

**Economic and Social Council**Distr.: General
17 March 2004

Original: English

**Commission on Crime Prevention
and Criminal Justice**

Thirteenth session

Vienna, 11-20 May 2004

Item 6 of the provisional agenda*

**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*****Summary*

The present report has been prepared pursuant to General Assembly resolution 58/136 of 22 December 2003, entitled "Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the Centre for International Crime Prevention". It reviews the status of technical assistance activities of the Terrorism Prevention Branch of the Division for Treaty Affairs of the United Nations Office on Drugs and Crime and includes an update on efforts made to initiate joint activities with other relevant role players, as well as on information-sharing and awareness-raising. The report also provides an overview of the responses received from Member States and international organizations on the nature of links between terrorism and other forms of crime. It concludes with general remarks and recommendations on the way ahead.

* E/CN.15/2004/1.

** The present report was submitted after the deadline as a result of late submission of replies by Member States.



Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction	1-4	3
II. Providing technical assistance: implementation of the Global Programme against Terrorism	5-21	3
A. Nature of assistance	7-10	4
B. Project execution	11-16	5
C. Voluntary contributions	17	6
D. Technical assistance tools	18-20	7
E. Guidelines for technical assistance	21	8
III. Links between terrorism and other forms of crime: synergy for technical assistance delivery	22-54	8
A. Current trends	28-33	9
B. Financing of terrorist acts: money-laundering, fraud and trafficking in illicit goods	34-42	10
C. Terrorism, corruption, falsification of official documents and smuggling of illegal migrants	43-45	11
D. International cooperation: extradition, mutual legal assistance and asset forfeiture	46-49	12
E. Reports of the Counter-Terrorism Committee	50-51	12
F. Meeting of experts	52-54	13
IV. Parties to the universal anti-terrorism instruments	55-56	14
V. Joint activities	57-61	15
VI. Information-sharing and awareness-raising	62-63	16
VII. The way ahead	64-69	16
 Annexes		
I. Meeting of experts held in Cape Town, South Africa, on 24 and 25 February 2004		18
II. Follow-up Meeting to the United Nations Counter-Terrorism Committee (CTC) Special Meeting of 6 March 2003		20

I. Introduction

1. Enormous loss of life, destruction and damage were caused in 2003 by heinous acts of terrorism, including the deliberate attack on the headquarters of the United Nations Assistance Mission for Iraq in Baghdad. Those events have raised questions about the nature of the challenges facing the international community, and have accentuated the need for the international community to join forces to address those problems. They have also highlighted the need to strengthen international cooperation among States and international and regional organizations to prevent, combat and eliminate international terrorism in all its forms and manifestations, wherever it is committed and whoever the perpetrators, since no nation on its own is in a position to fight and eliminate the global evil of terrorism.

2. The increasing volume of technical assistance activities undertaken by the Terrorism Prevention Branch of the Division for Treaty Affairs of the United Nations Office on Drugs and Crime has been notable. During the period under review the Global Programme against Terrorism, launched in October 2002, was fully implemented. The number of countries that have received assistance in reviewing and revising their national legislation against terrorism is testimony to the commitment of the United Nations Office on Drugs and Crime to specific action against the scourge. It is anticipated that the implementation of its activities will be further accelerated during 2004.

3. In its resolution 1373 (2001) of 28 September 2001, the Security Council noted the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials. Most of the technical assistance work of the United Nations Office on Drugs and Crime is focused on those areas. Knowledge of the nature of the links is relevant for the Office not only to increase synergy but also to deliver technical assistance more effectively.

4. In its resolution 58/136 of 22 December 2003, the General Assembly recommended that the Commission on Crime Prevention and Criminal Justice, in coordination with other United Nations entities, in particular the Counter-Terrorism Committee established pursuant to Security Council resolution 1373 (2001), keep under regular review the progress made by Member States in becoming parties to and implementing the universal conventions and protocols related to terrorism and the needs of Member States requesting technical assistance.

II. Providing technical assistance: implementation of the Global Programme against Terrorism

5. Following the attacks of 11 September 2001 in the United States of America, additional mandates were given to the United Nations Office on Drugs and Crime for terrorism prevention activities by the General Assembly in its resolutions 56/88 of 12 December 2001, 56/123 of 19 December 2001, 56/261 of 31 January 2002, 57/170 and 57/173 of 18 December 2002, 57/292 of 20 December 2002, 58/81 of 9 December 2003 and 58/136 and 58/140 of 22 December 2003 and the Economic and Social Council in its resolution 2002/19 of 24 July 2002. In its resolution 11/1,

the Commission on Crime Prevention and Criminal Justice encouraged Member States to participate in the Symposium on Combating International Terrorism: the Contribution of the United Nations, which was subsequently held in Vienna on 3 and 4 June 2002. At that Symposium, the Chairman of the Counter-Terrorism Committee and other speakers advised on possible areas in which the Office could assist in developing a global anti-terrorism capacity. The Chairman of the Counter-Terrorism Committee stressed the importance of providing guidance to States with less experience in legislating and implementing anti-terrorism measures and noted the important role that the United Nations Office on Drugs and Crime could play in that regard.¹

6. As a result, as mandated by the Symposium and with the endorsement of the Commission, the United Nations Office on Drugs and Crime launched its Global Programme against Terrorism in October 2002.

