



Security Council

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Letter dated 7 January 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from the Organization for Security and Cooperation in Europe (OSCE) on the matters covered by resolution 1373 (2001).

I would be grateful if you could arrange for this letter and its attachment to be circulated as a document of the Security Council (see annex).

(*Signed*) **Jeremy Greenstock**
Chairman
Counter-Terrorism Committee

Annex

Letter dated 21 December 2001 from the Secretary General of the Organization for Security and Cooperation in Europe (OSCE) addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

I am pleased to submit to the Security Council Counter-Terrorism Committee a report on OSCE positions and activities with regard to resolution 1373 (2001) (see enclosure). From the time of establishment of the OSCE (then CSCE), the organization has recognized the problem of terrorism and has paid increasing attention to it. These efforts cumulated at the Ninth Meeting of the Ministerial Council, held from 3 to 4 December 2001, at which a decision and a comprehensive plan of action for combating terrorism were adopted (see appendix).

As part of this Plan of Action, I was instructed to provide this report: "The Secretary General will, by 27 December 2001, report to the United Nations Counter-Terrorism Committee on action on combating terrorism taken by the OSCE ...". Attached you will find the report, structured according to the format and guidance developed by the Counter-Terrorism Committee (SCA/20/01(6)).

I am also happy to inform the Committee that from 13 to 14 December the Bishkek International Conference on Enhancing Security and Stability in Central Asia: Strengthening the Comprehensive Efforts to Counter Terrorism took place and adopted a Declaration, as well as a Programme of Action (attached). This conference, convened at the invitation of Kyrgyzstan, was jointly organized by the OSCE and UN ODCCP. Over 300 participants attended, representing 54 States, including some non-OSCE countries, as well as international, regional and subregional organizations and institutions. The success of this conference highlighted once more the importance of a concerted multifaceted and comprehensive effort in countering terrorism.

I would like to request that the report be circulated as a document of the Security Council.

(Signed) Jan **Kubis**

Enclosure



Organization for Security and Co-operation in Europe

The Secretary General

Vienna, 19 December 2001

Report to the Counter-Terrorism Committee with regard to the implementation of resolution 1373 (2001)

As requested, the report has been formatted so that responses correspond to the relevant paragraph or subparagraph of resolution 1373 (2001). The excerpts are selected from OSCE official documents, see below, and key words are indicated in bold.

SUMMIT DOCUMENTS

Charter of Paris For A New Europe (1990)
CSCE Helsinki Document (1992)
Budapest Summit Declaration (1994)
Lisbon Summit Declaration (1996)
Istanbul summit declaration (1999)
Charter for European Security (Istanbul, 1999)

MINISTERIAL COUNCIL DOCUMENTS

Concluding Document of the Madrid Meeting (11 November 1980 to 9 September 1983)
Decision on a Common and Comprehensive Security Model for Europe for the Twenty-First Century: A New Concept for a New Century (Budapest, 1995)
The Bucharest Plan of Action for Combating Terrorism (Bucharest, 2001)

OSCE FOLLOW-UP CONFERENCES

Concluding Document of the Vienna Meeting 1986 (Vienna, 4 November 1986 to 19 January 1989)

OSCE CONFERENCES

Document of the Stockholm Conference on CSBMs and Disarmament in Europe Convened in Accordance with the Relevant Provisions of the Concluding Document of the Madrid Meeting of the CSCE (17 January 1984 to 19 September 1986)
Bishkek International Conference on Enhancing Security and Stability in Central Asia
13-14 December 2001 - Programme of Action

FORUM FOR SECURITY CO-OPERATION

FSC.DEC/4/98, 8 July 1998, Annex
FSC.DOC/1/00, OSCE Document on Small Arms and Light Weapons

PARLIAMENTARY ASSEMBLY

Vienna Declaration of the OSCE Parliamentary Assembly, (July 1994)

Copenhagen Declaration of the OSCE Parliamentary Assembly (July 1998)

Operative Paragraph 1

Sub-paragraph (1a)

Charter For European Security (Istanbul, 1999)

I. OUR COMMON CHALLENGES

(...)

4. International terrorism, violent extremism, organized crime and drug trafficking represent growing challenges to security. Whatever its motives, terrorism in all its form and manifestations is unacceptable. We will enhance our efforts to prevent the preparation and **financing** of any act of terrorism on our territories and deny terrorists safe havens. The excessive and destabilizing accumulation and uncontrolled spread of small arms and light weapons represent a threat to peace and security. We are committed to strengthening our protection against these new risks and challenges; strong democratic institutions and the rule of law are the foundation for this protection. We are also determined to co-operate more actively and closely with each other to meet these challenges.

(...)

Concluding Document of the Madrid Meeting

(11 November 1980 to 9 September 1983)

Principles

The participating States confirm that they will refrain from direct or indirect assistance to terrorist activities or to subversive or other activities directed towards the violent overthrow of the regime of another participating State. Accordingly, they will refrain, inter alia, from **financing**, encouraging, fomenting or tolerating any such activities.

Ministerial Council Bucharest 2001

Decision No. 1 Combating Terrorism

The Bucharest Plan of Action for Combating Terrorism

The 55 participating States of the OSCE stand united against terrorism, a scourge of our times.

The OSCE participating States resolutely condemn the barbaric acts of terrorism that were committed against the United States on 11 September 2001. They represented an attack on the whole of the international community, and on people of every faith and culture. These heinous deeds, as well as other terrorist acts in all forms and manifestations, committed no matter when, where or by whom, are a threat to international and regional peace, security and stability. There must be no safe haven for those perpetrating, **financing**, harbouring or otherwise supporting those responsible for such criminal acts. Terrorism, whatever its motivation or origin, has no justification.

7. Participating States: Will consider how the OSCE may draw upon best practices and lessons learned from other relevant groups, organizations, institutions and fora in areas such as police and judicial co-operation; prevention and suppression of the **financing** of terrorism; denial of other means of support; border controls including visa and document security; and access by law enforcement authorities to information.

