible terrorism activities on its territory, it had established the Executive Secretariat of the Council for Public Security and National Defence. It also reported that the Council remained in permanent contact with similar services in other countries, since Panama believed that cooperation between intelligence services was essential in the fight against terrorism.

15. Tunisia noted that it had created a National Solidarity Fund 26-26, which was being used to confront the causes that fostered the birth and development of the phenomenon of terrorism, such as poverty and misery.

16. Oman expressed its readiness to cooperate with the United Nations in combating international terrorism in accordance with the rules of international law and the axioms of national sovereignty, foremost of all the differentiation between terrorism and the legitimate right of people to resist foreign occupation for the purpose of self-determination and liberation of their territory.

## **F. National legal frameworks against terrorism**

17. Azerbaijan noted that, on 30 August 1999, it had enacted an Act on Combating Terrorism, which determined the legal and organizational framework for combating terrorism in Azerbaijan, coordinated the activities of state bodies responsible for combating terrorism and also defined the rights and duties of those bodies and members of the public. It also noted that, in October 2001, the President had signed a Decree on the Application of the Act on Accession to the International Convention on the Suppression of the Financing of Terrorism. In addition, a new law had come into effect to amplify and amend the Criminal Code and the Act on Combating Terrorism in order to bring the existing national laws into line with the International Convention on the Suppression of the Financing of Terrorism (General Assembly resolution 54/109, annex).

18. Denmark noted that in December 2001 its Government had presented a legislative package of four bills to Parliament containing a broad range of initiatives aimed at combating terrorism and the financing of terrorism, including all the legislative amendments necessary to comply with international standards and requirements after the events of 11 September 2001.

19. Lebanon made reference to, inter alia, some of its national laws to prevent and suppress terrorism and elaborated upon articles in its penal code relevant to terrorism, making reference to various relevant penalties.

20. Mauritius referred to its relevant legislation, such as the Prevention of Terrorism Act of 2002, as well as its new Extradition Act and the new legislation on mutual legal assistance.

21. Pakistan reported that its legal and administrative regimes had been brought into conformity with the provisions of the multilateral treaties against terrorism. It was also actively combating the financial aspects of terrorism. A new law against money-laundering was in the making and the Bank of Pakistan had frozen the equivalent of \$10 million in various bank accounts.

22. Senegal reported that a working group under the instructions of the Head of State and presided over by the Minister of Justice had drafted and proposed an amended text of its Penal Code and Code of Penal Procedure to take into account the fight against acts of terrorism. The State had also taken measures to introduce strict control of financial flows.

23. Tunisia noted that it had submitted a proposed law on the reinforcement of international cooperation on counter-terrorism to the appropriate body for examination.

24. Ukraine noted the articles of its Code of Criminal Procedure relevant to its anti-terrorism efforts and, in particular, mentioned that the bodies for maintaining contacts with their counterparts in other countries and procedures for complying with mutual requests were regulated by its domestic laws and by international treaties to which it was a party. It also noted that, in order to emphasize prevention efforts, the relevant article of the Criminal Code made full use of the “checks and balances” principle, combining punitive sanctions and incentives. Ukraine also noted the treaties adopted by the Council of Europe, which were recognized by its Government.

## **G. Terrorism and organized crime**

25. Mexico provided information on the relevant national legislation in force, in particular the Federal Organized Crime Act, in which it was stated when terrorism was considered an offence of organized crime. In specifically addressing terrorism, Mexico also reported that its participation in the multilateral forums in that field was aimed at, inter alia, the unqualified condemnation of all acts of terrorism; cooperation in the prevention and punishment of such acts in conformity with international law; the ratification of existing international instruments in the area concerned and their full implementation; and respect for human rights and respect for humanitarian law in the fight against terrorism. Mexico is also a member of the Financial Action Task Force on Money Laundering of the Organisation for Economic Cooperation and Development. Monaco noted that it was the first State Member of the United Nations to have ratified the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I, the “Organized Crime Convention”) and two of its Protocols.