A. Nature of assistance

7. The overall aim of the Global Programme against Terrorism is to respond promptly and efficiently to requests for counter-terrorism assistance in accordance with the priorities set by the Commission on Crime Prevention and Criminal Justice and the Counter-Terrorism Committee by: (a) reviewing domestic legislation and providing advice on drafting laws; (b) providing in-depth assistance on the ratification and implementation of new legislation against terrorism through a mentorship programme; and (c) facilitating and providing training for staff of national criminal justice systems on the utilization of new international legal instruments against terrorism.

8. The main focus of technical cooperation activities over the past 16 months has been on the provision of assistance to Member States, upon request, in facilitating the ratification and implementation of the 12 international conventions and protocols relating to terrorism. During that period the Terrorism Prevention Branch provided assistance to 73 countries, either through direct country-specific assistance, which was delivered to 35 countries as at 9 March 2004,² or by the organization of subregional workshops that allowed countries from the same region to compare progress, learn from each other and harmonize legislative efforts. More than 500 law makers and law enforcement and other criminal justice officials were familiarized with the requirements of Security Council resolution 1373 (2001) and the international legal instruments against terrorism during such workshops.

9. The Global Programme against Terrorism also provided a framework for substantive expertise on international cooperation, taking into account the relevant provisions contained in the universal instruments relating to terrorism.

¹ See United Nations Office on Drugs and Crime, *Combating International Terrorism: the Contribution of the United Nations*, 2003.

² Angola, Armenia, Azerbaijan, Belarus, Benin, Burundi, Cambodia, Cape Verde, Central African Republic, Comoros, Croatia, Democratic Republic of the Congo, Georgia, Guinea-Bissau, Haiti, Hungary, Jordan, Kyrgyzstan, Lao People's Democratic Republic, Madagascar, Mali, Mauritius, Mozambique, Niger, Paraguay, Peru, Romania, Sao Tome and Principe, Slovakia, Sudan, Tajikistan, Ukraine, Timor-Leste, United Arab Emirates and Viet Nam.

10. As part of the United Nations Office on Drugs and Crime, the Global Programme is well placed to reinforce assistance in implementing those instruments through application of international cooperation mechanisms provided for in the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I). The Global Programme is geared to assist States in developing treaty relations at the bilateral, subregional and regional levels, in particular on the basis of the revised manuals on the model treaties on extradition and mutual legal assistance, where appropriate.

B. Project execution

11. Two technical assistance projects to “strengthen the legal regime against terrorism were implemented under the framework of the Global Programme against Terrorism in the period under review. A preparatory project provided tools for the implementation of technical assistance activities, that is, a legislative guide to the universal anti-terrorism instruments and accompanying checklists, designed to encourage and help States to ratify and implement the universal instruments, and the testing of that material in several countries.

12. The first phase of the full-fledged global project to strengthen the legal regime against terrorism started in January 2003. Direct legal advisory services on incorporation of the relevant provisions contained in the international instruments into national legislation were provided to 35 requesting States. Specific national action plans were developed jointly with Governments and legislative drafting committees were established to study the provisions of the instruments and to make recommendations to ministers regarding ratification as well as implementation of legislation.

13. Regional and subregional workshops were held to familiarize national experts and criminal justice officials with the requirements of resolution 1373 (2001), the requirements for ratifying and implementing the universal anti-terrorism instruments and international cooperation arrangements, as follows: in Lithuania for the Baltic States, Belarus, the Russian Federation and Ukraine; in Costa Rica, jointly with the Inter-American Committee against Terrorism (CICTE) of the Organization of American States (OAS) and the Latin American Institute for the Prevention of Crime and the Treatment of Offenders for States members of OAS that had ratified the Inter-American Convention against Terrorism,³ in Mali for West and Central African States;⁴ in the United Kingdom of Great Britain and Northern Ireland, jointly with the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE) for the Central Asian States, as well as Albania, Croatia, Serbia and Montenegro, Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia; in the Sudan for States members of the Intergovernmental Authority on Development; in Turkey for the Central Asian States and States of the southern Caucasus. In addition, a study tour was organized

³ Costa Rica, El Salvador, Nicaragua, Mexico, Panama and Peru.

⁴ Benin, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Democratic Republic of the Congo, Gabon, Gambia, Ghana, Guinea, Niger, Nigeria, Republic of the Congo, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone and Togo.

for Portuguese-speaking countries and territories⁵ on the ratification and implementation of the United Nations conventions and protocols relating to the fight against organized crime and to the universal anti-terrorism instruments.

14. The workshops produced final documents focusing on the follow-up technical assistance needs of participating States with regard to the ratification and implementation of the universal anti-terrorism instruments. Final declarations, *inter alia*, encouraged the development of a culture of intolerance towards terrorism in all its forms, called upon the United Nations Office on Drugs and Crime and the Office of the United Nations High Commissioner for Human Rights to develop joint technical assistance programmes on counter-terrorism and encouraged the use of the International Criminal Police Organization (Interpol) to ensure an adequate exchange of information in the area of counter-terrorism.

15. In some cases, staff of the Office provided States with the elements needed to complete reports to the Counter-Terrorism Committee in response to Security Council resolution 1373 (2001). Terrorism prevention experts were also strategically placed in the field, in a number of regions, to support and follow up assistance activities. Activities under the project were carried out in close consultation with the Counter-Terrorism Committee and were, *inter alia*, guided by requests received from and priorities set by the Committee. The Legal Advisory Section of the Treaty and Legal Affairs Branch of the Division for Treaty Affairs of the United Nations Office on Drugs and Crime supported the activities. The total funding projected for the first phase is \$2.5 million.

