



General Assembly

Distr.: General
12 July 2019

Original: English

Seventy-fourth session

Item 111 of the preliminary list*

Measures to eliminate international terrorism

Measures to eliminate international terrorism

Report of the Secretary-General

Summary

The present report has been prepared pursuant to paragraph 8 of General Assembly resolution [50/53](#), as read together with Assembly resolution [73/211](#) on measures to eliminate international terrorism. In sections II.A and II.B, the report contains information on measures taken at the national and international levels, on the basis of submissions from Governments and international organizations. Section III contains a list of relevant international legal instruments.

* [A/74/50](#).



I. Introduction

1. The present report has been prepared pursuant to paragraph 8 of General Assembly resolution [50/53](#), as read together with paragraph 23 of Assembly resolution [73/211](#).
2. States were requested to submit, by 1 June 2019, information on the implementation of paragraphs 10 (a) and (b) of the Declaration on Measures to Eliminate International Terrorism, annexed to General Assembly resolution [49/60](#), and were alerted to the fact that late submissions would be included in the next reporting cycle, as appropriate. Section II.A below contains a summary of the replies received.
3. Relevant specialized agencies and other relevant international organizations were also invited to submit, by 1 June 2019, information or other pertinent material on the implementation of paragraph 10 (a) of the Declaration. Section II.B below contains a summary of the replies received.
4. The summaries of the replies focus on the matters referred to in paragraphs 10 (a) and (b) of the Declaration, namely: (a) collection of data on the status and implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, including information on incidents caused by international terrorism and criminal prosecutions and sentencing; and (b) national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations. The full texts of the replies received, including any received after 1 June 2019, are available from the website of the Sixth Committee of the General Assembly.¹

II. Measures taken at the national and international levels regarding the prevention and suppression of international terrorism, and information on incidents caused by international terrorism

A. Information received from Member States

Algeria

5. Algeria is party to universal counter-terrorism instruments and regional counter-terrorism instruments in the context of the African Union, the Arab League and the Organization of the Islamic Conference, and has also concluded bilateral agreements on combating terrorism, organized crime, illicit traffic in narcotic drugs and psychotropic substances and extradition and mutual assistance in criminal matters with 44 States.
6. Algeria has adapted its own legal system to conform to applicable international instruments, including in relation to foreign terrorist fighters, as well as financing of terrorism and money-laundering. Algeria has also adopted important initiatives concerning the prevention of radicalization and combating extremist ideologies.
7. Algeria has provided information on the legislative, institutional and administrative framework for combating international terrorism, and reiterates those referred to in paragraph 7 of the previous report of the Secretary-General on measures to eliminate international terrorism ([A/73/125](#)).

¹ www.un.org/en/ga/sixth.

Argentina

8. Argentina has ratified 14 universal counter-terrorism instruments, and is in the process of ratifying the Convention for the Suppression of Unlawful Acts Related to International Civil Aviation and the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft. Argentina is also a party to the Inter-American Convention against Terrorism.

9. Argentina sought to adapt its national laws to be consistent with its international obligations. In that regard, the draft bill to reform the Argentine Criminal Code incorporated new criminal acts related to terrorism in a new section containing the following crimes: (a) illicit terrorist association (with a penalty of 5 to 20 years in prison, and a minimum penalty of 10 years in prison for the leaders or organizers); and (b) harbouring, recruiting, indoctrinating or training terrorists (with sentences of up to 15 years in prison). It has also included a provision on generic aggravating circumstances that doubled all criminal penalties when an offence is committed for terrorist purposes, with a maximum sentence of life imprisonment. The draft reform bill also includes the crime of financing terrorism and a definition of the offence of financing the proliferation of weapons of mass destruction, with penalties of up to 15 years in prison. The bill is before the legislative branch and is expected to be considered soon.

10. A warrant in the case relating to the bombing of the Asociación Mutual Israelita Argentina building has been processed by the Ministry of Justice and Human Rights under the framework of the Treaty between the Government of the United States of America and the Government of Argentina on Mutual Legal Assistance in Criminal Matters.

Armenia

11. Terrorism and terrorist financing are considered to be serious criminal offences and are duly criminalized pursuant to articles 217 and 217.1. of the Criminal Code, consistent with the International Convention for the Suppression of the Financing of Terrorism, to which Armenia became a party in 2004. In compliance with relevant Security Council resolutions, Armenia has established effective mechanisms for implementing targeted financial sanctions regimes. In particular, article 28 of the Law on Combating Money-laundering and Terrorism Financing provides for reporting obligations for entities to freeze all funds, financial assets or economic resources owned or controlled, directly or indirectly, by terrorism-related persons, included in the lists published by or in accordance with the relevant resolutions of the Security Council, as well as in the national lists (established pursuant to Council resolution [1373 \(2001\)](#)), without delay and without prior notification of the persons involved. The Law on Combating Money-laundering and Terrorism Financing was amended on 1 March 2018, broadening its scope to cover the freezing of property of persons associated with the proliferation of weapons of mass destruction.

12. On 4 October 2018, the National Assembly approved bills amending the Criminal Code and the Criminal Procedure Code of Armenia. The bill amending the Criminal Code envisaged, inter alia, the incorporation into article 226 of the criminalization of public incitement of terrorism, the financing of terrorism and the commission of international terrorism, as well as the overt justification or propagation of such acts. The bill also contains provisions regulating various aspects of counter-terrorism and related issues in order to ensure the full compliance of Armenia with the Security Council resolutions on counter-terrorism.

13. In line with the provisions of the Armenian National Strategy on the Fight against Terrorism adopted in 2012, the programme of implementation for the 2012–

2017 period was successfully completed. The process of elaborating a similar programme for the 2018–2023 period has been initiated under the general coordination of the National Security Service. The draft programme is aimed at a comprehensive and holistic approach to combating terrorism and includes measures such as strengthening and refining domestic legislation, protecting critical infrastructure, raising public awareness and addressing the issue of foreign terrorist fighters, in accordance with Security Council resolution [2396 \(2017\)](#).

14. No cases concerning terrorism financing have ever been investigated or prosecuted and no convictions have been registered in Armenia. Moreover, no criminal cases have been initiated pursuant to article 389 of the Criminal Code on international terrorism.

15. While no cases of home-grown or returning foreign terrorist fighters have been recorded, the travel and relocation of foreign terrorist fighters remains of grave concern, bearing in mind the significant number of such terrorists originating from States immediately neighbouring Armenia. The relocation of foreign terrorist fighters from the Middle East, in particular to the conflict areas in regions of the Organization for Security and Cooperation in Europe and the Commonwealth of Independent States, poses a serious threat to regional security.

Austria

16. Austria is a party to universal counter-terrorism instrument, including the International Convention for the Suppression of Terrorist Bombings, the International Convention for the Suppression of the Financing of Terrorism and the International Convention for the Suppression of Acts of Nuclear Terrorism. Austria is currently finalizing the ratification procedure for the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism.

17. Since 2002, there have been several amendments to national law concerning matters of terrorism. The Criminal Law Amendment Act of 2018 (*Strafrechtsänderungsgesetz* 2018, Federal Law Gazette I, No. 70/2018), which entered into force on 1 November 2018, implements Directive 2017/541 of the European Parliament and of the Council of the European Union of 15 March 2017 on combating terrorism and Security Council resolution [2178 \(2014\)](#). The adoption of the amendment has created conditions for the possible ratification by Austria of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism.

18. The Amendment Act also: (a) extended the domestic jurisdiction concerning terrorism; (b) expanded the list of terrorist offences; (c) extended criminal offences suitable for financing terrorism; and (d) introduced a new criminal offence of travelling for terrorist purposes (art. 278g. of the Austrian Criminal Code (*Strafgesetzbuch*)).

19. The Amendment Act also broadened the group of persons who are afforded psychosocial and legal support for criminal proceedings upon request by explicitly including victims of terrorist offences (art. 278c of the Austrian Criminal Code and art. 66, para. 2, of the Austrian Code of Criminal Procedure).

20. The Criminal Procedure Law Amendment Act 2018 (*Strafprozessrechtsänderungsgesetz* 2018, Federal Law Gazette I, No. 27/2018) served to implement the security package (*Sicherheitspaket*) used by the Government to update the legal basis of law enforcement and also to implement article 20 (and Recital 21) of Directive 2017/541. Article 20 contains a call for effective tools for the investigation and prosecution of the offences referred to in articles 3 to 12 of the

Directive (terrorist offences and offences related to a terrorist group; offences related to terrorist activities). The security package extended the use of video and audio surveillance of persons for investigative purposes (art. 136 of the Austrian Code of Criminal Procedure). That investigative measure is no longer limited to the investigation of felonies with a sentence of more than 10 years imprisonment, criminal associations (art. 278a.) of the Austrian Criminal Code) or terrorist alliances (art. 278b. of the Criminal Code) or the tracing of persons accused of such a crime, but may also be used in the investigation of terrorist offences (art. 278c. of the Criminal Code) and other serious offences in connection with terrorist activities such as terrorist financing (art. 278d. of the Criminal Code) and training for terrorist purposes (art. 278e. of the Criminal Code). In addition, a new investigation measure, the surveillance of encrypted communications (such as WhatsApp and Skype messages) (art. 135a. of the Code of Criminal Procedure) have been included in the Code of Criminal Procedure. This measure will enter into force on 1 April 2020, and will be limited to a period of five years.