**Bishkek International Conference
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5. *To work toward rapid ratification and implementation of relevant international instruments*, including the 1999 UN International Convention for the Suppression of the Financing of Terrorism, and consider implementing the standards of financial accountability and transparency embodied in the Financial Action Task Force (FATF) 40 Recommendations on Money Laundering and eight Special Recommendations on Terrorist Financing; to take immediate steps in accordance with UN Security Council Resolution 1373 (2001), to block the assets of individuals and entities linked to terrorist financing;

III. Additional Needs

Considering that the Central Asian region is a neighbour to Afghanistan and that it requires support, also in connection with threats originating from Afghanistan, participants from both inside and outside Central Asia, pleaded that special efforts should be made by the international community to provide technical and financial assistance on the basis of comprehensive national and regional programmes of action, in the following areas:

2. *To encourage sustainable economic development* by, *inter alia*, fostering co-operation between national banks in the region as well as within international banking structures, in order to support on the one hand, economic processes, including the attraction of foreign investment, and, on the other hand, to enhance their capacity to control money laundering and to suppress the financing of terrorism;

Sub-paragraph (1 c)

**Ministerial Council Bucharest 2001
Decision No. 1 Combating Terrorism
The Bucharest Plan of Action for Combating Terrorism**

24. **Suppressing the financing of terrorism.** Participating States: Will, within the framework of the United Nations Convention on the Suppression of Financing of Terrorism and UNSCR 1373 (2001), take action to prevent and suppress the financing of terrorism, criminalize the wilful provision or collection of funds for terrorist purposes, and **freeze** terrorist assets also bearing in mind UNSCR 1267 (1999). Will, in accordance with their domestic legislation and obligations under international law, provide early response to requests for information by another participating State and relevant international organizations.

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4. *To adopt national anti-money laundering legislation and create corresponding structures*, e.g. Financial Intelligence Units, which can be employed to prevent and suppress the financing of terrorism, as well as other relevant crimes. In this connection, the participants drew the attention of the international community to the importance of providing assistance, upon request, to States in developing relevant national legislative and administrative tools;

Operative Paragraph 2

Sub-paragraph (2a)

Charter For European Security (Istanbul, 1999)

I. OUR COMMON CHALLENGES

(...)

4. International terrorism, violent extremism, organized crime and drug trafficking represent growing challenges to security. Whatever its motives, terrorism in all its form and manifestations is unacceptable. We will enhance our efforts to prevent the preparation and financing of any act of terrorism on our territories and deny terrorists safe havens. The excessive and destabilizing accumulation and **uncontrolled spread of small arms** and light weapons represent a threat to peace and security. We are committed to strengthening our protection against these new risks and challenges; strong democratic institutions and the rule of law are the foundation for this protection. We are also determined to co-operate more actively and closely with each other to meet these challenges.

(...)

OSCE Document on Small Arms and Light Weapons

(...)

SECTION III: COMBATING ILLICIT TRAFFICKING IN ALL ITS ASPECTS: COMMON EXPORT CRITERIA AND EXPORT CONTROLS

A2 (b) Each participating State will avoid issuing licences for exports where it deems that there is a clear risk that the small arms in question might:

(...)

(ix) Support or encourage terrorism;”

(...)

Ministerial Council Bucharest 2001

Decision No. 1 Combating Terrorism

The Bucharest Plan of Action for Combating Terrorism

8. The participating States will also use the Forum for Security Co-operation (FSC) to strengthen their efforts in combating terrorism through full and timely implementation of all relevant measures agreed by the OSCE. To this end they will enhance implementation of existing politico-military commitments and agreements, in particular the Code of Conduct on Politico-Military Aspects of Security and the **Document on Small Arms and Light Weapons (SALW)**.

21. Secretariat: Will assist participating States, on their request, through measures to combat trafficking in human beings, drugs and **small arms and light weapons**, in accordance with relevant Permanent Council decisions, and will undertake efforts to assist in facilitating increased border monitoring, where appropriate. Will further assist participating States, on the request and with their agreement, through provision of advice and assistance on restructuring and/or reconstruction of police services; monitoring and training of existing police services, including human rights training; and capacity building, including support for integrated or multi-ethnic police services. Will, to this end, reinforce its existing police-related activities in conflict prevention, crisis management and post-conflict rehabilitation.

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8. *To prevent* the destabilising accumulation and uncontrolled spread and illicit trafficking of **small arms and light weapons** (SALW). In this context, the experiences from the implementation of the OSCE Document on Small Arms and Light Weapons, as well as from a series of national training workshops in all five OSCE participating States of Central Asia on combating trafficking and the stockpile management of SALW, should be taken into account. In addition, states are encouraged to actively participate in the regional seminar to be held in the spring of 2002 in Almaty. Moreover, the OSCE Conflict Prevention Centre is encouraged to develop further activities in the implementation of the aforementioned OSCE document;

Sub-paragraph (2b)

Vienna Declaration of the OSCE Parliamentary Assembly (July 1994)

60. Condemning terrorism in all forms and urging **international co-operation** to combat such terrorism and to bring about peaceful solutions to problems of minorities of all countries;

Decision on a Common and Comprehensive Security Model for Europe for the Twenty-First Century: A New Concept for a New Century (Budapest, 1995)

ANNEX

The Chairman-in-Office will organize the work in the following areas. These areas are indicative only and set no priorities:

- conflict prevention, including **early warning** and preventive diplomacy
- crisis management and post-conflict rehabilitation
- OSCE peacekeeping
- arms control, including confidence-building
- **enhanced co-operation** in preventing and combating terrorism

OSCE Document on Small Arms and Light Weapons

SECTION V: EARLY WARNING, CONFLICT PREVENTION, CRISIS MANAGEMENT AND POST-CONFLICT REHABILITATION

(...)

