

INTERNATIONAL PROCESS ON GLOBAL COUNTER-TERRORISM COOPERATION

**CO-SPONSORED BY THE GOVERNMENTS OF COSTA RICA, JAPAN, SLOVAKIA,
SWITZERLAND AND TURKEY**

FINAL DOCUMENT

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BACKGROUND

The International Process on Global Counter-Terrorism Cooperation, which was supported by the Center on Global Counterterrorism Cooperation, was launched in New York at the Swiss Mission to the UN in November 2007 and included a series of workshops focusing on discrete aspects of the UN Counter-Terrorism Implementation Strategy. The purpose of the International Process (co-sponsored by Costa Rica, Japan, Slovakia, Switzerland and Turkey) was to provide an opportunity for frank and open, off-the-record discussion among a broad array of States from the Global North and South and representatives from the UN and other intergovernmental bodies and civil society. The discussions focused on assessing the overall UN contributions to the fight against terrorism over the past seven years and identifying ways to make its institutions more relevant to national and regional counter-terrorism efforts and better able to support implementation of the UN Strategy. Throughout this process participants put forward a wide range of concrete proposals aimed at furthering the implementation of the UN Strategy, many of which were discussed at the final workshop on 10-11 July 2008 in New York.

During the Process it was recognized that the adoption of the UN Global Counter-Terrorism Strategy remains a key political achievement that should be built upon during the September 2008 General Assembly review. Member States have the primary responsibility to implement the Strategy and this involves Member State action at national, regional, and international levels. The Strategy provides States with a broad policy framework, offering them a common

reference point and an opportunity to present what they are doing to combat terrorism at a national level to the UN and other fora in a structured and holistic way.

The UN nevertheless has a central role to play in reinforcing national and regional efforts, while taking into account local contexts, as part of a global response. Different parts of the UN system are making important contributions to this effort. There is a need, however, for effective coordination among the range of relevant actors within the UN system, at headquarters level, in the field and between the two. The UN Counter-Terrorism Implementation Task force has taken initial steps in enhancing the coordination within and coherence of the UN system. Further advances in these areas and greater engagement with counter-terrorism experts in the field could lead to increased effectiveness. So too could a greater reflection in the work of the UN concerning differing local and regional threat perceptions, vulnerabilities and needs. The first formal review of the Strategy in September 2008 offers an opportunity for Member States to address some of these issues and more clearly identify the role that the UN and other intergovernmental bodies, civil society, and, most importantly, States can play in furthering implementation of the Strategy.

With this in mind, the attached document reflects the key elements of the discussions that took place during the workshops organized within the framework of the International Process and contains a number of proposals, based on these discussions, for strengthening the implementation of the Strategy. Without endorsing each one, the co-sponsors believe that they merit consideration by the wider UN membership during the September 2008 review and/or beyond. These proposals, which are directed at Member States, the UN system, and regional and sub-regional bodies, are not mutually exclusive. Some require action by the General Assembly or another inter-governmental body, some could be implemented immediately by the relevant actor(s), and some will require further deliberation both within and outside of the UN.

PROPOSALS FOR CONSIDERATION

Member States

1. Member States should seek to ensure that the UN's counter-terrorism activities are connected more directly to national counter-terrorism coordinators and focal points and the UN should provide a forum for these coordinators and focal points to engage with each other. Member States should implement the Strategy in an integrated manner and, where appropriate, use it:

- a. To broaden national efforts in view of a more comprehensive response and
- b. To deepen interagency cooperation and coordination, which should not be limited to traditional counter-terrorism actors but include human rights, development, health, and social services.

2. There needs to be a forum within the UN to allow Member States to fulfil their leading role in overseeing UN Strategy implementation efforts and allow them a regular opportunity to review and determine the policy direction of Strategy implementation efforts, including the work of the Task Force. Such a forum should also allow for increased participation of regional and sub-regional bodies and civil society in Strategy implementation efforts and receive briefings from the Task Force on its work. There are a number of possible ways to satisfy this need, including:

- a. The strengthening of the informal briefings already provided by the Task Force;
- b. The use of an existing forum such as the General Assembly Plenary; or

- c. The creation of a new counter-terrorism body or open-ended working group.

3. As an alternative or complement to the options in paragraph 2, the national coordinators/focal points of Member States should meet two-to-three times a year to assess Strategy implementation efforts, exchange best practices, determine policy direction of the Strategy, and/or discuss how the UN might be able to further reinforce national efforts. These meetings, which could include representatives from the Task Force, regional, sub-regional, and functional bodies, could be organized under the auspices of the UN or by Member States in cooperation with the UN, and alternate among different UN headquarters around the world: e.g., New York, Geneva, Vienna, Nairobi, Bangkok. Such efforts should also include “on-line-communications” through information communication technology platforms and portals.