16. In its second phase of the project, the scope of assistance provided in terms of geographical reach will be broadened, as also the number of countries receiving assistance and the content of the assistance provided. A global network of experts will be established to follow up on progress made by States. The creation of advisory panels for geographical regions and legal systems to review proposed legislative solutions and provide specific input appropriate to the particular country's historical and legal traditions and jurisprudence is further envisaged. The project will focus on implementation assistance, that is, on strengthening institutional structures and mechanisms to enable States to implement the relevant international instruments, providing online advice on extradition and mutual legal assistance requests and giving advice on international cooperation mechanisms through mentorship programmes, thus working towards the full implementation of the international instruments. An additional \$2.5 million will be required to carry out the second phase of the project.

C. Voluntary contributions

17. Table 1 shows the contributions that have been made to the United Nations Crime Prevention and Criminal Justice Fund for technical assistance projects of the Terrorism Prevention Branch.

⁵ Angola, Brazil, Cape Verde, Guinea-Bissau, Macao Special Administrative Region of China, Mozambique, Portugal, Sao Tome and Principe and Timor-Leste.

Table 1
Contributions made to the United Nations Crime Prevention and Criminal Justice Fund for technical assistance projects of the Terrorism Prevention Branch

<i>Donor</i>	<i>Total value (United States dollars)</i>
Austria	1 025 674
Italy	469 366
France	247 578
United States of America	230 000
Germany	162 690
Canada	47 070
Turkey	25 000
Netherlands	4 720
Total	2 212 098

D. Technical assistance tools

18. A legislative guide on the universal anti-terrorism instruments, which enhances the ability of the United Nations Office on Drugs and Crime to respond to requests for legal technical assistance, is available in the six official languages of the United Nations on the web site of the Office (http://www.unodc.org/unodc/terrorism_documents.html) pending its issuance as an official publication. The guide was developed to inform those responsible for drafting legislation and other readers of the development and requirements of the universal anti-terrorism instruments. It contains drafting resources in the form of laws currently in force, as well as illustrative model laws. Checklists containing the convention requirements accompany the legislative guide.

19. Examples of provisions from national legislation are contained on the web site together with material from the Commonwealth Secretariat. In addition, the Office has compiled relevant legislation from 124 countries. This legal database is used by the Office as an in-house tool to support the delivery of technical assistance and is updated periodically. In order to ensure the comprehensiveness of the database, the Office would welcome examples of national legislation effectively implementing the penalization, jurisdiction or international cooperation obligations of the universal anti-terrorism instruments, as well as of problems that arise in legislative drafting or application.

20. The United Nations Office on Drugs and Crime and the International Institute of Higher Studies in Criminal Sciences and the Monitoring Centre on Organized Crime organized an expert group meeting on the preparation of model legislation on extradition in conjunction with a training workshop on extradition in terrorism cases in Siracusa, Italy, from 2 to 6 December 2003. The two meetings served to upgrade skills in the field of extradition.

E. Guidelines for technical assistance

21. Pursuant to General Assembly resolution 58/136, a meeting of experts was organized by the United Nations Office on Drugs and Crime in cooperation with the Institute for Security Studies in Cape Town, South Africa, on 24 and 25 February 2004 to consider a compilation of international legal instruments, declarations and models pertaining to terrorism, related forms of crime and international cooperation, assembled with the assistance of the International Centre for Criminal Law Reform and Criminal Justice Policy. The meeting proposed 10 guiding principles for submission to the Commission on Crime Prevention and Criminal Justice to permit input by Member States (see annex I). It also suggested that the Secretariat should develop an implementation guide to update the legislative guide on the universal anti-terrorism conventions and protocols, incorporating the experience gained in the projects on strengthening the legal regime against terrorism and relating the contents of the compendium of the needs of States.

III. Links between terrorism and other forms of crime: synergy for technical assistance delivery

22. In its resolution 58/136, the General Assembly invited Member States to provide the Secretary-General with information on the nature of links between terrorism and other forms of crime in order to increase synergy in the delivery of technical assistance. By a note verbale dated 30 September 2003 and a follow-up note dated 29 December 2003, the Secretariat requested information on the nature of those links. As at 9 March 2004, the following 38 countries and territories had responded: Algeria, Australia, Azerbaijan, Barbados, Burkina Faso, Comoros, Colombia, Croatia, Ecuador, El Salvador, Finland, Germany, India, Italy, Japan, Kenya, Kyrgyzstan, Lebanon, Liechtenstein, Lithuania, Malta, Mauritius, Myanmar, New Zealand, Poland, Qatar, Republic of Korea, Sao Tome and Principe, Saudi Arabia, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and the crown dependencies of Guernsey and the Isle of Man, Uzbekistan and Yemen.

23. Replies were also received from the International Bar Association, the League of Arab States and the Offshore Group of Banking Supervisors.

24. Many States indicated that terrorist groups were frequently involved in other crimes, in particular trafficking in illicit drugs, money-laundering and the falsification of travel and identity or other official documents. Several countries noted links between incidents of corruption of public officials and international terrorism, while others reported links with trafficking in firearms, the smuggling of illegal migrants and other forms of exploitation of illegal markets, inter alia, to support terrorist activities. Some countries observed links between terrorism and illegal trafficking in other potentially deadly material. A link with incidents of trafficking in nuclear material and trafficking in biological substances was also reported by Algeria.

