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**Integration and coordination of efforts by the United
Nations Office on Drugs and Crime and by Member States
in the field of crime prevention and criminal justice:
ratification and implementation of the international
instruments to prevent and combat terrorism**

Assistance in implementing the universal conventions and protocols related to terrorism

Report of the Secretary-General

Summary

The present report reviews progress made in 2010 by the United Nations Office on Drugs and Crime, in particular by its Terrorism Prevention Branch, in delivering technical assistance on counter-terrorism. The report highlights efforts made and challenges faced in adequately responding to the evolving needs of Member States regarding criminal justice aspects of countering terrorism and emphasizes the need for enhanced governmental support to meet those challenges. The report concludes with a set of recommendations for consideration by the Commission on Crime Prevention and Criminal Justice.

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I. Introduction

1. The present report covers the activities undertaken during 2010 by the United Nations Office on Drugs and Crime (UNODC), in particular its Terrorism Prevention Branch, in providing assistance to Member States regarding criminal justice aspects of countering terrorism.
2. The General Assembly reiterated the mandate of UNODC regarding counter-terrorism technical assistance in its resolutions 65/34, entitled “Measures to eliminate international terrorism”, 65/221, entitled “Protection of human rights and fundamental freedoms while countering terrorism”, and 65/232, entitled “Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity”.
3. In the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, adopted at the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010, and endorsed by the General Assembly in its resolution 65/230, Member States acknowledged the leading role of UNODC in providing technical assistance to facilitate the ratification and implementation of the international instruments related to the prevention and suppression of terrorism.
4. In its resolution 64/297, the General Assembly urged Member States, the United Nations and other relevant actors to step up their efforts to implement the United Nations Global Counter-Terrorism Strategy in an integrated manner and in all its aspects. During the deliberations, many speakers expressed strong support for the work of UNODC in providing technical assistance to Member States to develop their capacity to implement the Strategy.
5. In its presidential statement of 27 September 2010 (S/PRST/2010/19), the Security Council commended the technical assistance provided by the Terrorism Prevention Branch. Concern was expressed regarding the increasing connection between terrorism and transnational organized crime, illicit drugs, money-laundering, and trafficking in firearms. The Council also emphasized the need to enhance coordination of efforts at the national, subregional, regional and international levels in order to strengthen a global response and encouraged UNODC to continue its work, in collaboration with other relevant United Nations entities.
6. The international legal framework continued to evolve during the period under review. The Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf entered into force on 28 July 2010. The Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing Convention) and the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft were adopted on 10 September 2010 at the International Conference on Air Law held in Beijing.

II. Delivering technical assistance

7. Since January 2003, the Branch has directly or indirectly supported 168 countries in ratifying and implementing the international legal instruments against terrorism and in strengthening the capacity of national criminal justice systems to effectively implement the instruments in conformity with the rule of law.

8. In addition to providing ratification and legislative incorporation assistance, the main challenge facing the Branch is the increasing demand for capacity-building. National criminal justice officials have limited capacity to apply the international provisions and related national legislation in their day-to-day work. They frequently lack the required procedures, policies and practices, as well as the substantive knowledge and skills, to apply national counter-terrorism legislation.

9. The structural reorganization of the Branch, implemented at the beginning of 2010, has responded to those evolving needs by decentralizing programming and delivery at the field level and by enhancing substantive expertise-building and policy guidance from Headquarters.

10. The counter-terrorism work of UNODC is carried out within a comprehensive perspective, taking into account the work with regard to the international legal instruments on drugs and crime. The Branch closely cooperates with other parts of UNODC, including field offices. It draws on a network of field-based terrorism prevention experts in Africa, Latin America and the Caribbean, the Middle East, and South-East Asia and the Pacific.

11. The Branch participated in office-wide initiatives, such as an expert group meeting of the Santo Domingo Pact and the Central American Integration System mechanisms for the Caribbean region, organized by UNODC and the Caribbean Community Implementation Agency for Crime and Security, held in Trinidad and Tobago on 2 and 3 December and an expert meeting of the Pact, organized by UNODC and the Central American Integration System, held in Panama on 21 and 22 June.

A. Multi-pronged approach

12. In response to the increased demand for capacity-building assistance, the Branch offers (a) sustained, tailor-made assistance to domestic criminal justice practitioners involved in the investigation, prosecution and adjudication of concrete cases; (b) assistance for strengthening international, regional and subregional cooperation related to terrorist cases; and (c) expertise-building in specialized thematic areas, including through the development of tools and substantive publications.

1. Technical assistance delivery and programming at the country level

13. During 2010, assistance at the country level was provided to the following 43 countries: Algeria, Antigua and Barbuda, Argentina, Azerbaijan, Bangladesh, Bolivia (Plurinational State of), Burundi, Chad, Colombia, Costa Rica, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Ghana, Guyana, Honduras, Indonesia, Jamaica, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Mali, Mexico,

Morocco, Namibia, Nauru, Niger, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Thailand, Tonga, Trinidad and Tobago, Uganda and Viet Nam. A total of 23 thematically focused regional and subregional workshops were also held, reaching an additional 87 countries.

14. The Branch made use of cost-effective telecommunication facilities, especially videoconferences, in preparation for or follow-up to on-the-ground activities, and electronic communication, for the provision of ad hoc legal advice.