21. Austria has actively contributed to the coordination of criminal investigations into terrorist offences by installing a national correspondent for terrorism matters within Eurojust in order to provide the agency with information on an ongoing basis, in conformity with European Council Decision 2005/671/JHA.

22. The fourth anti-money-laundering directive of the European Parliament and the European Council (Directive 2015/849), which takes into account the recommendations of the Financial Action Task Force, has been transposed in the Austrian Act Amending Professional Rules and Regulations 2016 (*Berufsrechts-Änderungsgesetz* 2016, Federal Law Gazette I, 10/2017), which specifies the obligations of legal professionals, including lawyers and civil law notaries, in combating money-laundering and terrorist financing (section 8 a. to 8f.) of the Lawyer's Act and section 36a. to 36f. of the Notarial Code).

23. Moreover, the Austrian Bar and the Austrian Chamber of Notaries have been regularly informed by the Austrian Federal Ministry of Constitutional Affairs, Reforms, Deregulation and Justice of additions or amendments to the sanctions list that concern the United Nations. The corresponding information (a link to the Consolidated Security Council Sanctions List) is available to all members of Austrian bar associations and Chambers of Notaries (lawyers and civil law notaries).

24. Furthermore, article 6 of the Austrian Sanctions Act provides that frozen assets (partly linked to terrorist acts) may be disclosed in the land register and the commercial register.

Azerbaijan

25. Azerbaijan is a party to international legal instruments in the field of counter-terrorism. However, implementation, including of provisions relating to wanted criminals, has been impeded, in particular in Nagorno-Karabakh and surrounding districts.

26. Participation in terrorist activities is criminalized under articles 214 (terrorism), 279 (organization of and participation in illegal armed groups) and 283-1 (organization of groups to participate in armed conflicts outside Azerbaijan) of the Criminal Code.

27. In December 2015, amendments to the Citizenship Act were approved, providing for the deprivation of citizenship owing to involvement in terrorist or extremist activities.

28. The authorities have continued measures to effectively prevent the financing of terrorist activities by simplifying the procedure for freezing suspicious bank accounts,

tightening control over non-banking money transfer systems and increasing the requirements for banks to carry out security checks on customers and to refuse to establish correspondent relationships with questionable financial institutions.

29. In 2018, 11 citizens of Azerbaijan were arrested for involvement in illegal armed groups outside the country, and more than 100 persons have been arrested in this connection at different times. Also in 2018, actions taken to counter the activities of terrorist organizations in Azerbaijan included the neutralization of 20 terrorists and the seizure of seven firearms, three improvised explosive devices and various components used in the manufacture of explosives.

Colombia

30. Colombia is a party to 11 universal counter-terrorism instruments and to 2 regional instruments in the context of the Inter-American system.

31. To implement the International Convention for the Suppression of the Financing of Terrorism, Colombia adopted Law No. 1941 on 18 December 2018, by means of which Law No. 418 of 1997 (National Security Law) was extended and modified, including the establishment of the centre for coordination to combat the financing of transnational criminal and terrorist organizations. Moreover, the adoption of Law No. 1943 on 28 December 2018 created a new underlying criminal offence for the crime of money-laundering (inserted into the section on crimes against the public administration) related to fraud and tax evasion.

32. In compliance with the National Development Plan for the period 2018–2022, entitled “Pact for Colombia, Pact for Equity”, approved by Law No. 1955 of 25 May 2019 by the Congress of Colombia, the National Security Council, with the support of the Financial Information and Analysis Unit as the technical secretariat of the centre for coordination to combat the financing of transnational criminal and terrorist organizations, will coordinate the design and implementation of a public policy and strategy to strengthen the national capacity to prevent, prosecute and punish offences related to illicit money, as well as to achieve the disruption of illicit economies. The strategy is aimed at strengthening State instruments and mechanisms to combat money-laundering and the financing of terrorism.

33. Since 2018, Colombia has had a strategy for the prevention of violent radicalization, focused on preventing the spread of fundamentalist doctrines that promote intolerance and justify the use of violence to impose belief system contrary to the Constitution and laws.

34. Between January 2018 and April 2019, the national police reported that the following terrorist acts were perpetrated within the country:

(a) The Ejército de Liberación Nacional carried out 483 armed acts (381 in 2018 and 112 in 2019): 210 acts against public forces; 136 acts against the civilian population; and 147 acts against strategic sectors;

(b) The Armed Organized Residual Groups carried out 281 armed acts (223 in 2018 and 58 in 2019): 129 acts against public forces; 58 acts against the civilian population; and 92 acts against strategic sectors.

Between 20 July and 31 December 2018, the effective extradition of a Colombian citizen was extradited to the Plurinational State of Bolivia (delivered on 24 July 2018) for kidnapping and criminal organization.

Cuba

35. As a party to 18 international instruments on terrorism, Cuba has implemented legal and institutional measures aimed at effectively tackling the scourge. The

Constitution of Cuba, approved in a referendum on 24 February 2019, affirms in article 16 (l) of chapter II that Cuba rejects and condemns terrorism in all its forms and manifestations, in particular State terrorism.

36. Cuba has in place legislative, institutional, administrative and other measures, aimed at preventing and punishing all terrorist acts and activities and those directly or indirectly related to them, including those linked to the financing of terrorism, the protection and surveillance of borders, illicit arms trafficking, judicial cooperation, adherence to international legal instruments on the prevention and suppression of international terrorism and the adoption of counter-terrorism legislation. Law No. 93 against acts of terrorism, approved in December 2001, criminalizes acts of international terrorism and its financing, and provides penalties commensurate with the seriousness of the offences.

37. Cuba has had criminal legislation on money-laundering and the financing of terrorism since 1999 and 2001, respectively. Under Decree Law No. 316 on modification of the Criminal Code and the Law against acts of terrorism of 7 December 2013, crimes relating to acts of terrorism through use of nuclear material, radioactive and ionizing substances have been adjusted and the range of predicate offences for money-laundering has been extended, in line with the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and the United Nations Convention against Transnational Organized Crime.

38. Decree Law No. 317 on the prevention and detection of operations to combat money-laundering, the financing of terrorism, the proliferation of arms and the movement of illicit capital of 7 December 2013 provides for the identification and freezing, without delay, of assets linked to terrorist individuals or organizations, in accordance with the relevant resolutions of the Security Council. In compliance with the provisions of resolutions [1267 \(1999\)](#), [1988 \(2011\)](#), [1989 \(2011\)](#) and [2253 \(2015\)](#) of the Security Council, the lists of persons, entities and groups designated by the Council has been published in the General Gazette of the Republic for public knowledge.

39. Cuba reiterates that it has been the victim of hundreds of terrorist acts, which have claimed the lives of 3,478 persons and incapacitated 2,099 persons. Cuba also reiterates as correct the decision of the United States of America to remove Cuba from the list of sponsors of international terrorism.

El Salvador

40. El Salvador is a party to eight universal counter-terrorism instruments.

41. Article 1 of the national special law against acts of terrorism provides a legal definition of terrorism, including the following three elements: (a) the means and methods used are capable of generating collective terror; (b) the objective is to damage or endanger personal or material legal rights; and (c) the act has an impact on the democratic system, State security or international peace. The law provides a basis for binding decisions by the competent national authorities to ensure that the various sectors of the population are protected against the systematic threats and imminent danger posed by terrorism, while paying due regard to the importance of respecting the constitutional principles of due process and respect for human rights.

42. The Constitutional Chamber of the Supreme Court of Justice recognizes in its judgment No. 6-2009 of 19 December 2012 that the establishment and maintenance of organized criminal groups entails a significant increase in the danger to the legal rights of the population and that combating such groups, primarily through the application of criminal law, is justified.

43. A total of 190 trials for terrorist crimes resulted in sentences in 2018. Of those cases, 179 concerned terrorist organizations (art. 13 of the special law against acts of terrorism); one concerned terrorist acts committed with weapons, devices or explosive substances, chemical, biological or radiological materials, weapons of mass destruction or similar items (art. 15 of the law); three concerned acts of terrorism against the life, personal integrity or freedom of internationally protected persons or public officials (art. 5 of the law); one concerned the armed occupation of towns, villages and buildings (art. 6 of the law); two concerned criminal activities related to weapons, devices or explosive substances, chemical, biological or radiological materials, weapons of mass destruction or similar items (art. 14 of the law); two concerned threats (art. 27 of the law); one concerned concealment (art. 30 of the law); and one concerned preparatory acts, incitement and conspiracy (art. 31 of the law).