1. The problem of small arms should be an integral part of the OSCE's wider efforts in early warning, conflict prevention, crisis management and post-conflict rehabilitation. The destabilizing accumulation and uncontrolled spread of small arms are elements which can impede conflict prevention, exacerbate conflicts and, where peaceful settlements have been attained, impede both peace-building and social and economic development. In some cases, it may contribute to a breakdown in order, fuel terrorism and criminal violence or lead to a resumption of conflict. This section sets out the norms, principles and measures which the participating States agree to follow. (...)

CSCE Helsinki Document (1992)

The CSCE and the management of change

26. We restate our unreserved condemnation of all acts, methods and practices of terrorism. We are determined to enhance our co-operation to eliminate this threat to security, democracy and human rights. To this end, we will take measures to prevent in our territories criminal activities that support acts of terrorism in other States. We will

encourage exchange of information concerning terrorist activities. We will seek further effective avenues for co-operation as appropriate. We will also take the necessary steps at a national level to fulfil our international obligations in this field.

Concluding Document of the Vienna Meeting 1986

(Vienna, 4 November 1986 to 19 January 1989)

The participating States also expressed concern about the spread of terrorism and condemned it unreservedly.

(10.2) - to reinforce and develop bilateral and multilateral co-operation among themselves in order to prevent and combat terrorism as well as to increase efficiency in existing co-operation at the bilateral level or in the framework of groups of States including, as appropriate, through the **exchange of information**;

Copenhagen Declaration of the OSCE Parliamentary Assembly (July 1998)

51.3 Consider a role for the OSCE with regard to new threats to security, such as: international crime, terrorism, extremism, local conflicts, environmental disasters and nuclear risks, to develop appropriate Confidence and Security Building Measures and **co-operate closely with other organizations** in these areas;

FSC.DEC/4/98, 8 July 1998

Annex

Information exchange on the Code of Conduct on politico-military aspects of security

Participating States will supply relevant information (including documents where appropriate) on the following items:

1. Appropriate measures to prevent and combat terrorism, in particular participation in international agreements to that end.

Ministerial Council Bucharest 2001

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2. In contribution to the world-wide efforts to combat terrorism, the OSCE will seek to add value on the basis of the specifics of the Organization, its strengths and comparative advantages: its comprehensive security concept linking the politico-military, human and economic dimensions; its broad membership; its experience in the field; and its expertise in **early warning**, conflict prevention, crisis management, post-conflict rehabilitation and building democratic institutions. In addition, many effective counter-terrorism measures fall into areas in which the OSCE is already active and proficient, such as police training and monitoring, legislative and judicial reform, and border monitoring.

8. The participating States will also use the Forum for Security Co-operation (FSC) to strengthen their efforts in combating terrorism through full and timely implementation of all relevant measures agreed by the OSCE. To this end they will enhance implementation of existing politico-military commitments and agreements, in particular the Code of Conduct on Politico-Military Aspects of Security and the Document on Small Arms and Light Weapons (SALW).

The FSC will examine the relevance of its other documents to the fight against terrorism, and will assess whether there is a need to develop additional norms and measures. The Security Dialogue may serve as a suitable basis for regular consultations on these issues within the FSC.

The participating States will submit responses to the Code of Conduct Questionnaire that provide further transparency on international, regional and national commitments in combating terrorism, especially relevant United Nations conventions and resolutions. The FSC will consider ways to fully implement the Document on SALW, *inter alia* Section V on **early warning**, conflict prevention, crisis management, and post-conflict rehabilitation. The FSC will examine the possibility of enhancing transparency on national marking systems, exports and imports, and national stockpile management and security procedures, primarily by reviewing the information thus exchanged and developing best practice guides. The follow-up conference on the Code of Conduct and the SALW workshop, both of which will take place in 2002, could further enhance the application of these documents in combating terrorism.

11. **Promoting human rights, tolerance and multi-culturalism:** Participating States/Permanent Council/ODIHR/High Commissioner on National Minorities (HCNM)/Representative on Freedom of the Media: Will promote and enhance tolerance, co-existence and harmonious relations between ethnic, religious, linguistic and other groups as well as constructive co-operation among participating States in this regard. Will **provide early warning** of and appropriate responses to violence, intolerance, extremism and discrimination against these groups and, at the same time, promote their respect for the rule of law, democratic values and individual freedoms. Will work to ensure that persons belonging to national minorities have the right freely to express, preserve and develop their ethnic, cultural, linguistic or religious identity.

14. **Preventing violent conflict and promoting peaceful settlement of disputes:** Drawing on all its capacities, the OSCE will continue and intensify work aimed at **early warning** and appropriate response, conflict prevention, crisis management and post-conflict rehabilitation; will strengthen its ability to settle conflicts; will increase efforts to find lasting solutions to unresolved conflicts, including through promotion of the rule of law and crime prevention in such conflict zones through increased co-operation with the United Nations, the European Union and other international organizations; and will further develop its rapid deployment capability (REACT) in crisis situations.

18. ODIHR: Will, on request by interested participating States and where appropriate, offer technical assistance/advice on the implementation of international anti-terrorism conventions and protocols as well as on the compliance of this legislation with international standards, in accordance with Permanent Council decisions, and will seek co-operation with other organizations, especially the UNODCCP, to this end. Will consider facilitating contacts between national experts to **promote exchange of information** and best practices on counter-terrorism legislation.

20. Permanent Council: Will consider arranging **regular meetings** of law enforcement officials of participating States and, where applicable, of OSCE experts with relevant experience in the field to exchange best practices and ways of improving co-operation.

28. Participating States/Secretariat: Will strengthen co-operation and **information exchanges**, both formally and informally, with other relevant groups, organizations, and institutions involved in combating terrorism. Will strengthen co-operation with the European Union on analysis and **early warning** and reinforce synergy with the Stability Pact for South Eastern Europe and the Central European Initiative in areas relevant to combating terrorism. Will promote dialogue within the OSCE area on issues relating to new threats and challenges. Will broaden dialogue with partners outside the OSCE area, such as the Mediterranean Partners for Co-operation and Partners for Co-operation in Asia, the Shanghai Co-operation Organization, the Conference on Interaction and Confidence-Building Measures in Asia, the Organization of the Islamic Conference, the Arab League, the African Union, and those States bordering on the OSCE area to exchange best practices and lessons learned in counter-terrorism efforts for application within the OSCE area.