## **H. Support for the work of the United Nations Office on Drugs and Crime against terrorism**

26. Austria drew attention to the Symposium on Combating International Terrorism: the Contribution of the United Nations, noting that it had made available additional human and financial resources to the United Nations Office on Drugs and Crime to the amount of \$1 million for the project on strengthening the legal regime against terrorism, including an expert with first-hand experience of the work of the Counter-Terrorism Committee. The United States noted that it had provided \$230,000 as a contribution to the United Nations Office on Drugs and Crime to support the ratification and implementation of the 12 United Nations counter-terrorism conventions.

27. Qatar noted that it had participated in several international conferences and symposiums on terrorism and measures to combat it, including the Symposium held in Austria (see paras. 26 and 30).

28. Tunisia noted that the terrorism prevention activities of the United Nations Office on Drugs and Crime referred to in Economic and Social Council resolution 2002/19 were essential, but that for developing States a poverty eradication programme in order to confront the causes of terrorism might be equally important.

29. The responses received frequently indicated an urgent need to make technical assistance available to Member States in order for them to become party to the 12 international instruments and to participate in a global and concerted effort to prevent terrorism.

## **III. Promoting effective action to provide technical assistance and strengthen international cooperation against terrorism**

### **A. Development and implementation of the Global Programme against Terrorism**

30. Pursuant to its resolution 11/1, the Commission on Crime Prevention and Criminal Justice supported the convening of the Symposium on Combating International Terrorism: the Contribution of the United Nations in Vienna on 3 and 4 June 2002. (The report of the Executive Director on the proceedings of the Symposium is contained in document SYMP/TERR/3/Rev.1.) In connection with the implementation of the international anti-terrorism instruments and the provision of technical assistance, the Commission invited the United Nations Office on Drugs and Crime to launch a global programme, in the field of technical assistance, to prevent and combat terrorism (para. 50). Consequently, after consultations with Member States, the United Nations Office on Drugs and Crime initiated and developed numerous activities as part of its Global Programme against Terrorism, which was set up in October 2002. The overall aim of the Global Programme is to respond promptly and efficiently to requests for counter-terrorism assistance. Its resources are applied in such a way as to optimize the assistance it can provide to as many States as possible for the ratification and implementation of the international instruments related to the prevention and suppression of international terrorism. The



specific activities of the Global Programme are also designed to complement the work of and are guided by the mandates and policy decisions of the Counter-Terrorism Committee, as well as the recommendations of the Policy Working Group on the United Nations and Terrorism. Within the Global Programme's framework of activities, two technical assistance projects have already been developed and are being implemented (see paras. 31-39 below). New projects are also being designed for specific geographical areas or topics.

## **B. Developing legal tools for technical assistance**

31. In order to support the establishment of a global legal framework against terrorism, a preparatory assistance project on strengthening the legal regime against terrorism is being implemented. The material being developed as part of the project includes a United Nations legislative guide to the international anti-terrorism conventions and protocols. In addition, a strategy and methodology to build counter-terrorism capacity in requesting countries will be developed. Guidance from the Office of Legal Affairs and the Counter-Terrorism Committee has been sought in that connection. The project is funded entirely by the United States.

32. A draft of the legislative guide was reviewed by a group of international experts at an expert group meeting held in Siracusa, Italy, from 3 to 5 December 2002, organized jointly by the International Institute of Higher Studies in Criminal Sciences and the United Nations Office on Drugs and Crime. The participants were experts from international, regional and governmental organizations such as the International Monetary Fund, the Commonwealth Secretariat, the Organization for Security and Cooperation in Europe (OSCE), academia and non-governmental organizations. The experts provided guidance on the substance and structure of the material and suggested specific examples from various national legislations. Once finalized, the guide will be used to respond to States' requests for assistance in drafting legislation. The guide will serve as an introduction to the context and content of the 12 international anti-terrorism conventions and protocols and to the legislative actions required for their ratification and legislative implementation. It provides, both in text citations and by means of hyper-links to sources, a variety of statutes actually adopted to implement various legal obligations, as well as models developed by the Commonwealth Secretariat and other organizations. The intent is to provide legislative drafters with a basic understanding of the obligations of the 12 international instruments and a variety of models to facilitate the actual drafting process. For practitioners, the guide will be helpful in understanding the tools available for international cooperation. (For the convenience of members of the Commission, the draft guide will be made available as a conference room paper.) A draft version of the guide was translated into Russian in cooperation with OSCE and was used for a working session with four Central Asian States organized by OSCE in London on 10 and 11 February 2003. The participants at the meeting considered that one of the main functions of the guide would be to serve as an electronic needs assessment tool. In that regard, it should be noted that the guide will allow States to determine in what specific areas they might require assistance. A dialogue could also be established with requesting States via the Internet or teleconference whenever quick assistance was required without missions in the field. These new technologies may prove to be