Finland

44. The Criminal Code of Finland has been amended to give effect to Directive 2017/541 of the European Parliament and of the Council of the European Union on combating terrorism. The amendments, which came into force on 15 November 2018, were supplemented with provisions on an offence committed with terrorist intent regarding a radiological weapon and facilitating travel for the purpose of committing a terrorist offence (chapter 34 (a), sections 1 (a) and 5 (c) of the Criminal Code). Serious cybercrime offences (aggravated damage to data, aggravated interference with communications and aggravated interference in an information system) were included in section 1 (1) regarding offences committed with terrorist intent. The provision on receiving training for the commission of a terrorist offence (section 4 (b)) was broadened to cover self-study. The provision on travelling for the purpose of committing a terrorist offence (section 5 (b)) was amended to cover all travel for such purposes, regardless of the nationality of the traveller or the destination. The provision on financing of terrorism (section 5) was broadened to cover the financing of new terrorist offences and new forms of terrorist offences that have already been criminalized.

45. The Act on preventing money-laundering and terrorist financing No. 444/2017 covers the obligations laid down in Directive 2015/849 of the European Parliament and of the Council of the European Union on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing. In addition, the Act implemented the recommendations of the Financial Action Task Force to combat money-laundering and terrorist financing. The objectives of the Act and Directive are to prevent money-laundering and terrorist financing, to promote their detection and investigation and to reinforce the tracing and recovery of the proceeds of crime. The Directive was amended by Directive 2018/843, whose provisions will have to be transposed by January 2020, although Finland has already implemented the majority of the provisions into its legislation. For example, virtual currencies and services, which could involve a high risk of money-laundering and terrorist financing, were covered by the amendments that have been in force since 1 May 2019.

46. The transposition of Directive 2016/681 of the European Parliament and of the Council of the European Union on the use of passenger name record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime was fully legislated by Finland on 1 June 2019. The Finnish Parliament passed legislation on the national implementation of the Directive on 18 March 2019 and the law entered into force on 1 June 2019. The new legislation defined the establishment of a national Passenger Information Unit. The Finnish Passenger Information Unit began operations on 1 November 2016, and once the relevant legislation was in force, the Unit became fully operational.

47. The National Bureau of Investigation continued a pretrial investigation, originally mandated in 2016 by the Prosecutor-General of Finland, concerning two murders committed with terrorist intent in 2014. Two Iraqi males were acquitted in 2018 by the Pirkanmaa District Court owing to a lack of evidence. However, following an appeal by the State Prosecutor to the Turku Court of Appeal and a request from the State Prosecutor, the pretrial investigation was continued. The Turku Court of Appeal is expected to pass a judgment in the autumn of 2019.

48. The National Bureau of Investigation has issued warrants for the arrest of persons related to five separate terrorist offences. According to police information, those persons have either fled from Finland or, on the basis of unconfirmed information, have been killed in the conflict area controlled by Islamic State in Iraq and the Levant. All of the wanted persons have foreign backgrounds and have either received or applied for a permanent residence permit or asylum in Finland.

49. On the basis of the Turku knife attack in 2017, on 15 June 2018, the South-west District Court found Abderrahman Bouanane guilty of two counts of murder committed with terrorist intent and eight counts of attempted murder committed with terrorist intent. He has been sentenced to life in prison. Bouanane appealed the sentence, but subsequently withdrew it.

50. During 2018, the National Police Board filed a complaint in administrative judicial proceedings, with the aim of abolishing the Nordic Resistance Movement and its accessory functions. The Pirkanmaa District Court, as a court of first instance, ruled in favour of the Board, as the Turku Court of Appeal had done after the Nordic Resistance Movement appealed.

51. The case is currently before the Supreme Court subsequent to an appeal by the Nordic Resistance Movement demanding the dismissal of the Court of Appeal's judgment and the original complaint. On 28 March 2019, the Supreme Court issued an immediate temporary ban prohibiting all actions of the Nordic Resistance Movement until the case has been finally decided by the Supreme Court.

Greece

52. Law No. 4557/2018, as in force, sets out the operation, issues, composition and competencies of the Anti-Money-laundering Authority. The Authority, which is administratively and operationally independent, is the national agency responsible for combating the legalization of proceeds from criminal activities and terrorist financing, as well as investigating the sources of declarations of funds and assisting the security and sustainability of fiscal and financial stability. One of its core missions is the collection, investigation and analysis of suspicious transactions reports conveyed to it by the obligated legal entities and natural persons, as well as any other information related to the offences of money-laundering and terrorist financing. The Authority consists of three independent units with separate responsibilities, staff and infrastructure, namely, the Financial Intelligence Unit; the Financial Sanctions Unit and the Source of Funds Investigation Unit.

53. The Authority is also responsible for the implementation of the sanction imposed by the Security Council and European Union (freezing of assets), especially those related to terrorism and terrorism financing, and for the compilation and observation of the national list of designated natural and legal persons or entities related to terrorism. The persons or entities included in the list are subject to the freezing of their assets and are denied access to any financial act. The Authority is also in close cooperation with the law enforcement agencies, as well as the judicial authorities, and exchanges financial intelligence with them related to the field of terrorism financing.

54. The Financial Intelligence Unit has signed memorandums of understanding on an international level. The Financial Intelligence Unit has bilateral memorandums of understanding with 21 States.

55. In 2018, the competent police authorities arrested two foreigners following the issuance of an international arrest warrant. Those individuals were suspected of involvement in a terrorist organization. In addition, three cases related to incidents caused by international terrorism were brought to court. According to the respective decisions of the Greek courts of justice, 10 individuals were found guilty for those incidents and were sentenced from 2 to 9 years of imprisonment.

Kyrgyzstan

56. The Kyrgyzstan is party to 12 universal counter-terrorism instruments, one instrument under the framework of the Commonwealth of Independent States and three instruments under the framework of the Shanghai Cooperation Organization. The competent authorities are actively working towards becoming party to the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft and the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation.

57. In implementing its international obligations, and within the framework of ongoing judicial and legal reform, on 1 January 2019, a number of codes have come into force for the Kyrgyzstan, including the Criminal Code, chapter 35 of which contains crimes against public safety, including an act of terrorism (art. 239); financing of terrorism (art. 240); facilitating terrorist activities (art. 241); public incitement for terrorist activities (art. 242); participation of a citizen of the Kyrgyzstan in armed conflicts or military actions on the territory of a foreign State or undergoing terrorist training (art. 243); hostage-taking (art. 244); capture of buildings and structures (art. 245); knowingly making a false report on an act of terrorism (art. 246); forcing a person to engage in criminal activity (art. 247); creation of an organized group or participation in it (art. 248); establishment or participation in a criminal organization (art. 249); creation of an illegal armed formation or participation in it (art. 250); and theft or seizure of a ship (art. 251).

58. In the second half of 2018, the Kyrgyzstan adopted: (a) the Law on countering the financing of terrorist activities and the legalization (laundering) of criminal proceeds, No. 87 of 6 August 2018 (entered into force on 1 September 2018); (b) the Law on amendments to certain legislative acts on countering the financing of terrorist activities and the legalization (laundering) of criminal proceeds, No. 88 of 6 August 2018 (entered into force on 1 September 2018); and (c) the Decree on measures to implement the Law on countering the financing of terrorist activities and legalizing (laundering) criminal proceeds, No. 606 of 25 December 2018 (entered into force on 12 January 2019).

59. The State Committee for National Security has been developing: a draft law, with a view to bring the norms of the current Law on countering terrorism regarding crimes of a terrorist nature and separatist activities into conformity with the norms of the Criminal Code; and a draft decision to resolve the issue of determining the procedure for the implementation of social rehabilitation of victims of a terrorist act.

60. In 2018, the State Committee for National Security initiated 82 criminal cases under the relevant provisions of the Criminal Code, including: 32 under article 375 (mercenary activity); 3 under article 226 (1) (financing of terrorist activities); 3 under article 226 (2) (involvement in the commission of crimes of a terrorist or extremist nature or other assistance in their commission); 2 under article 226 (3) (Public appeals for terrorist activities or public justification of terrorism); and 41 under article 226 (4)

(participation of a citizen of the Kyrgyzstan in armed conflicts or military actions on the territory of a foreign State or undergoing terrorist and extremist training).

Malaysia

61. Malaysia is a party to 10 universal and regional counter-terrorism instruments, including the International Convention for the Suppression of Terrorist Bombings; the International Convention for the Suppression of the Financing of Terrorism; and the Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft, as well as the Association of Southeast Asian Nations (ASEAN) Convention on Counter-Terrorism. Malaysia is also a party to treaties on mutual legal assistance in criminal matters within the context of ASEAN and at the bilateral level with several States. It has also concluded bilateral extradition treaties.