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2. *To enhance **national interagency co-operation*** between anti-terrorist agencies and agencies fighting crime, including drug trafficking, by an exchange of operational information between such agencies and law enforcement authorities charged with combating terrorism;
3. *To foster **regional and international co-operation*** between anti-terrorist agencies and agencies fighting crime, including the trafficking of arms and illicit drugs, e.g. in the form of the establishment of channels of communication between relevant agencies; to suggest to the OSCE Permanent Council to consider convening in Vienna a special expert meeting, with the participation of representatives of law enforcement bodies, arranged by the OSCE while inviting the UN as a co-organiser;

III. Additional Needs

Considering that the Central Asian region is a neighbour to Afghanistan and that it requires support, also in connection with threats originating from Afghanistan, participants from both inside and outside Central Asia, pleaded that special efforts should be made by the international community to provide technical and financial assistance on the basis of comprehensive national and regional programmes of action, in the following areas:

3. *To undertake **joint training and operational activities*** in various areas, including training of specialists and considering the provision of appropriate equipment and technologies; and
4. *To **strengthen the capacity*** of governmental institutions to combat terrorism, organized crime and illicit drugs.

Sub-paragraph (2c)

Charter For European Security (Istanbul, 1999)
OUR COMMON CHALLENGES

(...)

4. International terrorism, violent extremism, organized crime and drug trafficking represent growing challenges to security. Whatever its motives, terrorism in all its form and manifestations is unacceptable. We will enhance our efforts to prevent the preparation and financing of any act of terrorism on our territories and deny terrorists **safe havens**. The excessive and destabilizing accumulation and uncontrolled spread of small arms and light weapons represent a threat to peace and security. We are committed to strengthening our protection against these new risks and challenges; strong democratic institutions and the rule of law are the foundation for this protection. We are also determined to co-operate more actively and closely with each other to meet these challenges.

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or otherwise supporting those responsible for such criminal acts. Terrorism, whatever its motivation or origin, has no justification.

Sub-paragraph (2d)

Concluding Document of the Madrid Meeting

(11 November 1980 to 9 September 1983)

(...) Concern was also expressed as to the spread of terrorism.

Principles

(...)

The participating States condemn terrorism, including terrorism in international relations, as endangering or taking innocent human lives or otherwise jeopardizing human rights and fundamental freedoms and emphasize the necessity to take resolute measures to combat it. They express their determination to take effective measures for the prevention and suppression of acts of terrorism, both at the national level and through international co-operation including appropriate bilateral and multilateral agreements, and accordingly to broaden and reinforce mutual co-operation to combat such acts. They agree to do so in conformity with the Charter of the United Nations, the United Nations Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States and the Helsinki Final Act.

In the context of the combat against acts of terrorism, they will take all appropriate measures in preventing their **respective territories** from being used for the preparation, organization or commission of terrorist activities, including those directed against other participating States and their citizens. This also includes measures to prohibit on their territories illegal activities of persons, groups and organizations that instigate, organize or engage in the perpetration of acts of terrorism.

Concluding Document of the Vienna Meeting 1986

(Vienna, 4 November 1986 to 19 January 1989)

The participating States also expressed concern about the spread of terrorism and condemned it unreservedly.

(10.3) - to **prevent on their territories** illegal activities of persons, groups or organizations that instigate, organize or engage in the perpetration of acts of terrorism or subversive or other activities directed towards the violent overthrow of the regime of another participating State;

Document of the Stockholm Conference on CSBMs and Disarmament in Europe Convened in Accordance with the Relevant Provisions of the Concluding Document of the Madrid Meeting of the CSCE

(17 January 1984 to 19 September 1986)

REFRAINING FROM THE THREAT OR USE OF FORCE

25) They emphasize the necessity to take resolute measures to prevent and to combat terrorism, including terrorism in international relations. They express their determination to take effective measures, both at the national level and through international co-operation, for the prevention and suppression of all acts of terrorism. They will take all appropriate measures in preventing their **respective territories** from being used for the preparation, organization or commission of terrorist activities. This also includes measures to prohibit on their territories illegal activities, including subversive activities, of persons, groups and organizations that instigate, organize or engage in the perpetration of acts of terrorism, including those directed against other States and their citizens.

CSCE Helsinki Document (1992)

The CSCE and the management of change

26. We restate our unreserved condemnation of all acts, methods and practices of terrorism. We are determined to enhance our co-operation to eliminate this threat to security, democracy and human rights. To this end, we will take measures to **prevent in our territories** criminal activities that support acts of terrorism in other States. We will encourage exchange of information concerning terrorist activities. We will seek further effective avenues for co-operation as appropriate. We will also take the necessary steps at a national level to fulfil our international obligations in this field.

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19. **Supporting law enforcement and fighting organized crime:** Participating States: Noting the close connection between terrorism and transnational organized crime, illicit trafficking in drugs, money laundering and illicit arms trafficking, will take the necessary steps to **prevent in their territory** illegal activities of persons, groups or organizations that instigate, finance, organize, facilitate or engage in perpetration of acts of terrorism or other illegal activities directed at the violent overthrow of the political regime of another participating State. Will afford one another the greatest measure of assistance in providing information in connection with criminal investigations or criminal extradition proceedings relating to terrorist acts, in accordance with their domestic law and international obligations.

Sub-paragraph (2e)

Budapest Summit Declaration (1994)

Code of Conduct on Politico-Military Aspects of Security

Preamble

6. The participating States will not support **terrorist acts** in any way and will take appropriate measures to prevent and combat terrorism in all its forms. They will co-operate fully in combating the threat of terrorist activities through implementation of international instruments and commitments they agree upon in this respect. They will, in particular, take steps to fulfil the requirements of international agreements by which they are bound to prosecute or extradite terrorists.