25. Other States indicated that they could not observe links between terrorism and other forms of crime. That may have been due in part to the fact that some of the States had not faced terrorist activities within their territories in recent years and that, therefore, it was difficult to comment on the existence of such links. Sweden

reported that criminal activities with suspected links to terrorism related mainly to individuals connected with suspected networks.

26. In those cases where there were perceived links between terrorism and other forms of crime, it was reported that the links were mostly of an operational, logistical or financial nature, denoting the presence of alliances of convenience. Kyrgyzstan, Switzerland, Turkey and the United Kingdom had observed the presence of ideological and political links between terrorist and organized criminal groups, while India reported an ideological link. Turkey noted that all such links existed in connection with drug-related crimes. Several countries, including Algeria, Colombia, El Salvador, India, Italy, Kenya, Myanmar, Turkey and Uzbekistan, provided examples of recent situations in which terrorist activities had been related to other criminal activities.

27. Many States reported on recent counter-terrorism legislation, highlighting new provisions in their penal codes. Some described programmes in the areas of law enforcement and judicial training, as well as bilateral arrangements. In the area of law enforcement cooperation, several countries noted the role of Interpol and of regional police cooperation arrangements. Several also stressed the importance of cooperation and exchange of information among financial intelligence units. Barbados and India reported specifically that their financial intelligence units had responsibility for receiving reports of suspected terrorist financing activities.

A. Current trends

28. Linkages between terrorism and other forms of crime had increased in several countries over the past 10 years, while Comoros, Lebanon and Yemen reported a decrease in that link. Turkey reported that the number of cases involving terrorists and drug trafficking had remained stable in the last 10 years after a rapid increase in the previous decade.

29. Colombia indicated that criminal activities related to drug trafficking, kidnapping and murder had increased. That was due to the intensification of internal armed conflicts, the financial strengthening of armed illegal groups who had access to illicit sources of financing such as drug trafficking, kidnapping, corruption and extortion, and links between common crime and armed groups, insurgents and other illegal groups, leading to the incursion of those groups into large cities and to attacks against the civilian population.

30. India noted a shift from organized criminal gangs being used to provide logistical support for terrorist acts to joint activities of groups. Organized criminal groups and terrorist groups had begun to work in parallel, complementing each other's resources and logistics.

31. Several countries, including El Salvador and Kenya, observed increased linkages between terrorism and criminal activities to terrorists taking advantage of the influx of refugees, lack of international cooperation, levels of political instability in neighbouring countries and porous national borders, all factors facilitating trafficking in firearms, drugs and other illicit items.

32. The United Kingdom noted that, since the ceasefire in Northern Ireland in 1995, there had been evidence that paramilitaries had been turning increasingly to

organized crime. Lithuania and Uzbekistan explained the increased links in terms of the need for terrorist organizations to finance their activities. Uzbekistan had witnessed a strengthening of the link between terrorism and crime, in particular drug dealing, property crimes, kidnapping and robberies.

33. Many countries reported that they did not keep separate statistics on the number of prosecutions and convictions in cases involving terrorist acts. Sweden explained that that was due to the fact that its counter-terrorism legislation had only recently come into force. Sweden also noted that, without further investigation, a perceived increase in the links between terrorism and other forms of crime could be due to strengthened countermeasures taken by relevant authorities.

B. Financing of terrorist acts: money-laundering, fraud and trafficking in illicit goods

34. Many countries indicated that often the aim of terrorist groups in committing other crimes was to obtain financial or other means to commit terrorist acts. Gains derived from illicit trafficking activities were often used to finance terrorist acts. The connection was most notable in cases of trafficking in illicit drugs and smuggling of arms. Colombia, Germany, Kenya, Kyrgyzstan and Turkey reported that terrorism was being financed in part by the funds generated from trafficking in illegal arms and drugs.

35. Turkey reported that more than 30 tons of drugs and 26 tons of chemical precursors had been seized in connection with counter-terrorist cases. Interrogations had proved that a terrorist organization had extorted commissions from illicit drug traffickers and forced farmers to cultivate cannabis. In Algeria, income generated from drug trafficking had been used by organized criminal groups to purchase vehicles to smuggle illicit commodities across borders and to purchase weapons and modern means of communication to commit terrorist acts or to promote terrorist organizations.

36. Colombia reported that there had been numerous confirmed instances of a link between economic crime, money-laundering, trafficking in illicit drugs and firearms and terrorist activities. Several cases of money-laundering involving terrorist organizations linked to drug trafficking were under investigation. Alliances between insurgent groups having political and ideological goals with drug traffickers had likely been formed to destabilize the national economy. Germany reported that there were indications that the funds gained from drug trafficking were also being used to finance terrorist activities in other countries. There was, however, no evidence available at present that could be used in court to prove the existence of terrorism related to drug trafficking.

37. Italy reported that there was evidence suggesting that property offences had been committed in order to fund terrorist activities. It provided statistics on the percentage of persons charged with a terrorism offence and with a property offence, that is, robbery, theft or handling of stolen goods.

38. Sweden noted the difficulty of tracing the use of illicitly gained funds. The United Kingdom, reporting the presence of general links between terrorist groups and organized crime, noted that there were no specific data available to indicate

how much of the revenue obtained by paramilitaries engaged in organized crime was used in specific acts of terrorism in which they were also engaged. Some of that revenue was used by the individuals involved to support their lifestyle.