62. All international obligations, including under Security Council resolutions, including Council resolution [2178 \(2014\)](#), have been implemented through national legislation. Terrorism is specifically criminalized in the Penal Code (Act 574) (chap. VI.A (130B-130T)) and it has been further addressed through other relevant laws, namely: the Special Measures Against Terrorism in Foreign Countries Act 2015; Aviation Offences Act 1984; Prevention of Terrorism Act 2015; Security Offence (Special Measures) Act 2012; Anti-Money-laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001; Mutual Assistance in Criminal Matters Act 2002; Extradition Act 1992; Criminal Procedure Code; Strategic Trade Act 2010; National Security Council Act 2016; Chemical Weapons Convention Act 2005; Peaceful Assembly Act 2012; Extraterritorial Offences Act 1976 read with section 127A of the Criminal Procedure Code; Firearms (Increased Penalties) Act 1971; Arms Act 1960; Corrosive and Explosive Substances and Offensive Weapons Act 1958; Explosives Act 1957; and Exchange Control Act 1953.

63. The executive action in Malaysia covered three areas of focus, namely prosecution, disruption and deportation.

64. In 2018, Royal Malaysia Police arrested 85 suspected terrorists. Of that number, 28 have been charged, 22 of whom have been convicted. Six have been detained under the Prevention of Terrorism Act 2015, five have been referred to other agencies (four to the Malaysia Immigration Department and one to a foreign agency, upon request). Moreover, 113 of these individuals have been deported and the remaining 33 have been released after being investigated further within their prescribed detention period under the Security Offence (Special Measures) Act 2012. Of the total number of arrests made in 2018, 78 were male and 7 female; 41 were Malaysians and 44 were foreigners. Of the 22 who were convicted, 12 were charged under section 130 of the Penal Code, 9 under the Immigration Act 1959/63 and 1 under the Arms Act 1960.

65. Between January and April 2019, the Royal Malaysia Police arrested 26 suspected terrorists, of whom 24 were male and 2 were female; 10 of the suspects were prosecuted, and nine were convicted; one suspect was discharged (i.e. not amounting to an acquittal). Of those arrested, five were Malaysians and the rest were foreigners. Those convicted were charged under the Immigration Act 1959/6; they will eventually be deported to their home countries.

66. In 2018, the Royal Malaysia Police identified a religious school that was following the Salafi Jihadi ideology in a northern state of Malaysia. The religious school admitted more foreign students than locals. The authorities were worried that the students could be used as a conduit in importing more extreme brand of Islam to Malaysia and executive actions were taken in relation to certain foreign students who were identified as having extremist ideologies. All of these students have been deported.

67. On the east coast of Sabah, a targeted vulnerable area, a number of arrests were made by the authorities who have been facing tough challenges in policing the maritime borders to prevent infiltration by the Abu Sayyaf Group and other similar terrorist-linked groups into Malaysia.

Mali

68. The measures taken by Mali addressed a number of issues related to terrorism, including the reorganization of the defence and security forces, coercive and violence control operations, civil and military actions, medical aid for the population, and the completion of disarmament and intelligence operations.

69. Mali, aware of the need to combat terrorism and illicit drug trafficking, has also taken the following legislative and institutional measures: Act No. 01-078 of 18 July 2001, as amended, on the control of drugs and precursors; Decree No. 2015-0399/P-RM of 4 June 2015 on the establishment, composition, powers and operating procedures of the Interministerial Mission for the Coordination of the Fight against Drugs; and Decree No. 2015-0400/P-RM of 4 June 2015 on the organization of the operating procedures of the Central Office for Narcotics, the main national coordinating body in the fight against drugs.

Mexico

70. During 2018, Mexico continued to work through the Specialized High-level Committee on Disarmament, Terrorism and International Security to develop and strengthen the national legal framework applicable to international criminal mechanisms related to terrorism. In particular, Mexico sought to strengthen mechanisms for inter-institutional cooperation and information exchange with the objective of preventing, combating and mitigating acts of terrorism and ensuring that those responsible for such crimes were duly prosecuted.

Moldova

71. Moldova is a party to 18 universal and regional counter-terrorism instruments, including the International Convention for the Suppression of Acts of Nuclear Terrorism, the European Convention on the Suppression of Terrorism and the Council of Europe Convention on the Prevention of Terrorism. Moldova has also concluded 43 bilateral treaties on such key aspects as cooperation in the exchange of information regarding money-laundering and the financing of terrorism and cooperation in the fight against terrorism.

72. Chapter XIII of the Criminal Code, which is dedicated to Offences against Public Security and Public Order, proscribes crimes of a terrorist character and, in particular, under article 134 11, establishes that such crimes include: the use, development, production, or acquisition, processing, storage or preservation, direct or indirect transmission, or transportation of weapons of mass destruction (art. 140 1); an attack against a beneficiary of international protection (art. 142); terrorist acts (art. 278); the delivery, placement, triggering or detonation of an explosive device or of any other lethal device (art. 278 1); recruiting, training, receiving training or other kind of support for terrorist purposes (art. 279 1); travelling abroad for terrorist purposes (art. 279 3); and the taking hostages (art. 280).

Oman

73. Oman is a party to universal and regional counter-terrorism instruments. It is committed to implementing international and bilateral agreements on the extradition of criminals and terrorists within the framework of international human rights conventions and national human rights legislation. Oman has signed numerous

conventions, protocols and memorandums of understanding on the exchange of information at the diplomatic, judicial, police and intelligence levels.

74. Omani laws criminalizing all forms of terrorism include Act No. 8 of 2007 on combating terrorism; Act No. 30 of 2016 on combating money-laundering; and the financing of terrorism and Act No. 7 of 2018 promulgating the Penal Code. The criminalization of terrorism is not confined to perpetrators of particular crimes, but is extended to persons who incite, finance, facilitate or are in any way connected with a terrorist crime. Omani law also criminalizes any kind of domestic transaction for the purpose of financing terrorism. Decision No. 1 of 2017 issued by the National Counter-terrorism Committee provides for a mechanism to freeze the funds of terrorist entities and terrorists.

75. Oman laws ban terrorist organizations and penalize individuals who attempt to establish such organizations or engage in terrorist acts, whether on its territory or that of other States. Oman also criminalizes acts associated with terrorism, such as trafficking in persons, drugs or weapons and money-laundering.

76. Oman prohibits travel by its citizens to conflict zones. It began discouraging such travel with the emergence of jihadist movements at the end of the 1970s, which was a major reason why there were no Omani citizens among the “Afghan Arabs” who formed the nucleus of the terrorist organizations.

77. Oman has created several counter-terrorism bodies, such as the National Counter-terrorism Committee and the National Committee to Combat Money-laundering and the Financing of Terrorism, which follows up, studies and implements Security Council resolutions and international conventions, agreements and laws on combating terrorism and the financing of terrorism, in coordination with other security and civilian agencies in the Sultanate.

78. As part of its implementation of the 40 Recommendations of the Financial Action Task Force on Money-laundering, Oman has conducting a national money-laundering and terrorist financing risk assessment. It has completed the first and second stages of technical compliance; has finished drafting all the regulations and laws needed to combat money-laundering and the financing of terrorism; and is setting up the operational and procedural framework needed to implement those laws. Oman is preparing for its assessment by the international group in 2021.

Panama

79. Panama is a party to 18 universal and regional counter-terrorism instruments.

80. Panama maintains a national list on terrorism and its financing, on which 28 persons have been listed (25 natural and 3 juridical persons). The designation takes into account requests for cooperation from third States, on the basis of Security Council resolution [1373 \(2001\)](#) or as a result of the recommendations of the Prevention Committee against Terrorism and its Financing and of the Counter-terrorism Department of the National Security Council.

81. Panama, consistent with its international obligations, has adopted relevant legislation and regulations, including on the financing of terrorism and increasing penalties therefor, with consequent amendments to the Penal Code (arts. 294, 294 A, 295 and 295 A). It has also continued to implement Law No. 23 of 2015 on money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction, which includes a regulation on preventive freezing of assets.

Russian Federation

82. In the Russian Federation, the basic legal framework for countering terrorism and extremism is Federal Law No. 114-FZ of 25 July 2002 on countering extremist activities, Federal Law No. 35-FZ of 6 March 2006 on counter-terrorism and the national strategy for countering extremism until 2025. In May 2018, the President of the Russian Federation approved the concept for the development of a national system for countering money-laundering and the financing of terrorism.

83. Currently, 30 terrorist and 73 extremist organizations are banned in Russia. In 2019, by a decision of the Moscow Regional Military Court, the terrorist community "Network" has been added to the federal watch list. About 4,000 Russian citizens who left the country to participate in illegal armed groups are being tracked by law enforcement. More than 3,000 people have been put on the federal wanted list and 2,000 are on international watch lists.