a very cost-effective way of providing assistance in the legal field. (The Internet has already been used to provide assistance, while teleconferencing will be used in future where feasible.) A web page containing the United Nations legislative guide to the international anti-terrorism conventions and protocols, as well as examples of national counter-terrorism legislation, has also been created and is being updated regularly (see [www.unodc.org/odccp/terrorism.html](http://www.unodc.org/odccp/terrorism.html)).

### **C. Providing advisory services**

33. In order to expand the methods and techniques used in the preparatory assistance project on strengthening the legal regime against terrorism, the United Nations Office on Drugs and Crime has also prepared a project on strengthening the legal regime against terrorism for which the total budget is \$2,437,523. The project aims at assisting States in all regions of the world in taking concrete steps towards the ratification and implementation of the existing international instruments against terrorism. The project draws on existing expertise in the Office's Global Programme against Organized Crime and the Global Programme against Money-Laundering and the Legal Advisory Programme of the United Nations International Drug Control Programme. It is being implemented in close cooperation with the Office of Legal Affairs, other relevant United Nations entities and international and regional organizations working in the field and in close consultation with the Counter-Terrorism Committee. Activities are being phased in in accordance with the availability of funds. As at February 2003, approximately 50 per cent of the required funding had been received.

34. Within the framework of the project, the United Nations Office on Drugs and Crime has already provided legal advisory services to Angola, Cape Verde, Guinea-Bissau, Haiti, Mali, the Niger and Romania. It is anticipated that in 2003 advisory services will be provided to some 30 countries, with priority to be given to West and Central African countries. Meanwhile, the Office is also offering substantive and technical expertise on international cooperation in the area of counter-terrorism, building on its long-term experience in related areas. (To that end, an expert group meeting to update the manuals on extradition and mutual assistance in criminal matters was held in Siracusa, Italy, from 6 to 8 December 2002, organized jointly by the International Institute of Higher Studies in Criminal Sciences and the United Nations Office on Drugs and Crime, in conjunction with an expert group meeting on the legislative guide in order to provide Member States with a set of complementary tools. Holding the meetings consecutively significantly increased the cost-efficiency of the activities.) It should be stressed that, owing to the relevancy of certain provisions of the Organized Crime Convention to the fight against terrorism and in order to increase further the cost-efficiency of the Programme and optimize its resources, several of the legal advisory missions carried out have combined assistance for the ratification of that Convention with assistance concerning the international instruments against terrorism. Four missions were undertaken with the support of the Interregional Advisor. Moreover, some missions are also being carried out with the assistance of the Global Programme against Money-Laundering and the Legal Advisory Programme of the United Nations International Drug Control Programme. Furthermore, workshops on the Organized Crime Convention

and the international instruments against terrorism are being organized upon request. Thus far, such workshops are planned for Croatia, Hungary and Slovakia.

35. The strategy that has evolved for the delivery of legal advisory services can be summarized as follows:

(a) Following a direct request from a Member State or a request directed to the Counter-Terrorism Committee, a focal point is designated at either the ministry of justice or the ministry of foreign affairs of the requesting State;

(b) A review of existing national legislation in relation to the 12 international instruments pertaining to terrorism and to Security Council resolution 1373 (2001) is made by the United Nations Office on Drugs and Crime;

(c) Working group meetings are organized in the requesting States and include representatives of the ministries of justice, the interior, defence and finance, as well as members of the judiciary, prosecutors and police. The main changes required in order to meet international obligations are discussed and a timeframe for making those changes is proposed;

(d) During the following months, assistance is given through electronic or other forms of communication in the formulation and finalization of the new legislation;

(e) If necessary, further assistance is given to the Government in presenting the draft legislation to parliament or other appropriate body;

(f) Training of practitioners in relation to the new national legislation is planned and implemented.