Ministerial Council Bucharest 2001

Decision No. 1 Combating Terrorism

The Bucharest Plan of Action for Combating Terrorism

19. **Supporting law enforcement and fighting organized crime:** Participating States: Noting the close connection between terrorism and transnational organized crime, illicit trafficking in drugs, money laundering and illicit arms trafficking, will take the necessary steps to prevent in their territory illegal activities of persons, groups or organizations that instigate, finance, organize, facilitate or engage in perpetration of acts of terrorism or other illegal activities directed at the violent overthrow of the political regime of another participating State. Will afford one another the greatest measure of assistance in providing information in connection with criminal investigations or criminal extradition proceedings relating to **terrorist acts**, in accordance with their domestic law and international obligations.

Sub-paragraph (2g)

OSCE Document on Small Arms and Light Weapons

(...)

SECTION III: COMBATING ILLICIT TRAFFICKING IN ALL ITS ASPECTS: COMMON EXPORT CRITERIA AND EXPORT CONTROLS

A2 (b) Each participating State will avoid issuing licences for exports where it deems that there is a clear risk that the small arms in question might:

(...)

(ix) Support or encourage terrorism;"

(...)

Ministerial Council Bucharest 2001**Decision No. 1 Combating Terrorism****The Bucharest Plan of Action for Combating Terrorism**

2. In contribution to the world-wide efforts to combat terrorism, the OSCE will seek to add value on the basis of the specifics of the Organization, its strengths and comparative advantages: its comprehensive security concept linking the politico-military, human and economic dimensions; its broad membership; its experience in the field; and its expertise in early warning, conflict prevention, crisis management, post-conflict rehabilitation and building democratic institutions. In addition, many effective counter-terrorism measures fall into areas in which the OSCE is already active and proficient, such as police training and monitoring, legislative and judicial reform, and **border monitoring**.

7. Participating States: Will consider how the OSCE may draw upon best practices and lessons learned from other relevant groups, organizations, institutions and fora in areas such as police and judicial co-operation; prevention and suppression of the financing of terrorism; denial of other means of support; **border controls** including visa and document security; and access by law enforcement authorities to information.

21. Secretariat: Will assist participating States, on their request, through measures to combat trafficking in human beings, drugs and small arms and light weapons, in accordance with relevant Permanent Council decisions, and will undertake efforts to assist in facilitating increased **border monitoring**, where appropriate. Will further assist participating States, on the request and with their agreement, through provision of advice and assistance on restructuring and/or reconstruction of police services; monitoring and training of existing police services, including human rights training; and capacity building, including support for integrated or multi-ethnic police services. Will, to this end, reinforce its existing police-related activities in conflict prevention, crisis management and post-conflict rehabilitation.

26. **Preventing movement of terrorists**: Participating States: Will prevent the movement of terrorist individuals or groups through effective **border controls** and controls on issuance of identity papers and travel documents, as well as through measures for ensuring the security of identity papers and travel documents and preventing their counterfeiting, forgery and fraudulent use. Will apply such control measures fully respecting their obligations under international refugee and human rights law. Will, through the proper application of the exclusion clauses contained in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, ensure that asylum is not granted to persons who have participated in terrorist acts. Will provide for the timely detention and prosecution or extradition of persons charged with terrorist acts, in accordance with their obligations under international and national law.

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III. Additional Needs

Considering that the Central Asian region is a neighbour to Afghanistan and that it requires support, also in connection with threats originating from Afghanistan, participants from both inside and outside Central Asia, pleaded that special efforts should be made by the international community to provide technical and financial assistance on the basis of comprehensive national and regional programmes of action, in the following areas:

1. *To strengthen* the capacities of Central Asian states **to control their borders** and to prevent border crossing by terrorist and organised crime groups, by taking into account the situation in Afghanistan with specific regard to illicit drugs, without impeding the normal flow of trade and free movement of people;

Operative Paragraph 3

Sub-paragraph (3a)

Lisbon Summit Declaration (1996)

2. We face serious challenges, but we face them together. They concern the security and sovereignty of States as well as the stability of our societies. Human rights are not fully respected in all OSCE States. Ethnic tension, aggressive nationalism, violations of the rights of persons belonging to national minorities, as well as serious difficulties of economic transition, can threaten stability and may also spread to other States. Terrorism, organized crime, drug and **arms trafficking**, uncontrolled migration and environmental damage are of increasing concern to the entire OSCE community

Istanbul Summit Declaration (1999)

14. We share the concerns expressed by the participating States in Central Asia regarding international terrorism, violent extremism, organized crime and drug and **arms trafficking**. We agree that national, regional and joint action by the international community is necessary to cope with these threats, including those stemming from areas neighbouring the OSCE participating States. We further recognize the importance of addressing economic and environmental risks in the region, such as issues related to water resources, energy and erosion. We are convinced that strengthening regional co-operation will promote stability and security in Central Asia, and we welcome the active approach taken by the Chairman-in-Office to this effect.

Charter For European Security (Istanbul, 1999)

OUR COMMON CHALLENGES

(...)

4. International terrorism, violent extremism, organized crime and drug trafficking represent growing challenges to security. Whatever its motives, terrorism in all its form and manifestations is unacceptable. We will enhance our efforts to prevent the preparation and financing of any act of terrorism on our territories and deny terrorists safe havens. The excessive and destabilizing accumulation and **uncontrolled spread of small arms and light weapons** represent a threat to peace and security. We are committed to strengthening our protection against these new risks and challenges; strong democratic institutions and the rule of law are the foundation for this protection. We are also determined to co-operate more actively and closely with each other to meet these challenges.

(...)