4. Member States should become more proactive in reaching out to the Task Force and its members, for example by organizing themselves around thematic issues of common interest.

5. Member States should encourage UN entities represented in the Task Force, through the respective intergovernmental bodies, to actively participate in the Task Force and support the implementation of the UN Strategy. This support, however, must not interfere with the mandates and the ongoing work of these bodies and should avoid unnecessarily labeling their activities as “counter-terrorism”.

6. Member States should seek to stimulate engagement by civil society groups and non-governmental organizations (NGOs), including professional organizations and organizations representing victims of terrorism, while taking into account the particular national and local contexts. For example, they could

- a. Engage with different ethnic and religious groups on security issues at the national level to stimulate cross-cultural and religious dialogue;
- b. Ensure that the views of civil society groups and NGOs are taken into account in the development of counter-terrorism legislation; and/or
- c. Provide civil society groups and NGOs an opportunity to engage directly with legislators regarding the potential impact of planned or actual impact of existing counter-terrorism measures.

The UN System

7. The UN Counter-Terrorism Implementation Task Force should be appropriately institutionalized and provided with the necessary resources to ensure that it can carry out its coordination and information sharing role more effectively over the longer-term and has the capacity to support the work of its working groups.

- a. This could be done, for example, through voluntary contributions or preferably by passing an appropriate level of resources through the existing regular budget.
- b. The UN Counter-Terrorism Committee's (CTC) Executive Directorate (CTED) could also second to the Task Force experts on a rotating basis to provide support to the Task Force's capacity-building activities.
- c. In the longer term, it was proposed that the CTED's status as a "special political mission" could be revisited and it could be transformed into a UN secretariat office, department, or program. Among other things, this new entity could service both the CTC and the Task Force.

8. The Task Force, its constituent members, and Member States should focus more attention on raising awareness of the Strategy outside of New York and beyond foreign ministries. For example, the Task Force should provide information about its activities and other pertinent Strategy-related updates on its webpage as frequently as possible and could, resources permitting, consider enhancing its efforts in this area, for example by providing a monthly electronic newsletter of relevant Strategy-related activities.

9. The UN should develop a more coherent approach to Strategy implementation by UN actors at the country, sub-regional, and regional levels.

10. The contribution made by the existing Task Force, including its working groups, should be evaluated by the respective internal oversight body (Office of Internal Oversight Services) within a reasonable timeframe. In the light of such evaluation, structures and working modalities should be adapted/reformed, taking into account a comprehensive and balanced implementation of the Strategy and allowing for more Member State input. For example, the Task Force could, if deemed to add value to the existing UN activities, be asked to:

- a. Establish one working group for each pillar of the Strategy in addition to the working group on “Facilitating the Integrated Implementation of the United Nations Global Counter-Terrorism Strategy” while discontinuing all other existing working groups;
- b. Ensure that each working group meets with interested Member States to help it identify priorities and develop its program of work; and/or
- c. Produce concrete, non-binding recommendations and best practices to support Member State implementation of the UN Strategy.

11. The Secretary-General should consider appointing a full-time Task Force chairperson.

12. Traditional and non-traditional counter-terrorism actors, both within the UN and at the national level, should engage in supporting the implementation of the UN Strategy, while being careful not to unnecessarily place the “counter-terrorism” label on the latter group of actors. With respect to the UN, the Task Force should play a role in more closely engaging UN bodies working in areas relevant to the traditional fields and those working in the non-traditional fields so that the Strategy can be implemented in a balanced way.

13. The UN’s efforts to promote a human rights-based approach to counter-terrorism should be enhanced, including by:

- a. Reinforcing the Office of the High Commissioner for Human Rights’ (OHCHR) support for the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;
- b. Including human rights expertise on CTED site visits and the UN Office on Drugs and Crime’s (UNODC) Terrorism Prevention Branch (TPB) training courses, which should target criminal justice officials, including defense lawyers, and relevant executive branch officials responsible for drafting and granting extradition requests;
- c. Encouraging short-term exchanges of experts between the human rights and counter-terrorism arms of the UN; and/or
- d. Providing OHCHR with the necessary capacity to participate in all relevant UNODC counter-terrorism training programs.