36. The research and analysis activities of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime serve primarily as a tool to support the provision of technical assistance. They include the study of international and comparative criminal law, as well as of national legislation.

37. Within the framework of the Global Programme against Terrorism, once adequate national legislation is enacted and international cooperation mechanisms are in place, the United Nations Office on Drugs and Crime will assist States, upon request, in their efforts to operationalize those mechanisms. Consequently, it is planned that in the near future online model requests for extradition and mutual legal assistance will be developed. The web site on which such requests would be made available will be established in close cooperation with the Legal Advisory Programme of the United Nations International Drug Control Programme. It will offer judges, prosecutors and other relevant law enforcement officers a direct assistance tool for their daily work on international cooperation.

38. To further strengthen national expertise and the capacity of Governments to apply and enforce domestic anti-terrorism legislation, while also rendering international cooperation more effective, a mentorship programme is planned within the project on strengthening the legal regime against terrorism. To that end, a close working relationship has been established with the International Association of Prosecutors, which could provide the United Nations Office on Drugs and Crime with a list of well-trained prosecutors and establish a full partnership for the implementation of a programme that will assist countries in training their relevant officers on the main provisions and methods related to extradition and mutual legal

assistance in the field of terrorism. It is also intended to develop and organize short-term assistance missions to countries in cooperation with the International Association of Prosecutors. These will form part of the planned comprehensive mentorship programme.

39. As part of the project, the United Nations Office on Drugs and Crime also provides advice on institutional capacity-building, focusing on reinforcing existing institutional structures in States and, more specifically, on the establishment of central authorities dealing with international cooperation on terrorism. Examples that may be worth emulating from different national experiences will be provided to States when they set up new structures and institutions to engage in international cooperation against terrorism. It should also be noted that some Member States wish to reinforce their national criminal justice systems in order to be better equipped to fight terrorism as a crime. By way of example, a project proposal for criminal justice reform in Algeria that includes a component on terrorism is currently being formulated. The project would provide the Algerian authorities with relevant advice on measures against terrorism and support for operational activities are planned in different areas pertaining to the Algerian criminal justice system as a whole.

#### **IV. Cooperation with the Counter-Terrorism Committee, other United Nations entities and partner organizations**

40. In its resolution 2002/19, the Economic and Social Council requested the Secretary-General to offer information to the Counter-Terrorism Committee on the activities of the Centre for International Crime Prevention relevant to preventing and combating terrorism with the aim of strengthening a permanent dialogue between the two entities. Pursuant to that request, the United Nations Office on Drugs and Crime has established regular working contacts with the Committee. In particular, the Office reports on an ad hoc basis to the Committee's Technical Assistance Team. The Counter-Terrorism Committee has also been routinely kept informed about joint activities of the United Nations Office on Drugs and Crime with OSCE and about the status of its technical assistance undertakings. On 6 March 2003, the Office participated in a special meeting held by the Committee with representatives of international, regional and subregional organizations and United Nations entities in order to strengthen international efforts in combating terrorism.

41. Other activities include liaising with the Counter-Terrorism Committee in identifying States in need of legal assistance in bringing their national legislation into line with international requirements. The Committee also directs requests for assistance from States to the United Nations Office on Drugs and Crime, based on the latter's mandate and expertise.

42. To further enhance coordination with the Counter-Terrorism Committee, the United Nations Office on Drugs and Crime is now included on the Committee's directory of assistance website ([www.un.org/docs/sc/committees/1373](http://www.un.org/docs/sc/committees/1373)), which works as a central depository of all actions related to assistance to Member States.

43. As part of the Secretariat, the United Nations Office on Drugs and Crime works on a regular basis with the Office of Legal Affairs, which contributed to the preparation of the Global Programme. The Office of Legal Affairs has also provided the United Nations Office on Drugs and Crime with copies of the *National Laws*

*and Regulations on the Prevention and Suppression of International Terrorism.*<sup>4</sup> The United Nations Office on Drugs and Crime also liaises with the International Atomic Energy Agency on issues of common concern.