OSCE Document on Small Arms and Light Weapons

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8. The participating States will also use the Forum for Security Co-operation (FSC) to strengthen their efforts in combating terrorism **through full and timely implementation of all relevant measures** agreed by the OSCE. To this end they will enhance implementation of existing politico-military commitments and agreements, in particular the Code of Conduct on Politico-Military Aspects of Security and the Document on Small Arms and Light Weapons (SALW).

The FSC will examine the relevance of its other documents to the fight against terrorism, and will assess whether there is a need to develop additional norms and measures. The Security Dialogue may serve as a suitable basis for regular consultations on these issues within the FSC.

The participating States will submit responses to the Code of Conduct Questionnaire that provide further transparency on international, regional and national commitments in combating terrorism, especially relevant United Nation conventions and resolutions. The FSC will consider ways to fully implement the Document on SALW, *inter alia* Section V on early warning, conflict prevention, crisis management, and post-conflict rehabilitation. The FSC will examine the possibility of enhancing transparency on national marking systems, exports and imports, and national stockpile management and security procedures, primarily by reviewing the information thus exchanged and developing best practice guides. The follow-up conference on the Code of Conduct and the SALW workshop, both of which will take place in 2002, could further enhance the application of these documents in combating terrorism.

19. **Supporting law enforcement and fighting organized crime:** Participating States: Noting the close connection between terrorism and transnational organized crime, illicit trafficking in drugs, money laundering and illicit arms trafficking, will take the necessary steps to prevent in their territory illegal activities of persons, groups or organizations that instigate, finance, organize, facilitate or engage in perpetration of acts of terrorism or other illegal activities directed at the violent overthrow of the political regime of another participating State. Will afford one another the greatest measure of assistance in **providing information** in connection with criminal investigations or criminal extradition proceedings relating to terrorist acts, in accordance with their domestic law and international obligations.

21. Secretariat: Will assist participating States, on their request, through measures to combat trafficking in human beings, drugs and **small arms and light weapons**, in accordance with relevant Permanent Council decisions, and will undertake efforts to assist in facilitating increased border monitoring, where appropriate. Will further assist participating States, on the request and with their agreement, through provision of advice and assistance on restructuring and/or reconstruction of police services; monitoring and training of existing police services, including human rights training; and capacity building, including support for integrated or multi-ethnic police services. Will, to this end, reinforce its existing police-related activities in conflict prevention, crisis management and post-conflict rehabilitation.

26. **Preventing movement of terrorists:** Participating States: Will prevent the movement of terrorist individuals or groups through effective border controls and controls on issuance of identity papers and travel documents, as well as through measures for ensuring the security of identity papers and travel documents and preventing their counterfeiting, forgery and fraudulent use. Will apply such control measures fully respecting their obligations under international refugee and human rights law. Will, through the proper application of the exclusion clauses contained in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, ensure that asylum is not granted to persons who have participated in terrorist acts. Will provide for the timely detention and prosecution or extradition of persons charged with terrorist acts, in accordance with their obligations under international and national law.

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3. *To foster regional and international co-operation* between anti-terrorist agencies and agencies fighting crime, including the trafficking of arms and illicit drugs, e.g. in the form of the establishment of channels of communication between relevant agencies; to suggest to the OSCE Permanent Council to consider convening in Vienna a special expert meeting, with the participation of representatives of law enforcement bodies, arranged by the OSCE while inviting the UN as a co-organiser;

8. *To prevent* the destabilising accumulation and uncontrolled spread and illicit trafficking of **small arms and light weapons** (SALW). In this context, the experiences from the implementation of the OSCE Document on Small Arms and Light Weapons, as well as from a series of national training workshops in all five OSCE participating States of Central Asia on combating trafficking and the stockpile management of SALW, should be taken into account. In addition, states are encouraged to actively participate in the regional seminar to be held in the spring of 2002 in Almaty. Moreover, the OSCE Conflict Prevention Centre is encouraged to develop further activities in the implementation of the aforementioned OSCE document;

Sub-paragraph (3b)

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2. In contribution to the world-wide efforts to combat terrorism, the OSCE will seek to add value on the basis of the specifics of the Organization, its strengths and comparative advantages: its comprehensive security concept linking the politico-military, human and economic dimensions; its broad membership; its experience in the field; and its expertise in early warning, conflict prevention, crisis management, post-conflict rehabilitation and building democratic institutions. In addition, many effective counter-terrorism measures fall into areas in which the OSCE is already active and proficient, such as police training and monitoring, legislative and **judicial reform**, and border monitoring.

7. Participating States: Will consider how the OSCE may draw upon best practices and lessons learned from other relevant groups, organizations, institutions and fora in areas such as police and **judicial co-operation**; prevention and suppression of the financing of terrorism; denial of other means of support; border controls including visa and document security; and access by law enforcement authorities to information.

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9. *To prevent and to combat* terrorism by **increasing co-operation** in the fields of **human rights and fundamental freedoms** and by **strengthening the rule of law** and the building of democratic institutions, based in part, on the funding of relevant programmes of the UN as well as the OSCE;

10. *To enhance* the capacity of **the judiciary** to deal with all aspects of terrorism and related crime, including by the provision of relevant expertise and training so as further strengthen the independence and impartiality of the judiciary;

Sub-paragraph (3c)

Charter of Paris For a New Europe (1990)

We unreservedly condemn, as criminal, all acts, methods and practices of terrorism and express our determination to work for its eradication both **bilaterally** and through **multilateral** co-operation. We will also join together in combating illicit trafficking in drugs.

Annex I

Concluding Document of the Madrid Meeting

(11 November 1980 to 9 September 1983)

(...) Concern was also expressed as to the spread of terrorism.

Principles

(...)

The participating States condemn terrorism, including terrorism in international relations, as endangering or taking innocent human lives or otherwise jeopardizing human rights and fundamental freedoms and emphasize the necessity to take resolute measures to combat it. They express their determination to take effective measures for the prevention and suppression of acts of terrorism, both at the national level and through international co-operation including appropriate **bilateral and multilateral agreements**, and accordingly to broaden and reinforce mutual co-operation to combat such acts. They agree to do so in conformity with the Charter of the United Nations, the United Nations Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States and the Helsinki Final Act.