14. While welcoming CTED's readiness to support the implementation of the Strategy, as recognized with adoption of Security Council Resolution 1805 and the continuing efforts to improve the performance of the CTC/CTED, the CTC/CTED should:

- a. Make its assessments and other analytical work more easily accessible to non-CTC members, UN agencies, regional organizations, and non-governmental experts; and share other information and consult more with non-Council members;
- b. Convene regional meetings and workshops in the field that bring together practitioners from the relevant countries;
- c. Invite interested non-Council members to relevant CTC meetings, which focus on a particular region or theme, and more generally give them an opportunity to provide more input into the work of the Committee; and/or
- d. Promote greater awareness of the problems that impede the implementation of the principle *aut dedere aut judicare* under relevant conventions, by including in its reports information on the application of this principle to perpetrators of acts of terrorism, and work with States and other UN entities to enhance international legal cooperation.

15. While recognizing the important technical assistance it continues to provide to States to help strengthen national criminal justice systems to combat terrorism and related crimes, the UNODC's TPB should:

- a. Provide more unified training to law enforcement and other criminal justice officials in often under-resourced countries on how to implement the various UN terrorism, transnational organized crime, money laundering, and corruption instruments, so as to maximize the synergies among the

different thematic areas and better reflect the links between terrorism and other crime; and/or

- b. Expand its efforts to convene regional meetings of ministers of justice to all regions and use these fora to discuss the wider set of criminal justice reform issues in the Strategy (i.e., not limiting them to the universal legal instruments against terrorism).

16. While recognizing the important contributions that the UN Education, Scientific and Cultural Organization (UNESCO) is making in its different programmatic areas to further the implementation of the UN Strategy, additional steps should be taken to maximize UNESCO's contributions to the implementation of the UN Strategy and the Task Force, without compromising its ongoing work. For example, UNESCO should:

- a. Do more to ensure that information concerning the growing number of initiatives at the local, national, sub-regional, regional and global levels aimed at promoting inter-religious and cultural dialogue is shared with other members of the Task Force and Member States in New York;
- b. Encourage its regional offices to communicate and coordinate with other Task Force members in the region to enhance implementation of the Strategy on the ground;
- c. Identify a range of concrete UNESCO-sponsored, -funded, or -facilitated initiatives around the world that relate to the Strategy and place this information on the Task Force's website as UNESCO good practices that contribute to the implementation of the UN Strategy; and/or
- d. Nominate a single focal point within its secretariat to represent the organization at each Task Force meeting, spearhead UNESCO's participation in the relevant working groups, and serve as a repository for

UNESCO Strategy-related activities gathered from its various field offices, institutes, and centers.

17. While recognizing the important contributions that the UN Development Programme (UNDP) is making in its different programmatic areas to further the implementation of the UN Strategy, additional steps should be taken to maximize its contributions to the implementation of the UN Strategy and the Task Force, without compromising its ongoing work. For example, UNDP should:

- a. Deepen its engagement with the Task Force, including through active participation in its working group on Facilitating the Integrated Implementation of the United Nations Global Counter-Terrorism Strategy and its Strategy-related interactions with Task Force entities in the field, and/or
- b. Contribute to CTED's activities, including by participating in its field visits and sharing with CTED on a regular basis relevant information on UNDP's rule of law, crisis prevention, and its other activities relevant to the implementation of Security Council Resolutions 1373 and 1624.

Regional/Sub-Regional Bodies

18. While recognizing that some regional and sub-regional bodies have developed and are implementing counter-terrorism programs, some lack the necessary mandate and/or resources to engage on counter-terrorism issues, and for some there are more pressing threats to address than terrorism, each relevant regional and sub-regional body should, where appropriate:

- a. Formally endorse the Strategy and develop their own plan for implementing it;

- b. Ensure that its secretariat has the mandate and resources to engage with its member states and the UN on Strategy issues;
- c. Approach the Task Force and its representative entities directly to articulate the vulnerabilities, needs, and priorities of its members;
- d. Establish a focal point for engagement with the UN in New York and with relevant UN Task Force members in the region; and/or
- e. Request CTED or UNODC's TPB to assist with the implementation of Pillar II, Para. 8 of the Strategy, which "encourage[s] relevant regional and sub-regional organizations to create or strengthen counter-terrorism mechanisms or centres," where possible, by placing a CTED or UNODC expert on a temporary basis in the appropriate regional and sub-regional organization or centre secretariat.

19. The Task Force, resources permitting, should seek to deepen its engagement with regional and sub-regional bodies (and other non-state stakeholders). For example, where appropriate, the Task Force should, to the extent possible:

- a. Serve as a strategic interface for regional and sub-regional bodies with the UN on Strategy implementation;
- b. Invite interested bodies to become more involved in the activities of its working groups and consult regularly with them to inform them of its work; and/or
- c. Designate a field-based representative from the appropriate Task Force entity to serve as the Task Force's focal point in each region.