44. In addition to coordinating its activities with United Nations entities, in particular the Counter-Terrorism Committee on the implementation of Security Council resolution 1373 (2001), the United Nations Office on Drugs and Crime maintains ongoing working arrangements with international, regional and subregional organizations, as well as academic institutions, with information-sharing being a key element of the Global Programme. As a result, focal points between the United Nations Office on Drugs and Crime and regional organizations such as the Organization of American States and OSCE have been established, as have regular contacts with the Association of South-East Asian Nations, the Commonwealth of Independent States and the Southern African Development Community. The United Nations Office on Drugs and Crime has also started joint activities with regional and international organizations, which serves to broaden the audience it can reach and multiply the impact of its work. Joint activities are being carried out with the Commonwealth Secretariat for the drafting of legislative guides, with the Organization of American States in support of the activities of the Office in Haiti and with OSCE. Regarding the latter, a joint programme of legislative assistance for Central Asian States was developed. In the framework of that programme, a technical cooperation workshop organized by OSCE and the United Nations Office on Drugs and Crime was held in London in February 2003 in order to test, upon request, the United Nations legislative guide to the international anti-terrorism conventions and protocols in four States in the region (Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan). Furthermore, the United Nations Office on Drugs and Crime contributed substantively to the OSCE workshop held on 6 September 2002 in order to reinforce the work of regional and subregional organizations in preventing and combating terrorism.

45. The United Nations Office on Drugs and Crime is also planning to strengthen its field operations. It is envisaged that, subject to the availability of funds, regional advisors with responsibilities for terrorism-related work will be strategically placed in the field in order to support the delivery of technical assistance.

## **V. Raising public awareness**

46. Several activities of the United Nations Office on Drugs and Crime were oriented towards raising public awareness concerning the best approaches to fighting terror. The Symposium organized by the United Nations Office on Drugs and Crime and supported by the Government of Austria (see paras. 26 and 30 above) was attended by representatives of 101 Member States, 10 international organizations and 6 non-governmental organizations and high-level representatives of the Secretariat. It provided a unique opportunity to draw special attention to the increasing necessity to reinforce international cooperation in the global effort to prevent and combat terrorism, as well as to the need for assistance in strengthening the international legal framework against terrorism. A compilation of the proceedings of the Symposium is forthcoming.

47. The United Nations Office on Drugs and Crime has undertaken several other activities to raise awareness on specific topics related to international terrorism, including a series of training seminars on the international instruments for policy makers, practitioners and academics, as follows:

(a) A training seminar on legal technical assistance organized by the Office of Overseas Prosecutorial Development, Assistance and Training of the United States Department of Justice and the Organization of American States in Paraguay from 3 to 7 December 2002;

(b) A workshop organized by the OSCE Office for Democratic Institutions and Human Rights in Poland on 26 and 27 November 2002;

(c) A workshop organized by the Social Science Research Council in Washington, D.C., from 13 to 16 November 2002. Inputs were also provided for meetings held in Algeria, Austria, Croatia, Italy, Poland, Portugal, the United Kingdom of Great Britain and Northern Ireland and the United States. In addition, material was provided for presentations to the Inter-Parliamentary Union at its meeting in Dakar and to the Southeast European Cooperative Initiative at its meeting in Bucharest.

In addition, information on the contents, features and activities of the Global Programme against Terrorism was provided to representatives of all the regional groups in Vienna in December 2002 and January 2003. Inputs have also been provided in order to enhance operational capacity in counter-terrorism measures. An international conference, organized jointly with the International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Programme and co-sponsored by the United Nations Office on Drugs and Crime and the Department for Disarmament Affairs of the Secretariat, was held in Courmayeur, Italy, from 6 to 8 December 2002, entitled "Trafficking: networks and logistics of transnational organized crime and international terrorism". During the conference, the Office provided substantive input by means of a presentation on links between terrorist and organized criminal networks: emerging patterns and trends.