Concluding Document of the Vienna Meeting 1986

(Vienna, 4 November 1986 to 19 January 1989)

The participating States also expressed concern about the spread of terrorism and condemned it unreservedly.

(9) They express their determination to work for the eradication of terrorism both **bilaterally and through multilateral co-operation**, particularly in such international fora as the United Nations, the International Civil Aviation Organization and the International Maritime Organization and in accordance with the relevant provisions of the Final Act and the Madrid Concluding Document

(10.2) - to reinforce and develop **bilateral and multilateral co-operation** among themselves in order to prevent and combat terrorism as well as to increase efficiency in existing co-operation at the bilateral level or in the framework of groups of States including, as appropriate, through the exchange of information;

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The OSCE participating States pledge to reinforce and develop **bilateral and multilateral co-operation** within the OSCE, with the United Nations and with other international and regional organizations, in order to combat terrorism in all its forms and manifestations, wherever and by whomever committed. As a regional arrangement under Chapter VIII of the Charter of the United Nations, the OSCE is determined to contribute to the fulfilment of international obligations as enshrined, *inter alia*, in United Nations Security Council resolution 1373 (2001), and will act in conformity with the purposes and principles of the Charter of the United Nations. The OSCE participating States pledge to become parties to all 12 United Nations conventions and protocols related to terrorism as soon as possible. They call for a speedy finalization of negotiations for a Comprehensive United Nations Convention on International Terrorism.

Goal of the Action Plan

1. Terrorism is a threat to international peace and security, in the OSCE area as elsewhere. The OSCE stands ready to make its contribution to the fight against terrorism in close co-operation with other organizations and fora. This contribution will be consistent with the Platform for Co-operative Security and will benefit from interaction between global and regional anti-terrorism efforts under the aegis of the United Nations. The OSCE participating States commit their political will, resources and practical means to the implementation of their obligations under existing international terrorism conventions and pledge themselves to intensify national, **bilateral and multilateral efforts** to combat terrorism.

16. **Strengthening national anti-terrorism legislation:** Participating States: Will commit themselves to implementing all the obligations they have assumed under relevant conventions and protocols relating to terrorism as well as the United Nations Convention against Transnational Organized Crime and its additional protocols, sharing information and methods in this regard and considering ways and means of co-operation in implementation at bilateral, OSCE-wide and sub-regional meetings.

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6. *To have countries gather information on, and engage in the analysis of, criminal activities* carried out for the purposes of furthering terrorism, as well as collect and update relevant information on terrorism and related activities. Subject to bilateral or multilateral agreements, such information could also be shared with appropriate international bodies and other countries;

Sub-paragraph (3d)

Concluding Document of the Vienna Meeting 1986
(Vienna, 4 November 1986 to 19 January 1989)

The participating States also expressed concern about the spread of terrorism and condemned it unreservedly.

(10.6) - to consider becoming parties, if they have not yet done so, to the relevant **international conventions** relating to the suppression of acts of terrorism;

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The OSCE participating States pledge to reinforce and develop bilateral and multilateral co-operation within the OSCE, with the United Nations and with other international and regional organizations, in order to combat terrorism in all its forms and manifestations, wherever and by whomever committed. As a regional arrangement under Chapter VIII of the Charter of the United Nations, the OSCE is determined to contribute to the fulfilment of international obligations as enshrined, *inter alia*, in United Nations Security Council resolution 1373 (2001), and will act in conformity with the purposes and principles of the Charter of the United Nations. The OSCE participating States pledge **to become parties to all 12 United Nations conventions and protocols** related to terrorism as soon as possible. They call for a speedy finalization of negotiations for a Comprehensive United Nations Convention on International Terrorism.

Goal of the Action Plan

1. Terrorism is a threat to international peace and security, in the OSCE area as elsewhere. The OSCE stands ready to make its contribution to the fight against terrorism in close co-operation with other organizations and fora. This contribution will be consistent with the Platform for Co-operative Security and will benefit from interaction between global and regional anti-terrorism efforts under the aegis of the United Nations. The OSCE participating States commit their political will, resources and practical means to the implementation of their obligations under existing **international terrorism conventions** and pledge themselves to intensify national, bilateral and multilateral efforts to combat terrorism.

International legal obligations and political commitments

4. United Nations conventions and United Nations Security Council resolutions (UNSCR) constitute the global legal framework for the fight against terrorism. UNSCR 1269 (1999), 1368, 1373 and 1377 (2001), along with the 12 relevant United Nations conventions and protocols on anti-terrorism issues, provide the basis for this framework and include a number of specific elements of combating terrorism. In addition, a range of OSCE documents, including Summit declarations from Helsinki to Istanbul, spell out the OSCE's commitment to fight terrorism, in accordance with the Charter of the United Nations. The **widest and most comprehensive participation in** and implementation of existing instruments and commitments to combat terrorism by the participating States must be pursued and ensured.

5. Participating States: Pledge themselves to apply efforts **to become parties to all 12 United Nations conventions and protocols relating to terrorism, by 31 December, 2002**, if possible, recognizing the important role that parliamentarians may play in ratification and other anti-terrorism legislative processes. States are encouraged to inform the Permanent Council of steps taken in this regard. Will participate constructively in the ongoing negotiations at the United Nations on a Comprehensive Convention against International Terrorism and an International Convention for the Suppression of Acts of Nuclear Terrorism, with a view to their early and successful conclusion.

6. Office for Democratic Institutions and Human Rights (ODIHR): Will, on formal request by interested participating States and where appropriate, offer technical assistance/advice on legislative drafting necessary for **the ratification of international instruments**, in close co-operation with other organizations, including the United Nations Office for Drug Control and Crime Prevention (UNODCCP).