84. The analysis of statistical data indicates a trend towards a decrease over the previous two years in the incidence of terrorism-related offences (such as abetting the carrying out of terrorist activities, publicly calling for such activities, publicly justifying terrorism, undergoing training to carry out terrorist activities or organize terrorist groups, organizing or being a member of such groups and taking part in acts of international terrorism). The number of crimes in that category increased annually until 2017, but in 2018, the figure decreased by 10.3 per cent (a total of 1,679 crimes). Between January and April 2019, 644 such crimes were registered.

85. Since 2018, one terrorist act has been committed, claiming a number of victims. During the same time, a high rate of prevention of terrorist acts was attained. Law enforcement agencies prevented the commission of more than 30 attacks that were at various stages, including threats, preparation and execution. The criminal intentions of the terrorists were not carried through to the end in any of those cases.

86. In 2018, 487 persons were convicted of crimes of a terrorist nature, for which they were charged under the relevant articles of the Criminal Code. The number of those convicted of terrorist crimes decreased in comparison with the previous year by 13 per cent. In addition, 109 persons who committed terrorist crimes were convicted in conjunction with other serious socially dangerous acts.

87. In addition, in 2018, 1,056 persons were charged with administrative offences under the legislation of the Russian Federation on countering terrorism.

88. Between July 2018 and May 2019, 35 requests for the extradition of individuals were sent to foreign States for the criminal prosecution of crimes of a terrorist nature. Thirteen Russian requests for extradition were granted. Criminal cases against defendants extradited to the Russian Federation are under investigation.

89. The Procurator-General's Office has received eight requests from the competent authorities of foreign States in relation to persons wanted for prosecution in that category of cases. In the case of two persons, a decision has been made to postpone the extradition and one person is still wanted. Materials on the remaining requests are pending.

90. As for legal assistance in criminal matters of a terrorist nature, in 2018 the Procurator-General's Office sent out 51 relevant requests to the competent authorities of foreign States. Foreign partners executed 25 Russian requests, and Russia received 46 new requests from the competent authorities of foreign States. In total, the Russian side executed 47 such requests in 2018.

91. Between January and May 2019, the Russian authorities submitted 22 requests for legal assistance concerning terrorism-related criminal cases to the competent

authorities of foreign States, which complied with a total of 11. Over the same period of time, the Office of the Procurator-General has received 23 such requests and has complied with a total of 45.

San Marino

92. San Marino is a party to 16 universal counter-terrorism instruments, as well as eight regional counter-terrorism instruments within the context of the Council of Europe and the United Nations Convention against Transnational Organized Crime and the Protocols thereto. In January 2019, the San Marino Parliament ratified the Council of Europe Convention on Cybercrime and its Additional Protocol concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems. A bill domesticating the Convention into national law went through a first reading in Parliament in January 2019 and is in the process of being finalized. San Marino is a signatory to the Protocol amending the European Convention on the Suppression of Terrorism, the Council of Europe Convention on the Prevention of Terrorism and the European Convention on Offences relating to Cultural Property. San Marino has also concluded eight bilateral treaties on extradition and on mutual assistance in legal matters, as well as four other agreements, arrangements and memorandums of understanding on cooperation in the prevention and combat of crime.

93. San Marino reiterates the information it has previously provided concerning its counter-terrorism legal framework, in particular Law No. 92 of 2008 (see [A/64/161](#), paras. 84–88, and [A/73/125](#), paras.40–42). It also notes that an examination to transpose into domestic legislation the provisions of Directive 2017/541 of the European Parliament and of the Council of the European Union of 15 March 2017 on combating terrorism, as well as Security Council resolution [2178 \(2014\)](#) on foreign terrorist fighters, is under way.

94. San Marino reiterates that it has never been the site of terrorist attacks or of the planning thereof, and that no individual, group or entity affiliated with or involved in any manner with terrorist groups has ever been identified in San Marino. There has never been any criminal prosecutions or sentencing for terrorism or incidents caused by international terrorism in San Marino.

Serbia

95. Serbia is a party to 15 universal and six regional counter-terrorism instruments. It has also concluded eight bilateral agreements relating to international terrorism. Serbia has also concluded a number of other agreements, memorandums, joint communiqués and texts on cooperation with the aim of suppressing organized crime and other criminal offences between its Ministry of the Interior and the Ministries of Internal Affairs of other States.

96. Serbia has previously provided information on its national legal and enforcement framework on counter-terrorism, including the Criminal Code; Criminal Procedure Code; a law on the export and import of arms and military equipment and a law on the export and import of dual-use goods; a law on arms and ammunition; a law on limiting the possession of property for the purpose of preventing terrorism; a law on international limitation; a law on the seizure of property from criminal acts; a law on the organization by, and competencies of, government agencies in the disposal of property for the purpose of preventing terrorism; and a law on the prevention of money-laundering and terrorist financing (see [A/71/182](#), paras. 55–58; [A/72/111](#), para. 51; and [A/73/125](#), para. 44). A 2018 law on border control, a law on asylum and temporary protection and a law on aliens regulate the protection of the State border

and irregular migration, and national legislation is in alignment with European Union standards.

97. Twenty-eight Serbian nationals participated in the conflicts the Syrian Arab Republic and/or Iraq. Although all 28 have been designated as foreign terrorist fighters, there is no exact indication as to how many of them took part in combat or in the commission of crimes. It is possible that the number may be somewhat larger as some of the individuals went to the Syrian Arab Republic or to Iraq from other States to which they had gone as guest workers or students.

98. The Higher Court in Belgrade, Special Division, passed a first-instance decision on 4 April 2018 against seven indicted persons, and the Appellate Court in Belgrade, Special Division for Organized Crime, upheld the decision on 18 January 2019: all seven indicted persons were pronounced guilty of the criminal offence of terrorist association (art. 393 a, para. 1, of the Criminal Code), in conjunction with the criminal offence of terrorism (art. 391, para. 1, of the Criminal Code); six were pronounced guilty of the criminal offence of recruitment and training for the commission of terrorist acts (art. 391b, para. 1, of the Criminal Code); six were pronounced guilty of the criminal offence of terrorist financing (art. 393, para. 1, of the Criminal Code); and one was pronounced guilty of the criminal offence of public instigation to the commission of terrorist acts (art. 391a of the Criminal Code). Three of those convicted were sentenced to 11 years in prison each, one to 10 years in prison, two to 9 years and 6 months in prison each, and one to 7 years and 6 months in prison (see also [A/73/125](#), para. 45).

Singapore

99. Singapore became party to the International Convention for the Suppression of Acts of Nuclear Terrorism on 2 August 2017.

100. Since 2016, Singapore has implemented the following legislation to combat terrorism: Terrorism (Suppression of Misuse of Radioactive Material) Act 2017 (entered into force on 1 September 2017); Infrastructure Protection Act 2017 (entered into force on 18 December 2018); Public Order and Safety (Special Powers) Act 2018 (entered into force on 16 May 2018); and the Serious Crimes and Counter-terrorism (Miscellaneous Amendments) Act 2018 (entered into force on 1 April 2019). Singapore has legislation in place to give effect to the International Convention on the Suppression of Acts of Nuclear Terrorism. In addition, the Terrorism (Suppression of Financing) Act has been in place since 2002, in order to give effect to the International Convention for the Suppression of the Financing of Terrorism.

101. Since 2016, Singapore has added 21 individuals to the First Schedule of the Terrorism (Suppression of Financing) Act, which contained a list of individuals designated as terrorists. Singapore has also successfully prosecuted six individuals for terrorism-financing offences under the Terrorism (Suppression of Financing) Act in May 2016. Investigations revealed that those individuals had formed a group supporting Islamic State in Iraq and the Levant in Singapore called Islamic State in Bangladesh, which aimed to overthrow the Government of Bangladesh through the use of force, establish an Islamic state in Bangladesh and bring it under the self-declared caliphate of Islamic State in Iraq and the Levant. All six accused persons pleaded guilty and were convicted. Their sentences ranged from 24 to 60 months in prison. The case was the first prosecution and conviction under the Terrorism (Suppression of Financing) Act in Singapore. In April 2019, another individual was charged in Court under the Terrorism (Suppression of Financing) Act for providing money to support the propaganda efforts of Islamic State in Iraq and the Levant for terrorist purposes. The case is ongoing.

Switzerland

102. Switzerland is a party to 16 universal counter-terrorism instruments. It has recently ratified the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation and the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft. The Convention entered into force on 1 July 2018 and the Protocol on 1 January 2018. Switzerland is also a party to the European Convention on the Suppression of Terrorism. On 11 September 2012, Switzerland signed the Council of Europe Convention on the Prevention of Terrorism of 16 May 2005 and on 22 October 2015 it signed the additional Protocol; work towards the ratification of the two instruments is under way, with Parliamentary proceedings held in January 2019. Switzerland also cooperates with States on the basis of the United Nations Convention against Transnational Organized Crime. Switzerland has concluded bilateral police and customs cooperation agreements (including counter-terrorism co-operation) with all neighbouring States and with several other States.