48. In order to support the promotion of the international rule of law, a treaty event will be organized jointly with the Office of Legal Affairs during the fifty-eighth session of the General Assembly. The event will highlight and encourage the ratification and accession of the Organized Crime Convention and the Protocols thereto and the international conventions and protocols against terrorism, as well as, inter alia, international human rights instruments.

49. Furthermore, with a view to further enhancing information-sharing, the United Nations Office on Drugs and Crime has revised its web site to reflect all the activities of the Global Programme against Terrorism (see [www.unodc.org/odccp/terrorism.html](http://www.unodc.org/odccp/terrorism.html)). The site is updated on a regular basis. In addition, a new brochure highlighting the activities of the Global Programme has been widely disseminated.

## **VI. Strengthening the Terrorism Prevention Branch of the Secretariat**

50. In order to comply immediately with the new mandates deriving from the resolutions of policy-making bodies and the views expressed during the debates of the Symposium, the Executive Director of the United Nations Office on Drugs and Crime took interim measures to strengthen the resources of the Terrorism Prevention Branch by temporarily reassigning two staff members to terrorism prevention activities focusing on legal matters.

51. In order to ensure continuity and to give a more permanent effect to the efforts being made by the United Nations against terrorism, the Secretary-General submitted a report to the General Assembly (A/57/152 and Corr.1 and Add.1 and Add.1/Corr.1 and 2 and Add.2) in which he indicated that the expanded mandates of the Centre for International Crime Prevention in combating and preventing terrorism necessitated a strengthened programme of work. This, in turn, required an increased allocation of resources for staff and non-staff costs. In section IV, para. 4, of its resolution 57/292 of 20 December 2002, the Assembly reaffirmed the priorities of the Organization as set out in the medium-term plan for the period 2002-2005,<sup>5</sup> which included combating international terrorism in all its forms and manifestations; also reaffirmed the role of the Centre in providing, at the request of Member States, technical assistance on the prevention of international terrorism in all its forms and manifestations; and approved, as a charge against the contingency fund, an amount of \$230,900 for one D-1, one P-4, one P-3 and two General Service (Other level) posts under section 14, Crime prevention and criminal justice, of the programme budget for the biennium 2002-2003. As a follow-up to the resolution, the United Nations Office on Drugs and Crime is recruiting for the above-mentioned posts, which will provide the Terrorism Prevention Branch with a minimum of regular budget resources to implement the Global Programme against Terrorism.

52. Concerning extrabudgetary resources, contributions received during the period under review were as follows:

(a) For the project on preparatory assistance on strengthening the legal regime against terrorism (see para. 31 above): United States (\$230,000);

(b) For the full-fledged project on strengthening the legal regime against terrorism: Austria (\$1,000,000) and Italy (\$200,000). The project is still only partially funded, since its total budget is nearly \$2.5 million;

(c) Approximately \$60,000 in contributions from Japan and Turkey was also used for the Global Programme.

53. In-kind contributions have been given or pledged by Belgium and France. The contribution of France will cover the preparation of an implementation guide on the international anti-terrorism conventions and protocols for francophone countries.

54. According to the priorities of the Global Programme, and in compliance with the request of the Counter-Terrorism Committee, voluntary contributions are currently being used for drafting and testing the United Nations legislative guide and providing legal assistance to Member States. The list of States that have been assisted, as well as the details of the funds devoted to that assistance, are available upon request.

## VII. Conclusion and recommendations

55. In the implementation of the Global Programme against Terrorism, extensive efforts have been made to assist as many States as possible in ratifying and implementing the international legal instruments related to international terrorism as well as to giving effect to Security Council resolution 1373 (2001). Those efforts were only possible thanks to the role of the Commission on Crime Prevention and Criminal Justice and its bureau in mobilizing political support, which subsequently manifested itself in an increase in regular and extrabudgetary resources.