39. Myanmar reported that insurgent groups unrelated to international terrorist organizations were involved in trafficking in illicit drugs and arms and were engaged in fraud and other forms of economic crime to finance their activities. Yemen had observed instances of money-laundering and fraud and noted that terrorist acts were receiving their financing from both internal and external sources. Uzbekistan referred to a number of cases in which cash funds ostensibly received from other foreign sources had been used to finance crimes carried out by terrorist organizations. Those groups were involved in forging documents, kidnapping hostages, murders and armed assaults.

40. Germany referred to money-laundering investigations where suspicious transaction reports had provided valuable evidence pointing to terrorist financing. Cases included donations channelled through charitable or religious foundations and the proceeds of criminal activities, such as credit card fraud, trafficking in human beings and drug offences. However, Germany and Switzerland noted that only some of the “terrorist assets” were incriminated assets gained through criminal activities. It was mostly money gained from legal activities, thus reducing the need for terrorists to introduce incriminated money into legal financial circulation and to engage in money-laundering.

41. India reported specific instances regarding the financing of terrorism and the use of informal money transfer systems, in particular *hawala*. In India, counterfeit currency notes had been used to finance terrorist activities.

42. Switzerland reported on a number of criminal proceedings against members of terrorist organizations on charges of racketeering, extortion, money-laundering and drug trafficking. Lithuania specifically identified links between organized criminal groups involved in cigarette smuggling and terrorist groups. Ukraine reported on the implementation of measures aimed at preventing the use of the country’s banking system for the financing of terrorism.

C. Terrorism, corruption, falsification of official documents and smuggling of illegal migrants

43. A number of countries indicated that there were links between terrorist activities and various criminal activities relating to corruption, the falsification of travel documents and the smuggling of illegal migrants. Turkey and Uzbekistan reported that terrorist groups had attempted to corrupt public officials to reach their unlawful goals. Kenya also referred to the use of corrupt practices to attempt to infiltrate political and economic circles. In El Salvador corrupt practices were instrumental in obtaining travel and other official documents.

44. Germany reported that falsified documents used by terrorist groups generally originated from criminal sources. Terrorists did not have any “production workshops” of their own, but used persons close to them to falsify documents to satisfy users’ needs. In El Salvador false documents had been used for opening bank accounts.

45. Yemen reported that terrorists had committed various other crimes to carry out their plans, including falsification of identity cards and passports and smuggling of illegal immigrants. Turkey reported that terrorist groups were involved in smuggling of migrants in an attempt to find new recruits.

D. International cooperation: extradition, mutual legal assistance and asset forfeiture

46. Many countries reported on their obligations as parties to international and regional conventions, as well as their existing bilateral extradition and mutual legal assistance agreements. In that context, several countries made specific reference to the United Nations Convention against Transnational Organized Crime. Australia reported that it intended to ratify the Convention and noted that this would increase the effectiveness of domestic measures against organized crime by providing a mechanism for cooperation with other countries in preventing, detecting and prosecuting transnational crime, including terrorism-related offences.

47. India recalled its 1996 initiative to pilot a comprehensive convention on international terrorism in order to promote a comprehensive legal framework to combat terrorism.

48. Switzerland noted that the fact that it was not a member of the main European institutions complicated its fight against organized crime, money-laundering and terrorism. Colombia emphasized that the complex problem of terrorism and related offences called for a coordinated effort of States, in particular strengthened international cooperation under the relevant United Nations conventions. El Salvador expressed the need to address the problem of terrorism and organized crime at the regional level.

49. Several countries reported on their actions in response to Security Council resolutions 1267 (1999) of 15 October 1999 and 1333 (2000) of 19 December 2000. Saudi Arabia had seized 25 accounts of seven individuals and organizations included in the lists issued by the Council in those resolutions. Qatar reported on specific provisions on asset seizure and confiscation. Germany had frozen 16 accounts pursuant to European Commission regulations. Liechtenstein reported on 2 cases where assets had been frozen in 2001 and the United Kingdom had 25 cases where assets had been frozen since 2000. Colombia reported that it had frozen assets in 21 cases since 2000 and had had 5 cases of asset confiscation.

E. Reports of the Counter-Terrorism Committee

50. Several countries also referred to the information already contained in their respective reports submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001) (see <http://www.un.org/Docs/sc/committees/1373>).

51. From an ongoing analysis of the reports received, carried out with the help of the International Centre for Criminal Law Reform and Criminal Justice Policy, it emerges that, out of 193 reports reviewed, 14 countries made reference to the

existence of a link between organized crime and international terrorism.⁶ Angola referred to the use of commodities such as diamonds by both terrorists and criminals in relation to trafficking in firearms and other criminal activities. It mentioned the importance of the Interlaken Declaration of 5 November 2002 on the Kimberley Process Certification Scheme for Rough Diamonds. Sri Lanka referred to the link between human smuggling operations and terrorism. In its experience, human smuggling operations provided a ready reservoir for fund-raising by terrorist groups, through extortion, either directly from victims of human trafficking or from their next of kin and relatives. Tunisia believed that there was a firm connection between money-laundering, various forms of trafficking, including in illicit drugs, women and illegal arms, and the funding of terrorist organizations. The United Kingdom and Yugoslavia made reference to links between drug trafficking and terrorism.