103. A federal law prohibiting Al-Qaida and Islamic State in Iraq and the Levant Groups and related organizations of 12 December 2014 entered into force on 1 January 2015. The validity of the law was extended by Parliament in January 2019. Article 1 of the law prohibits Al-Qaida and Islamic State in Iraq and the Levant groups and related organizations. Article 2 prohibits associating with a group or organization referred to in article 1 or making human or material resources available to it, organizing propaganda activities on its behalf or in pursuit of its objectives, recruiting followers or encouraging its activities in any other way, both in Switzerland and abroad.

104. On 8 December 2017, the Federal Council put forward for consultations the draft federal law on police measures to combat terrorism and to deal with the threat of potentially dangerous people. In May 2019, the Federal Council adopted the announcement concerning the law, which provided, in particular, the possibility of ordering measures, such as the obligation to present oneself, to be interdicted to a certain geographic area prohibition or, as a last resort, house arrest.

105. On 27 July 2018, two Swiss nationals were victims of a terrorist attack against a group of seven foreign cyclists in Danghara, Tajikistan. Islamic State in Iraq and the Levant claimed responsibility for the attack on 30 July 2018. The judicial proceedings on this case are ongoing. A Swiss woman kidnapped in Mali in January 2016 by the Organization of Al-Qaida in the Islamic Maghreb remains captive (see [A/71/182/Add.2](#), para. 3, [A/72/111](#), para. 58, and [A/73/125](#), para. 48). The Swiss Confederation continues to demand her unconditional release.

106. As at 2018, financial intermediaries had made 6,126 communications to the Money-laundering Reporting Office. Of those, 132 concerned suspected cases of terrorist financing (2.2 per cent). The suspicions reported to the Office in connection with the financing of terrorism has risen sharply compared to the previous reporting period (a 159 per cent increase).

107. Following the analysis of the 132 communications related to suspicions of terrorist financing, 31 communications were transmitted to the criminal prosecution authorities, 13 of which resulted in the non-initiation of proceedings. The other 18 cases transmitted are being processed by the competent criminal prosecution authorities.

108. In 2018, the Public Ministry of the Confederation and the Federal Judicial Police conducted about 100 cases in the field of terrorism. Those cases concerned jihadist propaganda on the Internet, recruitment to terrorist organizations, potential links with

terrorist attacks in Europe, terrorist financing activities, the kidnapping of Swiss citizens abroad by terrorists and the phenomenon of foreign terrorist fighters.

109. On 28 September 2018, the Public Ministry sentenced an individual to a custodial sentence of 180 days and a suspended sentence with a trial period of 4 years. The Federal Prosecutor's Office found him guilty of supporting a criminal organization (article 260 ter of the Criminal Code) and manufacturing, concealing and transporting explosives or toxic gases (article 226 of the Criminal Code). The individual had been disseminating online text, audio and video files with violent content, promoting jihadist ideology.

110. In connection with an investigation, which had been ongoing since 2009, the Swiss prosecution authorities, in close collaboration with other States, completed their investigation in 2016 against various people suspected of supporting an ethno-nationalist group. The investigation revealed that they had built a pyramid structure in Switzerland, which was to be used to raise funds to support the group. In Switzerland, the organization played an important role in the centralization of funds from the group's various national structures in Europe, and in the setting-up of financial circuits to Asia, notably to buy weapons. The trial at first instance took place from 9 January to 9 March 2018. The judgment, which was handed down on 14 June 2018 by the Federal Criminal Court, was the subject of an appeal lodged by the Public Ministry before the Federal Supreme Court.

111. Within the framework of a criminal investigation opened by the Public Ministry on 9 December 2015 for suspicion of propaganda in favour of Al-Qaida, the trial of three members of a Swiss Islamic organization took place on 16 and 17 May 2018. The judgment, rendered on 15 June 2018 by the Federal Criminal Court, was the subject of an appeal filed by the Public Ministry before the Federal Supreme Court.

112. In 2018, 20 requests for mutual legal assistance were submitted to Switzerland by 11 different States in the context of radical terrorism, foreign terrorist fighters and extreme left-wing terrorism. Of those requests, 11 have been executed, two have been refused and the remaining applications are still in progress.

113. In 2018, the Swiss authorities submitted 11 requests for mutual legal assistance to eight different States in the context of radical terrorism and foreign terrorist fighters. Four requests were executed.

114. As at May 2019, 10 requests for mutual legal assistance had been submitted to Switzerland by seven different States in the context of radical terrorism, foreign terrorist fighters and extreme left-wing terrorism. The requests are still in process.

115. As at May 2019, the Swiss authorities submitted three requests for mutual legal assistance to three different States in the context of radical Islamic terrorism and foreign terrorist fighters.

116. Switzerland has handled, and continues to handle, several hundred requests for arrest and extradition in connection with facts relating to terrorism, mainly in the form of international searches of persons. Those requests are transmitted via the federal police, or directly by the requesting State, to the Extraditions Unit of the Federal Office of Justice, where they are examined expeditiously, in particular in view of the principle of double criminality.

117. Prior to any extradition, Switzerland ensures the absence of any political, military or fiscal character of the formal request for extradition. It applies the principle of non-refoulement when the persons sought have been granted refugee status and the extradition request has been lodged by the State that the individual has fled. Also reserved is the respect by the requesting State of fundamental rights, notably as enshrined in the Convention for the Protection of Human Rights and

Fundamental Freedoms of 4 November 1950. In the event of refusal of extradition, the requesting State may still delegate its criminal proceedings to Switzerland under the conditions of article 85 of the Federal Act on International Mutual Assistance in Criminal Matters of 20 March 1981; a delegation within the framework of article 37 of that Act is also possible.

Ukraine

118. Ukraine is a party to several universal and regional counter-terrorism instruments, notably the International Convention for the Suppression of Terrorist Bombings, the International Convention for the Suppression of the Financing of Terrorism and the International Convention for the Suppression of Acts of Nuclear Terrorism. It is also party to the European Convention on the Suppression of Terrorism; the Council of Europe Convention on the Prevention of Terrorism; and the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism. It has prepared a draft law on ratification of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism, which is currently under consideration by the Verkhovna Rada of Ukraine. It is also a party to the Agreement on cooperation among the Governments of Georgia, Uzbekistan, Ukraine, Azerbaijan and the Republic of Moldova in combating terrorism, organized crime and other dangerous types of crimes, as well as the Protocol thereto, as well as the Additional Protocol on Combating Terrorism to the Agreement among the Governments of the Black Sea Economic Cooperation Organization Participating States on Cooperation in Combating Crime, in Particular in its Organized Forms. It is also a party to numerous bilateral agreements and memorandums of understanding on cooperation in countering terrorism.

119. The main national laws implementing the provisions of the relevant international legal instruments to which Ukraine is a party are: (a) the Counter-terrorism Act, which, inter alia, specifies the legal and organizational basis for combating terrorism, the powers and responsibilities of the State authorities, citizens' associations and organizations, officials and individuals in that regard; and (b) the Criminal Code, which establishes criminal liability for the commission of a terrorist act (art. 258), involving another person in the commission of a terrorist act (art. 258-1), public calls for the commission of a terrorist act (art. 258-2), the establishment of a terrorist group or terrorist organization (art. 258-3), assisting in the commission of a terrorist act (art. 258-4) and the financing of terrorism (art. 258-5). The investigation of those offences falls within the competence of the Security Service of Ukraine. The Criminal Code also establishes liability for other dangerous acts that could be directly connected with terrorist activities (for example, the illegal handling of radioactive materials (art. 265), the illicit manufacture of a nuclear explosive device or a device that disperses radioactive material or emits radiation (art. 265-1) and the violation of the rules for handling explosive, flammable or corrosive substances or radioactive materials (art. 267)). Ukraine also has an act on preventing and combating the legalization (laundering) of proceeds of crime, the financing of terrorism and the financing of the proliferation of weapons of mass destruction, which provides the legal mechanism for combating the phenomena and acts in question that pose a threat to society.

120. Ukraine also provided information regarding active steps to implement counter-terrorism operations in Donetsk and Luhansk provinces since 14 April 2014, with the aim of giving prior warning of, preventing and eliminating terrorist activities, freeing hostages, ensuring public safety, neutralizing terrorists and minimizing the impact of terrorist activities in the area where the counter-terrorist operations were being conducted.