56. In that connection, the Commission may wish to provide political support and guidance to the Global Programme on the modalities for future implementation aimed at achieving its objectives. In providing such guidance, the Commission may wish to take into account the recommendations of the Policy Working Group on the United Nations and Terrorism, established by the Secretary-General in October 2001, in order to translate into action the shared international commitment to an effective, sustained and multilateral response to the problem of terrorism. The Policy Working Group prioritizes the Organization's activities regarding terrorism and has established a specific set of recommendations on how the United Nations system might function more coherently and effectively in the struggle against terrorism.

57. As stated in the summary of the report of the Policy Working Group on the United Nations and Terrorism (A/57/273-S/2002/875, annex), the United Nations should uphold, bolster and reassert the leading principles and purposes of the Charter of the United Nations, the core of which were undermined and threatened by terrorism. The Organization's activities should be part of a tripartite strategy supporting global efforts:

- (a) To dissuade disaffected groups from embracing terrorism;
- (b) To deny groups or individuals the means to carry out acts of terrorism;
- (c) To sustain broad-based international cooperation in the struggle against terrorism.

That tripartite approach provides an adequate foundation for a comprehensive global strategy for technical assistance on counter-terrorism. The Policy Working Group has produced a set of recommendations that are to be implemented and for which additional resources have been requested. Thirteen of the 30 recommendations involve activities by the United Nations Office on Drugs and Crime in the following areas: stressing to Member States the importance of signing, ratifying and effectively implementing the 13 international counter-terrorism instruments; supplementing anti-terrorist actions to call for the expeditious signature, ratification and entry into force of the Organized Crime Convention and the three Protocols thereto; continuing to emphasize the importance for the fight against terrorism of existing United Nations work in the areas of human rights, democratic capacity-building and social and economic justice; assisting Member States and regional bodies in the implementation of Security Council resolution 1373 (2001); and emphasizing the importance of post-conflict peace-building. As part of the United Nations efforts to implement the recommendations of the Policy Working Group,



the United Nations Office on Drugs and Crime has already carried out specific activities that contribute to the implementation of those recommendations (see sects. III-V above). The United Nations Office on Drugs and Crime regularly informs the Policy Working Group about the status of implementation of the Group's recommendations. In that regard, the Commission may also wish to give more specific guidance on how to integrate the recommendations of the Policy Working Group into the framework of the global technical assistance policy.

58. However, it should also be emphasized that a broader and more comprehensive technical assistance policy should be pursued in order to allow Member States to comply with their international obligations, to reinforce the capacity of their national agencies dealing with counter-terrorism and to take specific steps to make extradition and mutual assistance mechanisms more effective.

59. To that effect, an in-depth debate of the above-mentioned issues on the part of the Commission, with the participation of high-level officials, could be useful in keeping attention focused on the issues and could allow the Commission to provide guidance. In that context, the Crime Commission may also wish to consider making the United Nations Crime Prevention and Criminal Justice Fund available as a repository for contributions from donors wishing to strengthen technical assistance activities against terrorism.

#### Notes

<sup>1</sup> See *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000: report prepared by the Secretariat* (United Nations publication, Sales No. E.00.IV.8).

<sup>2</sup> In order to supplement the information provided concerning the status of Member States with regard to their signature of ratification of the international instruments related to the prevention and suppression of international terrorism, see the United Nations Treaty website ([untreaty.un.org/English/Terrorism.asp](http://untreaty.un.org/English/Terrorism.asp)). The international instruments are as follows (in chronological order):  
 1963 Convention on Offences and Certain Other Acts Committed on Board Aircraft  
 1970 Convention for the Suppression of Unlawful Seizure of Aircraft  
 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation  
 1973 Convention on the Prevention and Punishment of Offences Against Internationally Protected Persons, including Diplomatic Agents  
 1979 International Convention against the Taking of Hostages  
 1980 Convention on the Physical Protection of Nuclear Material  
 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 1971  
 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation  
 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf  
 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection  
 1997 International Convention for the Suppression of Terrorist Bombings  
 1999 International Convention for the Suppression of the Financing of Terrorism

<sup>3</sup> United Nations, *Treaty Series*, vol. 359, No. 5146.

<sup>4</sup> United Nations publication, Sales No. E/F.02.V.7.

<sup>5</sup> *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 6 (A/55/6/Rev.1)*, para. 23.