F. Meeting of experts

52. A meeting of experts was organized by the United Nations Office on Drugs and Crime in cooperation with the Institute for Security Studies in Cape Town, South Africa, on 26 and 27 February 2004, on increasing synergy in the delivery of technical assistance to address terrorist involvement in other forms of crime. Participants acknowledged the difficulty in documenting and describing linkages between criminal groups and terrorist groups or between terrorist and other criminal activities. They found reliable data on the nature of such links to be difficult to obtain and the task to be further complicated in many cases by the absence of criminalization, issues of definition and lack of complete information and record-keeping.

53. The meeting proposed that countries strengthen their actions against terrorism by focusing their attention on other forms of criminal activity that preceded and accompanied terrorist crimes. It pointed out that full use should be made of other appropriate international instruments to pursue crimes related to terrorism. In particular, it encouraged Member States to utilize the mutual legal assistance and extradition provisions of those instruments.

54. The meeting also highlighted the need for Member States' responses to such criminal activities and technical assistance activities to be comprehensive and integrated. There was consensus that the United Nations Office on Drugs and Crime, in cooperation with the United Nations Crime Prevention and Criminal Justice Programme network of institutes, should, in accordance with the implementation guidelines on technical assistance proposed by the meeting, provide technical assistance to enhance the capacity of requesting States to prevent and combat both terrorist acts and other forms of serious crime simultaneously. Specifically, technical assistance missions, tools and training efforts should be integrated, where feasible, so that they would address jurisdictional, procedural and international cooperation issues common to the fight against terrorism, drug trafficking, transnational organized crime, money-laundering, corruption and other forms of serious crime. Such an integrated approach, in particular when closely coordinated with bilateral

⁶ Andorra, Angola, Austria, Canada, Egypt, Monaco, Republic of Moldova, Singapore, Sri Lanka, Tunisia, Turkey, United Kingdom, United States and Yugoslavia.

assistance and with other efforts of international, regional and subregional organizations under the leadership of the Counter-Terrorism Committee, would hold the greatest promise of achieving the increased synergy envisioned by the General Assembly in its resolution 58/136.

IV. Parties to the universal anti-terrorism instruments

55. In its resolution 58/136, the General Assembly recommended that the Commission on Crime Prevention and Criminal Justice, in coordination with other United Nations entities, in particular the Counter-Terrorism Committee, keep under regular review the progress made by Member States in becoming parties to and implementing the universal conventions and protocols related to terrorism and the needs of Member States requesting assistance.

56. The total number of parties to the universal instruments related to international terrorism and the number of States that ratified after 11 September 2001 are shown in table 2. It should be noted, in that connection, that 11 States ratified universal instruments subsequent to having received direct legislative drafting assistance from the United Nations Office on Drugs and Crime.⁷

Table 2

Number of parties to the universal conventions and protocols related to international terrorism

<i>Convention/protocol</i>	<i>Number of parties</i>	<i>Number of ratifications after 11 September 2001</i>
Convention on Offences and Certain Other Acts Committed on Board Aircraft ^a	177	5
Convention for the Suppression of Unlawful Seizure of Aircraft ^b	177	3
Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation ^c	179	4
Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents ^d	146	39
International Convention Against the Taking of Hostages ^e	137	40
Convention on the Physical Protection of Nuclear Material ^f	102	33
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 ^g	144	36
Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation ^h	104	45
Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf ^h	95	42
Convention on the Marking of Plastic Explosives for the Purpose of Detection ⁱ	104	37
International Convention for the Suppression of Terrorist Bombings ^j	120	93

⁷ Azerbaijan, Benin, Burkina Faso, Comoros, Croatia, Georgia, Jordan, Kyrgyzstan, Madagascar, Mauritius and Mozambique.

<i>Convention/protocol</i>	<i>Number of parties</i>	<i>Number of ratifications after 11 September 2001</i>
International Convention for the Suppression of the Financing of Terrorism ^k	112	108

^a United Nations, *Treaty Series*, vol. 704, No. 10106.

^b *Ibid.*, vol. 860, No. 12325.

^c *Ibid.*, vol. 974, No. 14118.

^d *Ibid.*, vol. 1035, No. 15410.

^e *Ibid.*, vol. 1316, No. 21931.

^f *Ibid.*, vol. 1456, No. 24631.

^g *Ibid.*, vol. 1589, No. 14118.

^h *Ibid.*, vol. 1678, No. 29004.

ⁱ S/22393, annex I; see *Official Records of the Security Council, Forty-sixth year, Supplement for January, February and March 1991*.

^j General Assembly resolution 52/164, annex.

^k General Assembly resolution 54/109, annex.

V. Joint activities

57. Apart from creating synergy among relevant units within the United Nations Office on Drugs and Crime, such as the Anti-Money-Laundering Unit of the Rule of Law Section of the Human Security Branch of the Division for Operations, the launching of the Global Programme against Terrorism has made the Terrorism Prevention Branch a key partner and executive agent for technical assistance of the Counter-Terrorism Committee. The relationship between the Branch and the Committee is complementary and synergistic. While the Committee analyses reports received from Member States and facilitates the provision of technical assistance to requesting States, the Branch, with its substantive expertise, delivers that assistance. Regular working contacts with the Committee are maintained, in particular through reports to its Technical Assistance Team and liaison in identifying countries with a priority need for legal assistance. In that regard, the Committee directs requests for assistance from countries to the United Nations Office on Drugs and Crime.