B. Information received from international organizations

International Civil Aviation Organization

121. As of 1 May 2019, there were 186 parties to the Convention on Offences and Certain Other Acts Committed on Board Aircraft (signed at Tokyo on 14 September 1963); 185 parties to the Convention for the Suppression of Unlawful Seizure of Aircraft (signed at The Hague on 16 December 1970); 188 parties to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (signed at Montreal on 23 September 1971); 175 parties to the 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, done at Montreal on 23 September 1971 (signed at Montreal on 24 February 1988); 155 parties to the Convention on the Marking of Plastic Explosives for the Purpose of Detection (signed at Montreal on 1 March 1991); 31 parties to the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft, done at Beijing on 10 September 2010; and 28 parties to the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation, done at Beijing on 10 September 2010. The Protocol to Amend the Convention on Offences and Certain Other Acts committed on Board Aircraft has been ratified and acceded to by 19 States.²

122. The Council of the International Civil Aviation Organization (ICAO) adopted Amendment 16 to Annex 17 (Security) to the Convention on International Civil Aviation during its 213th session in March 2018, and it became applicable in November 2018. The Amendment includes new and revised provisions on information-sharing, measures relating to passengers and cabin baggage, measures relating to cargo, mail and other goods, and cyberthreats.

123. In 2018, the tenth edition of the ICAO Aviation Security Manual (Doc 8973 – Restricted) was published in all remaining official languages of the United Nations, following the publication of the English version in September 2017. The latest edition provided aviation security authorities with improved and up-to-date guidance to implement Annex 17 provisions, including those introduced by Amendment 16. New and/or updated guidance material developed in 2019 will provide aviation security authorities with improved and up-to-date guidance on: screening using explosive trace detection equipment; assessing the threat posed by persons through behaviour detection; in-flight and airport supplies; sensitive aviation security information; and chemical, biological and radiological incidents.

124. ICAO monitored and recorded acts of unlawful interference with international civil aviation in a secure database accessible to Member States. In 2018, the secretariat recorded 35 acts of unlawful interference, resulting in eight deaths and injuries to 10 individuals. Those acts included 17 attacks on, or at, aviation facilities, one attempted attack using an aircraft as a weapon, one cyberattack, two unlawful seizures and 14 attacks qualified as “others”. Of those 35 acts, only 12 were officially reported to ICAO, as per Standard 5.3.1 of Annex 17 (Security). The secretariat was still actively seeking official reports for the 23 unofficial records obtained from open sources. Among the attacks on aviation facilities, numerous forcible intrusions on airport grounds have been recorded, mainly involving unauthorized vehicles or persons forcing entry into the airside of airports, as well as robberies in cargo facilities and passenger terminals. While most of those events were not perpetrated by individuals associated with terrorist or criminal activities, they highlight how

² The lists of parties to these international air law instruments are available on the website of the International Civil Aviation Organization: <https://www.icao.int/Secretariat/Legal/Pages/TreatyCollection.aspx>.

challenging it could be to secure the landside of airports. Another component of the landside threat, and a rising concern for aviation security worldwide, is the threat posed by insiders and the exploitation of people with privileged access. There are continuing indications that terrorist groups are actively looking for insiders to assist their attempts to target civil aviation. In addition, cyberattacks remain a great concern, owing to the ubiquitous nature of the threat and the countless number of entry-points of attack that could directly or indirectly affect international civil aviation operations. For example, the *WannaCry* ransomware attack, which targeted computers running Microsoft Windows operating systems, affected a significant number of organizations and companies. The threat posed by the use of unmanned aircraft, including remotely-piloted aircraft systems and small commercial drones, has been recently evidenced, although no property or bodily damage occurred, and while investigations are still ongoing, the event is a reminder that the threat is real and, above all, global.

Food and Agriculture Organization of the United Nations

125. The Food and Agriculture Organization of the United Nations, while noting that matters concerning international terrorism do not formally fall within its core mandate, reiterated that it has provided support to its member States in strengthening biosecurity, food safety, plant protection and animal health legislation, as well as legislation related to antimicrobial resistance. Such legislation could contain measures against the illicit and unlawful procurement, transport and use of biological, chemical or radiological substances and materials, within the context of the agriculture and food sectors, which could decrease the likelihood of such substances and materials being deployed in a chemical or biological weapons attack. Those substances and materials include vaccines, disease samples, pests and other safety hazards that could have some connection with bioterrorism.

International Maritime Organization

126. The International Maritime Organization (IMO) reported that: 166 States are parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (in force since 1992); 156 States are parties to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (in force since 1992); 47 States are parties to the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (in force since 2010); and 40 States are parties to the 2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (in force since 2010).³ It is also noted that measures to eliminate international terrorism are included under chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974, as amended, and Part A of the International Ship and Port Facility Security Code (adopted in 2002 and entered into force on 1 July 2004). The International Convention for the Safety of Life at Sea has 165 States parties, representing States responsible for more than 99 per cent of the gross tonnage of the world's merchant fleets. The International Ship and Port Facility Security Code focuses on the protection of port facilities and ships through preventive measures to deter and detect unlawful acts, primarily addressing physical security, control of access and security procedures. The International Ship and Port Facility Security Code includes mandatory requirements through amendments to the International Convention for the Safety of Life at Sea.

³ The lists of parties to these international instruments are available on the website of the International Maritime Organization: www.imo.org/en/About/Conventions/StatusOfConventions/Pages/Default.aspx.

127. Through its global enhancement of maritime security programme, IMO supports the efforts of States to enhance security measures for the protection of ports, port facilities, ships and key maritime routes used by international shipping from threats posed by terrorism; piracy and armed robbery; smuggling of arms, drugs and illicit goods; and other illicit activities. Under the 2018 programme, IMO, in partnership with the United Nations Office on Drugs and Crime, has conducted a project on the implementation of international counter-terrorism instruments in the maritime domain, targeting seven member States from the East Asian region. The project included national workshops and a subregional seminar held at the IMO headquarters in November 2018, with the participation of an expert of the Security Council Committee established pursuant to resolution 1540 (2004), among others.

International Atomic Energy Agency

128. As of 27 May 2019, there were 157 parties to the Convention on the Physical Protection of Nuclear Material and 118 parties to the Amendment to the Convention on the Physical Protection of Nuclear Material.⁴

129. At its sixty-second regular session in September 2018, the General Conference of the International Atomic Energy Agency (IAEA) adopted resolution GC(62)/RES/7 on nuclear security in which, inter alia, the General Conference encouraged all parties to the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment to fully implement their obligations thereunder. It also encouraged States that have not yet done so to become party to the Convention and its Amendment. The resolution further encouraged IAEA to continue its efforts to promote further adherence to the Amendment, with the aim of its universalization, welcomed the organization by the secretariat of meetings on the Convention on the Physical Protection of Nuclear Material and encouraged all States parties to the Convention to participate in relevant meetings.

130. The fourth Technical Meeting of Representatives of States parties to the Convention and the Amendment was held in December 2018 at IAEA headquarters in Vienna, with the participation of more than 60 parties. The representatives discussed, among other things, the role of designated points of contact, as well as the importance of the exchange of information on laws and regulations giving effect to the Convention and the Amendment. In December 2018, the secretariat facilitated an informal meeting of approximately 50 parties to the Amendment, at which preparations commenced for the holding of a conference of the parties in 2021, to be convened by the Director General, as Depositary, in accordance with article 16, to review the implementation of the Convention, as amended.

131. In addition, during 2018 three regional workshops to promote universal adherence to the Amendment were organized in Côte d'Ivoire, Japan and the Russian Federation.

132. Over the course of 2018, IAEA continued to provide legislative assistance to its member States, including on adherence to and the effective implementation of the Convention and the Amendment. Country-specific bilateral legislative assistance was provided to 17 member States through written comments, training and advice on drafting national nuclear legislation. One regional and five national workshops on nuclear law, including, nuclear security, were organized during the year. The Agency also organized the eighth session of the Nuclear Law Institute in Baden, Austria, in

⁴ The lists of parties to these international instruments are available on the website of the International Atomic Energy Agency: <https://www.iaea.org/resources/treaties/treaties-under-IAEA-auspices>.

October. During the reporting period, 61 participants from member States attended training sessions.

Commonwealth of Independent States

133. The Heads of State of the Commonwealth of Independent States (CIS) signed an agreement on cooperation among the member States to combat crimes in the field of information technology. The agreement is to foster cooperation to prevent, detect, deter, expose and investigate cybercrimes, including those related to terrorism. An agreement signed by CIS Heads of State in 2017 on information-sharing within the Commonwealth related to combating terrorism and other violent forms of extremism and their financing entered into force in 2018. The agreement specifies the procedures for information-sharing among the competent authorities. In addition, the statute of the CIS Anti-Terrorism Centre has been amended to improve the effectiveness of its work.