8. The participating States will also use the Forum for Security Co-operation (FSC) to strengthen their efforts in combating terrorism through full **and timely implementation of all relevant measures agreed by the OSCE**. To this end they will enhance implementation of existing politico-military commitments and agreements, in particular the Code of Conduct on Politico-Military Aspects of Security and the Document on Small Arms and Light Weapons (SALW).

The FSC will examine the relevance of its other documents to the fight against terrorism, and will assess whether there is a need to develop additional norms and measures. The Security Dialogue may serve as a suitable basis for regular consultations on these issues within the FSC.

The participating States will submit responses to the Code of Conduct Questionnaire that provide further transparency on international, regional and national commitments in combating terrorism, especially relevant United Nations conventions and resolutions. The FSC will consider ways to fully implement the Document on SALW, *inter alia* Section V on early warning, conflict prevention, crisis management, and post-conflict rehabilitation. The FSC will examine the possibility of enhancing transparency on national marking systems, exports and imports, and national stockpile management and security procedures, primarily by reviewing the information thus exchanged and developing best practice guides. The follow-up conference on the Code of Conduct and the SALW workshop, both of which will take place in 2002, could further enhance the application of these documents in combating terrorism.

16. **Strengthening national anti-terrorism legislation:** Participating States: Will commit themselves to implementing all the obligations they have assumed under relevant conventions and protocols relating to terrorism as well as the **United Nations Convention against Transnational Organized Crime** and its additional protocols, sharing information and methods in this regard and considering ways and means of co-operation in implementation at bilateral, OSCE-wide and sub-regional meetings.

18. ODIHR: Will, on request by interested participating States and where appropriate, offer technical assistance/advice on the **implementation of international anti-terrorism** conventions and protocols as well as on the compliance of this legislation with international standards, in accordance with Permanent Council decisions, and will seek co-operation with other organizations, especially the UNODCCP, to this end. Will consider facilitating contacts between national experts to promote exchange of information and best practices on counter-terrorism legislation.

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5. *To work toward rapid ratification and implementation of relevant international instruments*, including the 1999 UN International Convention for the Suppression of the Financing of Terrorism, and consider implementing the standards of financial accountability and transparency embodied in the Financial Action Task Force (FATF) 40 Recommendations on Money Laundering and eight Special Recommendations on Terrorist Financing; to take immediate steps in accordance with UN Security Council Resolution 1373 (2001), to block the assets of individuals and entities linked to terrorist financing;

II: Measures to Combat and Prevent Terrorism

Taking into account the commitments of the OSCE participating States, as reflected in the Bucharest Plan of Action and in line with Section VII of the Plan of Action for the implementation of the Vienna Declaration, the following measures were identified:

1. *To request* OSCE and ODCCP to enhance **synergy and coordination** in providing necessary assistance. In this regard, initiatives of UN/ODCCP and OSCE/ODIHR, such as organizing regional and sub-regional workshops for the promotion of the ratification and **implementation of international conventions** are strongly encouraged. The crucial role of parliaments, in particular, in the ratification process, is also to be taken into account as is the role of the OSCE Parliamentary Assembly in encouraging dialogue among parliamentarians;

III. Additional Needs

Considering that the Central Asian region is a neighbour to Afghanistan and that it requires support, also in connection with threats originating from Afghanistan, participants from both inside and outside Central Asia,

pleaded that special efforts should be made by the international community to provide technical and financial assistance on the basis of comprehensive national and regional programmes of action, in the following areas:

5. *To consider* providing such financial and other assistance also with a view to **facilitate the ratification and implementation** of the relevant international conventions.

Sub-paragraph (3e)

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4. United Nations conventions and United Nations Security Council resolutions (UNSCR) constitute the global legal framework for the fight against terrorism. **UNSCR 1269** (1999), **1368**, 1373 and 1377 (2001), along with the 12 relevant United Nations conventions and protocols on anti-terrorism issues, provide the basis for this framework and include a number of specific elements of combating terrorism. In addition, a range of OSCE documents, including Summit declarations from Helsinki to Istanbul, spell out the OSCE's commitment to fight terrorism, in accordance with the Charter of the United Nations. The widest and most comprehensive participation in and implementation of existing instruments and commitments to combat terrorism by the participating States must be pursued and ensured.

24. **Suppressing the financing of terrorism.** Participating States: Will, within the framework of the **United Nations Convention on the Suppression of Financing of Terrorism and UNSCR 1373 (2001)**, take action to prevent and suppress the financing of terrorism, criminalize the wilful provision or collection of funds for terrorist purposes, and freeze terrorist assets also bearing in mind **UNSCR 1267 (1999)**. Will, in accordance with their domestic legislation and obligations under international law, provide early response to requests for information by another participating State and relevant international organizations.

Sub-paragraph (3f)

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26. **Preventing movement of terrorists:** Participating States: Will prevent the movement of terrorist individuals or groups through effective border controls and controls on issuance of identity papers and travel documents, as well as through measures for ensuring the security of identity papers and travel documents and preventing their counterfeiting, forgery and fraudulent use. Will apply such control measures fully respecting their obligations under international refugee and human rights law. Will, through the proper application of the exclusion clauses contained in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, ensure that **asylum is not granted** to persons who have participated in terrorist acts. Will provide for the timely detention and prosecution or extradition of persons charged with terrorist acts, in accordance with their obligations under international and national law.

Sub-paragraph (3g)

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19. **Supporting law enforcement and fighting organized crime:** Participating States: Noting the close connection between terrorism and transnational organized crime, illicit trafficking in drugs, money laundering and

illicit arms trafficking, will take the necessary steps to prevent in their territory illegal activities of persons, groups or organizations that instigate, finance, organize, facilitate or engage in perpetration of acts of terrorism or other illegal activities directed at the violent overthrow of the political regime of another participating State. Will afford one another the greatest measure of assistance in providing information in connection with criminal investigations or **criminal extradition proceedings** relating to terrorist acts, in accordance with their domestic law and international obligations.

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