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Commission on Crime Prevention and Criminal Justice

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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

Austria, Hungary, Italy and Spain: draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolution for adoption by the General Assembly:

Technical assistance for implementing the international conventions and protocols related to counter-terrorism

The General Assembly,

Reaffirming all General Assembly and Security Council resolutions related to technical assistance in countering terrorism, and in particular General Assembly resolutions 66/171 of 19 December 2011 on protection of human rights and fundamental freedoms while countering terrorism, 66/178 of 19 December 2011 on technical assistance for implementing the international conventions and protocols related to counter-terrorism, 67/99 of 14 December 2012 on measures to eliminate international terrorism and 67/189 of 20 December 2012 on strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity,

Stressing again the need to strengthen international, regional and subregional cooperation to effectively prevent and combat terrorism, in particular by enhancing the national capacity of States through the provision of technical assistance, based on the needs and priorities identified by requesting States,

* E/CN.15/2013/1.



Recalling that in its resolution 67/99, it, inter alia, reiterated its request to the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime to continue its efforts to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognizing, in the context of the United Nations Global Counter-Terrorism Strategy and Security Council resolution 1373 (2001), its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism, including the most recent among them, and in strengthening international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building,

Recalling also its resolution 66/282 of 29 June 2012 on the United Nations Global Counter-Terrorism Strategy review, in which it reaffirmed the United Nations Global Counter-Terrorism Strategy, noted with appreciation the activities undertaken in the area of capacity-building by United Nations entities to assist Members, upon their request, in implementing the Strategy, and underlined the importance of greater cooperation among United Nations entities and of the work of the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system and the need to continue to promote transparency and to avoid duplication,

Recalling further that in its resolution 66/282, it recognized the role that victims of terrorism in all its forms and manifestations can play, including in countering the appeal of terrorism, and noting with appreciation the ongoing efforts of the relevant United Nations entities to recognize and protect the rights of victims of terrorism,

Reiterating that it is the primary responsibility of Member States to implement the United Nations Global Counter-Terrorism Strategy, and recognizing the need to enhance the important role that the United Nations plays, in coordination with other international, regional and subregional organizations, in facilitating coherence in the implementation of the Strategy at the national, regional and global levels and in providing assistance, especially in the area of capacity-building,

Reaffirming all aspects of the United Nations Global Counter-Terrorism Strategy and the need for States to continue to implement the Strategy,

Recalling that in its resolution 67/189, it expressed deep concern about the connections, in some cases, between some forms of transnational organized crime and terrorism, and emphasized the need to enhance cooperation at the national, subregional, regional and international levels in order to strengthen responses to that evolving challenge,

Expressing concern at the increased use, in a globalized society, by terrorists of new information and communication technologies, in particular the Internet, for the purposes of propaganda, recruitment and incitement, as well as for the financing, training, planning and preparation of their activities,

Taking note with appreciation of the new technical assistance tools developed by the United Nations Office on Drugs and Crime: *The Criminal Justice Response to Support Victims of Acts of Terrorism* and *The Use of the Internet for Terrorist Purposes*,

1. *Urges* Member States that have not yet done so to consider becoming parties to the existing international conventions and protocols related to terrorism, and requests the United Nations Office on Drugs and Crime, within its mandate, in close coordination with the relevant entities of the Counter-Terrorism Implementation Task Force, to continue to provide technical assistance to Member States for the ratification and legislative incorporation of those international legal instruments;

2. *Urges* Member States to continue to strengthen international coordination and cooperation in criminal matters related to terrorism by entering into bilateral and multilateral agreements on extradition and mutual legal assistance and to ensure the designation of the competent authorities for implementing such international cooperation agreements, and requests the United Nations Office on Drugs and Crime, within its mandate, to provide technical assistance to Member States to that end;

3. *Stresses* the importance of setting up effective criminal justice systems, in the framework of the rule of law and with respect for human rights, as a fundamental basis of any strategy to counter terrorism, and requests the United Nations Office on Drugs and Crime to provide assistance to Member States, upon request, to that end;

4. *Requests* the United Nations Office on Drugs and Crime to continue to give high priority to the implementation of an integrated approach through the promotion of its regional and thematic programmes, including by assisting States, as requested, with the further elaboration and development of national, subregional and regional counter-terrorism strategies;

5. *Calls upon* the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime to continue to strengthen the provision of technical assistance to Member States, upon request and within its mandate, on effective measures for terrorism prevention, including rule of law-based criminal justice responses to terrorism;

6. *Calls upon* the United Nations Office on Drugs and Crime to continue to provide technical assistance for building the capacity of Member States to implement the international conventions and protocols related to terrorism, including through targeted programmes and the training of relevant criminal justice officials, upon request, the development of and participation in relevant initiatives and the elaboration of technical tools and publications;

7. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop specialized legal knowledge in the area of counter-terrorism and pertinent thematic areas of relevance to the mandate of the Office and to provide assistance to requesting Member States with regard to criminal justice responses to terrorism, including chemical, biological, radiological and nuclear terrorism, civil and maritime transport-related terrorism, the financing of terrorism, the use of the Internet for terrorist purposes, assistance and support to victims of terrorism and international cooperation in criminal matters;

8. *Also requests* the United Nations Office on Drugs and Crime, within its mandate and pursuant to General Assembly resolutions 65/221 of 21 December 2010 and 66/178 of 19 December 2011, to continue to enhance

specialized legal knowledge through the preparation of guidelines on the role that victims of terrorism can play before, during and after criminal legal proceedings, as well as on the role of victims in countering the appeal of terrorism;

9. *Further requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop its specialized legal knowledge and to provide assistance to requesting Member States to prevent the use of the Internet for terrorist purposes; to effectively criminalize, investigate and prosecute cases involving the use of the Internet for the purposes of propaganda, including recruitment and incitement, and financing, training, planning and preparation of their activities; and to use the Internet as a tool for countering the spread of terrorism;

10. *Takes note with appreciation* of the recent joint initiatives developed by the United Nations Office on Drugs and Crime and the Counter-Terrorism Committee and its Executive Directorate, as well as with the United Nations Office on Drugs and Crime and the Counter-Terrorism Implementation Task Force, and urges the United Nations Office on Drugs and Crime to continue to strengthen its cooperation with international organizations and relevant entities of the United Nations system, as well as with international, regional and subregional organizations and arrangements, in the delivery of technical assistance, whenever appropriate;

11. *Also urges* the United Nations Office on Drugs and Crime, within its mandate, to cooperate with regional and subregional organizations in providing assistance to create or strengthen counter-terrorism mechanisms or centres;

12. *Encourages* Member States to cooperate and to address, as appropriate, including through the effective exchange of information and sharing of experiences and best practices, the links that, in some cases, may exist between transnational organized crime and terrorist activities in order to enhance criminal justice responses to terrorism, and calls upon the United Nations Office on Drugs and Crime, within its relevant mandates, to support the efforts of Member States in this regard, upon request;

13. *Expresses* its appreciation to Member States that have supported the technical assistance activities of the United Nations Office on Drugs and Crime, including through financial contributions, and invites Member States to consider making additional sustainable voluntary financial contributions, as well as providing in-kind support, especially in view of the need for enhanced and effective delivery of technical assistance to assist Member States with the implementation of the relevant provisions of the United Nations Global Counter-Terrorism Strategy;

14. *Requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with sufficient resources to carry out activities, within its mandate, to assist Member States, upon request, in the implementation of the relevant elements of the United Nations Global Counter-Terrorism Strategy;

15. *Also requests* the Secretary-General to submit to the General Assembly, at its sixty-ninth session, a report on the implementation of the present resolution.