134. The 2017–2019 programme for cooperation among CIS member States in combating terrorism and other violent manifestations of extremism, which is focused on joint preventive measures and special operations, the sharing of early-warning information, the dissemination of best practices and cooperation with international organizations, is being successfully implemented.

League of Arab States

135. In order to address the threat posed by terrorism, the League of Arab States has adopted a number of instruments, including the Arab Convention on the Suppression of Terrorism, the Arab Convention on Combating Money-laundering and the Financing of Terrorism, the Arab Convention on Combating Information Technology Offences, the Arab Convention against Transnational Organized Crime and the 1983 Arab League Convention on Mutual Assistance in Criminal Matters.

136. The League of Arab States provided information on its efforts to counter terrorism and terrorist groups, which was a priority area. Its counter-terrorism policies have a comprehensive approach, combining deterrent, legal, social, cultural, religious and developmental measures. In January 2018, the Secretary-General of the League of Arab States established a counter-terrorism department in the Legal Affairs Sector of the General Secretariat to strengthen coordination of joint cooperation.

137. Through its organs, the League of Arab States has elaborated legislative instruments, adopted resolutions on counter-terrorism, taking into account the principles of international law and the principles of international human rights law, to address issues such as countering extremism and the use of social media and the Internet to incite terrorism and to promote extremist ideology. It also emphasized the need for regional and international cooperation and the sharing of information and enhancing of border security. Other activities included the financing of terrorism, the question of foreign terrorist fighters, including the establishment of a database, countering the falsification of identity and travel documents, the preparation of a unified blacklist of perpetrators, organizers and financiers of terrorist acts and the question of victims of terrorism, including the commemoration of the Arab Day of Solidarity with the Victims of Terrorism and Their Families, held annually on 22 April.

Shanghai Cooperation Organization

138. The fifth cooperation programme of the Shanghai Cooperation Organization, covering the period 2019–2021, was approved by the Heads of States members and is currently being implemented.

139. The Shanghai Cooperation Organization adopted two significant conventions – one on terrorism, and one on extremism. It should be noted that the conventions contain definitions of “terrorism” and “extremism”. Given the absence of accepted universal definitions of those terms, the conclusion of the conventions is an important achievement at the regional level.

140. The Executive Committee of the Shanghai Cooperation Organization Regional Anti-Terrorist Structure has collected a number of information archives in its secure databank, including: (a) the single search registry of persons wanted internationally for committing crimes of terrorist, separatist or extremist character; (b) the inventory of individuals who have relocated to areas of elevated terrorist activity in order to participate in armed conflict on the side of international terrorist organizations or who have subsequently returned to the territory of member States of the Organization; (c) the list of terrorist and extremist organizations whose activities have been banned in the territories of the member States.

141. In order to automate the exchange of information contained in the secure databank within the Regional Anti-Terrorist Structure, a secure information and telecommunication system was established. The system provides the competent authorities of member States with online access to the Organization’s information archives.

142. Practical activities included operations to locate persons on wanted lists; the interrogation of foreign terrorist fighters who have returned from conflict zones; the destruction of laboratories and infrastructure for the production of terrorist or extremist propaganda materials; and the detection of illegal trade in arms, ammunition and explosives, as well as chemical, bioactive and radioactive substances.

143. The network of partnerships organized under the Regional Anti-Terrorist Structure with specialist international structures and organizations, in particular those in the United Nations system, is gradually expanding, and the Structure is actively cooperating with scientific organizations and representatives of partner organizations in order to improve its scientific and methodological basis and exchange views and forecasts in the field of counter-terrorism. Six scientific and practical conferences have been held, inter alia, to exchange views on topical issues, analyse current trends, forecast the emergence of conflict flashpoints and discuss preventive measures.

144. In order to monitor progress, the Regional Anti-Terrorist Structure prepares an annual report on the activities carried out under the cooperation programme for submission to the Council of Heads of State of the Shanghai Cooperation Organization. This allows, not only for regular monitoring, but also for the identification of further measures and areas of cooperation on the basis of changing trends and dynamics, including evolving threats in the region and beyond.

III. International legal instruments relating to the prevention and suppression of international terrorism

145. Currently, there are 54 instruments pertaining to international terrorism. Of those, 19 are universal and 35 are regional.

A. Universal instruments

United Nations

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973

International Convention against the Taking of Hostages, 1979

International Convention for the Suppression of Terrorist Bombings, 1997

International Convention for the Suppression of the Financing of Terrorism, 1999

International Convention for the Suppression of Acts of Nuclear Terrorism, 2005

International Atomic Energy Agency

Convention on the Physical Protection of Nuclear Material, 1979

Amendment to the Convention on the Physical Protection of Nuclear Material, 2005

International Civil Aviation Organization

Convention on Offences and Certain Other Acts Committed on Board Aircraft, 1963

Convention for the Suppression of Unlawful Seizure of Aircraft, 1970

Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft, 2010

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1971

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, 1988

Convention on the Marking of Plastic Explosives for the Purpose of Detection, 1991

Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation, 2010

Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft, 2014

International Maritime Organization

Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988

2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation

Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 1988

2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf

B. Regional instruments

African Union

Organization of African Unity (OAU) Convention on the Prevention and Combating of Terrorism, 1999

Protocol to the OAU Convention on the Prevention and Combating of Terrorism, 2004

Association of Southeast Asian Nations

Association of Southeast Asian Nations Convention on Counter-Terrorism, 2007

Central African Economic and Monetary Community

Regulation No. 08/05-UEAC-057-CM-13 on the adoption of the Convention on the fight against terrorism in Central Africa, 2005

Collective Security Treaty Organization

Agreement on collective forces of rapid response of the Collective Security Treaty Organization, 2009

Commonwealth of Independent States

Treaty on Cooperation among the States Members of the Commonwealth of Independent States in Combating Terrorism, 1999

Protocol on the approval of the Regulations on the organization and conduct of joint anti-terrorist operations in the territories of States members of the Commonwealth of Independent States, 2002

Treaty of States Members of the Commonwealth of Independent States on Combating the Legalization (Laundering) of Proceeds from Crime and the Financing of Terrorism, 2007

Cooperation Council for the Arab States of the Gulf

Convention of the Cooperation Council for the Arab States of the Gulf on Combating Terrorism, 2004

Council of Europe

European Convention on the Suppression of Terrorism, 1977

Protocol amending the European Convention on the Suppression of Terrorism, 2003

Council of Europe Convention on the Prevention of Terrorism, 2005

Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, 2005

Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism, 2015

European Convention on Offences relating to Cultural Property, 2017

Eurasian Group on Combating Money Laundering and Financing of Terrorism

Agreement on the Eurasian Group on Combating Money Laundering and Financing of Terrorism, 2011

European Union

Convention between the Kingdom of Belgium, the Federal Republic of Germany, the Kingdom of Spain, the French Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the Republic of Austria on

the stepping up of cross-border cooperation, particularly in combating terrorism, cross-border crime and illegal migration, 2005

League of Arab States

Arab Convention on the Suppression of Terrorism, 1998

Amendment of 2008 to the Arab Convention on the Suppression of Terrorism

Arab Convention on Combating Money-Laundering and the Financing of Terrorism, 2010

Arab Convention on Combating Information Technology Offences, 2010

Organization of American States

Convention to prevent and punish the acts of terrorism taking the form of crimes against persons and related extortion that are of international significance, 1971

Inter-American Convention against Terrorism, 2002

Organization of the Black Sea Economic Cooperation

Additional Protocol on Combating Terrorism to the Agreement among the Governments of the Black Sea Economic Cooperation Participating States on Cooperation in Combating Crime, in particular in Its Organized Forms, 2004

Organization of Islamic Cooperation

Convention of the Organization of the Islamic Conference on Combating International Terrorism, 1999

Shanghai Cooperation Organization

Shanghai Convention on Combating Terrorism, Separatism and Extremism, 2001

Agreement on the procedure for organizing and conducting joint anti-terrorist measures in the territories of the States members of the Shanghai Cooperation Organization, 2006

Agreement on cooperation in identifying and blocking the entry routes to Shanghai Cooperation Organization member States of persons involved in terrorist, separatist and extremist activities, 2006

Agreement on the procedure for organizing and conducting joint counter-terrorism exercises by Shanghai Cooperation Organization member States, 2008

Agreement on cooperation among the Governments of the Shanghai Cooperation Organization member States in combating the illicit traffic in weapons, ammunition and explosives, 2008

Agreement on the Training of Personnel for Anti-Terrorist Units of the Member States of the Shanghai Cooperation Organization, 2009

Shanghai Cooperation Organization Convention against Terrorism, 2009

Convention of the Shanghai Cooperation Organization on Combating Extremism, 2017

South Asian Association for Regional Cooperation (SAARC)

South Asian Association for Regional Cooperation Regional Convention on
Suppression of Terrorism, 1987

Additional Protocol to the SAARC Regional Convention on Suppression of
Terrorism, 2004