58. Partnerships and collaborative ties have been established not only with the Counter-Terrorism Committee, but also with the Office of Legal Affairs of the Secretariat and regional organizations such as OSCE.

59. As a follow-up to the special meeting organized by the Counter-Terrorism Committee on 6 March 2003, OSCE, in cooperation with the United Nations Office on Drugs and Crime, hosted a meeting between international, regional and sub-regional organizations in Vienna on 11 and 12 March 2004. That initiative was joined by the Counter-Terrorism Committee, acting through its Chairman. The overall theme of the meeting was "Strengthening practical cooperation between regional and international organizations". The meeting resulted in a declaration, in which the 40 participating organizations committed themselves to undertaking joint activities to strengthen cooperation (see annex II). The proceedings of the meeting will be presented in a joint OSCE/United Nations Office on Drugs and Crime publication.

60. With regard to partnerships with national ministries, a precedent has been set with the cooperative arrangements of the United Nations Office on Drugs and Crime

with the Office of Prosecutorial Development, Assistance and Training of the United States Department of Justice and with the International Criminal Investigative Training Assistance Program. A meeting was held in Vienna from 10 to 13 February on international legal frameworks for cooperation in combating terrorism, organized crime and corruption. The meeting constituted an opportunity to highlight successful strategies and opportunities for cooperation in improving transnational judicial assistance, including legislative drafting, development of skills and institution-building.

61. Joint assistance activities for specific regions were being implemented with OAS for countries in Central and South America, with OSCE in Central Asian States, with the Council of Europe for Eastern European countries and with the African Union for members of the Intergovernmental Authority on Development. Representatives of the International Monetary Fund joined staff of the Terrorism Prevention Branch on missions to provide legal advisory services related to the financing of terrorism.

VI. Information-sharing and awareness-raising

62. In order to ensure programme accountability, the Terrorism Prevention Branch provided, on a periodic basis, detailed briefings to Member States on progress made in programme delivery. In addition to those briefings, information on programme implementation was provided regularly to permanent missions. The Branch furnished the Counter-Terrorism Committee and donor and recipient countries on a monthly basis with a matrix of its ongoing and planned technical assistance activities per country, region and subregion. Presentations on programme activities were made in a variety of international forums, including the Counter-Terrorism Committee, the Counter Terrorism Action Group of the Group of Eight and the Council of the European Union Working Party on Terrorism.

63. The Terrorism Prevention Branch expanded its efforts to disseminate information through its web site, which contains technical assistance tools and information on the Global Programme against Terrorism. New brochures reflecting the work of the Branch and the activities of the Global Programme have been issued, while one issue of the journal *Forum on Crime and Society* was dedicated to terrorism.

VII. The way ahead

64. Building on the pilot work carried out by the Terrorism Prevention Branch in 2003 and on the testing of the new technical assistance tools developed in that year, in 2004 the focus of the activities of the Branch will continue to be on providing assistance to Member States, upon request, on the ratification and implementation of the universal anti-terrorism instruments and thus to contribute to the implementation of Security Council resolution 1373 (2001). The Branch will continue to attempt to deliver high-quality technical counter-terrorism assistance in legal advisory services, with a focus on practical and operational assistance activities in an area that is a current priority of the Commission—ratification and implementation of the international conventions against terrorism.

65. The capacity of the Branch to deliver technical assistance has been enhanced in the operational area through its representation at the country and subregional levels as a result of placing experts in the field, the conversion of offices of the United Nations Drugs Control Programme to field offices of the United Nations Office on Drugs and Crime, as well as creating partnerships. Additional efforts will be made in 2004 to utilize the power of partnerships to the full.

66. In its resolution 58/136, the General Assembly expressed its appreciation to donor countries for voluntary contributions that had supported the launching of the Global Programme against Terrorism, and invited all States to make adequate voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund. The further growth of operational activities, ongoing requests for assistance and the continued support given to the ratification and implementation of the universal anti-terrorism instruments have stretched the limited resources available to the Branch. Additional voluntary contributions and cost-sharing arrangements with assisted countries are essential. The Branch's goal in 2003 was to broaden its donor base and encourage its current donors to increase their voluntary contributions. In 2004, while pursuing the broadening of the donor base, the Branch will also aim at increasing the volume of contributions to the Global Programme against Terrorism as such, instead of to specific technical assistance projects, which is of particular importance if the Branch is to fulfil all its mandates.

67. Guidance will be required from the Commission as to the future direction of the work of the Terrorism Prevention Branch. In accordance with the medium-term plan for the period 2002-2005 and the programme budget for the biennium 2004-2005, the main priorities for the technical assistance activities of the United Nations Crime Prevention and Criminal Justice Programme are fostering international cooperation and strengthening national capacity in, inter alia, promoting anti-terrorism policies and measures. Thus, main elements of the work programme of the Branch for 2004 will be the facilitation and/or provision of capacity-building assistance to strengthen international cooperation and to provide assistance for the implementation of the instruments.

68. Further guidance of the Commission will be required with regard to activities envisaged by the Terrorism Prevention Branch. In that regard, special mention should be made of support for the creation of central authorities to deal with requests for international cooperation and special units for the implementation of the universal instruments against terrorism, in particular the strengthening of international cooperation arrangements.

69. International cooperation is of great importance in the fight against terrorism. The international community has developed the necessary legal instruments for international cooperation. The Commission for Crime Prevention and Criminal Justice and the United Nations Office on Drugs and Crime as its secretariat must respond to the challenge, broadening the assistance provided to prosecutors, judges and other law enforcement practitioners in Member States to put those instruments to good use. The challenge is to provide a system of effective and fair criminal justice across the globe, thus increasing safety and security. The Terrorism Prevention Branch is well positioned to expand its activities to implementation assistance, with particular emphasis on international cooperation.

Annex I

Meeting of experts held in Cape Town, South Africa, on 24 and 25 February 2004

Guidelines for the United Nations Office on Drugs and Crime

The United Nations Office on Drugs and Crime, in promoting the implementation of the universal conventions and protocols related to terrorism and other related forms of crime and acting in areas within its competence and in coordination with the Counter-Terrorism Committee, should provide technical assistance in accordance with the following 10 guidelines:

(a) The technical assistance provided to Member States, at their request, should be based on an integrated approach addressing the requirements and other provisions of Security Council resolution 1373 (2001) of 28 September 2001 and all the conventions and protocols relevant to preventing and combating international terrorism, drug trafficking, transnational organized crime and other related forms of criminal activity, and should incorporate recognized human rights protections as also expressed by Council resolution 1456 (2003) of 20 January 2003;

(b) Technical assistance should be provided in a comprehensive manner so as to increase synergy in the delivery of technical assistance, reflecting both the links between terrorism and organized crime and the responsibility of the Office for programmes to combat terrorism, drug trafficking, transnational organized crime, money-laundering, corruption and other related forms of criminal activity;

(c) To avoid duplication, technical assistance activities should be provided in close coordination with the activities of Member States, the Counter-Terrorism Committee and other international, regional and subregional organizations;

(d) Regional and bilateral obligations and other applicable standards should also be considered in the provision of technical assistance;

(e) Technical assistance provided should be responsive to the requests, assessed needs, circumstances and priorities of the requesting States;

(f) Technical assistance to Member States to become parties to and implement the relevant conventions and protocols should include activities to build the capacity of the criminal justice system with regard to investigation, prosecution and international cooperation and to combat and prevent terrorism and related forms of crime;

(g) Tools should be developed to help requesting Member States to assess their needs for technical assistance and to evaluate the effectiveness and impact of the assistance provided;

(h) Technical assistance should be provided in a manner that recognizes diverse legal systems and traditions while promoting the highest degree of international cooperation;

(i) Technical assistance should be provided in a timely and cost-effective manner;

(j) New initiatives in and methods of delivering technical assistance need to be explored, such as modern online delivery of assistance; encouraging Governments to include legislative representatives in technical assistance activities; increased use of partnerships with the United Nations Crime Prevention and Criminal Justice Programme network of institutes; and mentorship for criminal justice officials.

Annex II*

FOLLOW-UP MEETING TO THE UNITED NATIONS COUNTER-TERRORISM COMMITTEE (CTC) SPECIAL MEETING OF 6 MARCH 2003

*HOSTED BY THE ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE (OSCE)
IN COOPERATION WITH THE UNITED NATIONS OFFICE ON DRUGS
AND CRIME (UNODC)*

March 11-12 (2004)
Vienna, Austria

Vienna Declaration

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

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

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

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

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

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

Noting that a large number of Member States of the United Nations require assistance in implementing fully all the provisions of Resolution 1373 (2001), and in this regard acknowledging the mandate of the CTC, to explore ways in which States can be assisted, and in particular to explore with international, regional, and sub-regional organizations: the promotion of best-practice in the areas covered by Resolution 1373 (2001) including the preparation of model laws as appropriate; the availability of existing technical, financial, regulatory, legislative or other assistance programmes which might facilitate the implementation of Resolution 1373 (2001); and the promotion of possible synergies between these assistance programmes;

* The text of the present annex is submitted in the form in which it was received.

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

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

Emphasizing that States must ensure that any measure taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee, and humanitarian law;

Concerned with the potential duplication of technical assistance provided to States in the same areas for the effective implementation of Resolution 1373, while other priority areas may remain unaddressed;

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

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

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

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

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

Agree as follows:

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

2. To provide the CTC, where appropriate under existing arrangements, with relevant information for inclusion in the Matrix of Joint Activities, which provides a comprehensive compilation of the assistance offers and programs, thereby facilitating the sharing of such information with other assistance providers in order to avoid duplication and overlap in the provision of technical assistance;
3. To prevent duplication and to further improve our cooperation and coordination, including, where appropriate, by conducting joint technical assistance programs or joint visits to States with the consent of the States concerned;
4. To commend those organizations, institutions and UN bodies that have kept the CTC informed on their available and implemented technical assistance programs, and to urge those that have not yet done so to provide such information to the CTC on a regular basis;
5. To join our efforts in focusing relevant anti-terrorism action plans to the targets and priorities of Resolution 1373 identified by the CTC;
6. To intensify efforts to encourage States to become parties to and implement in domestic law the 12 anti-terrorism international conventions and protocols and to assist States in this regard;
7. To continue our efforts to strengthen cooperation and coordination to implement fully Resolution 1373 (2001); to follow-up on this Declaration through a future meeting of our organizations within six months; and to that end take note of the offer of the League of Arab States to host our next meeting.

Austria, Vienna
12 March 2004