15. The Branch worked closely with the national authorities responsible for drafting national counter-terrorism strategies and action plans that require continuous local engagement by UNODC to support successful implementation. In the period under review, UNODC developed in-depth counter-terrorism programmes for a number of countries, including Afghanistan, Algeria and Yemen.

16. Activities in Yemen are incorporated in the UNODC integrated multi-year country programme 2011-2015 and aim to provide specialized training to criminal justice and senior law enforcement officials and to enhance the capacity of law makers to draft and revise counter-terrorism legislation. Additional activities aim to foster cooperation between criminal justice practitioners from Yemen and neighbouring States.

17. In the context of implementing a comprehensive ongoing national plan of action, a two-year programme was agreed with Colombia to co-finance a number of planned activities. Such an approach creates opportunities for enhancing in-depth work in the country and for strengthening commitment and ownership as well as regional cooperation in counter-terrorism.

18. A regional counter-terrorism programme was developed for countries in the Sahel. National counter-terrorism action plans were integrated into national integrated programmes, currently developed by the UNODC regional office in Dakar for Mali and Burkina Faso.

19. In addition, UNODC has also undertaken regional programming for East and South-East Asian countries (covering nine members of the Association of Southeast Asian Nations (ASEAN) and Mongolia) and for Pacific countries (covering the 15 members of the Pacific Islands Forum) through the elaboration of three-year regionally based and country-specific programmes.

2. Technical assistance tools

20. A large number of technical assistance tools have been developed by the Branch since 2003. Most of the tools are available in the six official languages of the United Nations, and many have been translated into various national languages.

21. The *Electronic Legal Resources on International Terrorism* database (see www.unodc.org/tldb) is accessible to the public and contains the domestic counter-terrorism legislation of over 140 Member States, classified by substantive criminal law, procedural law or international cooperation in criminal matters. It also contains the text of international legal instruments and their ratification status and a complete list of counter-terrorism conventions adopted by regional organizations as well as relevant case law.

22. The *Digest of Terrorist Cases*, launched during the Twelfth Congress, provides policymakers, criminal justice officials and investigative police with a practical perspective based on an analysis of concrete cases. The annotated compilation of cases shows how to address challenges in conducting efficient investigations and prosecutions. The *Digest* has been used for the development of specialized capacity-building workshops, such as the regional workshop in Colombia held from 10 to 13 October and the national workshop in Jamaica held from 30 July to 1 August.

23. The Branch has also been developing a comprehensive legal training curriculum for criminal justice officials in order to impart specialized counter-terrorism legal knowledge in a more systematic manner. The curriculum consists of 10 training modules on specific thematic issues (including chemical, biological, radiological and nuclear material, transportation security, financing of terrorism, use of the Internet for terrorist purposes), for which additional tools and case studies will be developed. The curriculum integrates training materials on related topics, such as money-laundering and organized crime. A module on the international legal framework against terrorism was disseminated in July and a module on international cooperation in criminal matters against terrorism will be issued in 2011.

24. The curriculum promotes a train-the-trainers approach. An expert group meeting on methods of training delivery and training evaluation methods was held in Vienna on 14 and 15 July. The Branch has developed partnerships with national training institutions in a number of recipient countries and carried out a comprehensive train-the-trainers programme in Dakar from 3 to 11 November for criminal justice officials from Burkina Faso, Mali, Mauritania and the Niger.

25. The modules are also adapted to the use of innovative information technology-based delivery mechanisms, which have proved to be cost-effective and efficient on a global scale. Intensive online training courses, developed by the Branch together with the DiploFoundation, have been attended by 126 participants from 72 countries. The Branch has set up a counter-terrorism learning platform, which is an interactive tool designed to assist criminal justice officers in meeting their needs in the field of international cooperation against terrorism. It will enable practitioners worldwide to focus on continuous networking and learning and will provide training courses for criminal justice officials worldwide.

B. Expanded work in specific thematic areas

1. Strengthening international cooperation in criminal matters pertaining to counter-terrorism

26. The Branch provided focused assistance to strengthen international cooperation in criminal matters related to counter-terrorism, including through (a) a regional workshop, organized together with the Organization of the Islamic Conference (OIC) in Jeddah, Saudi Arabia, on 25 and 26 May, and attended by representatives of 26 OIC member States; (b) a subregional workshop for Gulf countries, held in Doha on 2 and 3 May; (c) a subregional workshop held in Cairo on 27 and 28 February, which was jointly organized with the Ministries of Interior and Justice in Egypt, and also attended by representatives of the Libyan Arab Jamahiriya, Morocco and Tunisia; (d) a subregional capacity-building workshop held in Riyadh from 20 to 22 February for Bahrain, Kuwait, Oman, Qatar,

Saudi Arabia and the United Arab Emirates; and (e) the second subregional workshop on Enhancing International Legal Cooperation Related to Terrorism for GUAM member States, held in Kyiv on 15 and 16 February. Criminal justice practitioners from Chad and the Niger participated in a workshop held in Chad from 23 to 25 November.

27. Together with the Commonwealth, a regional expert meeting on international cooperation in criminal matters between civil law and common law African countries was organized in Yaoundé from 16 to 18 February, and attended by participants from Angola, Cameroon, Cape Verde, Djibouti, Ghana, Kenya, Mali, Nigeria, Senegal and the United Republic of Tanzania. A practical guide to facilitate requests for extradition and mutual legal assistance is being developed, jointly with the Commonwealth.

28. The Branch was instrumental in launching a regional judicial platform in the Sahel region from 22 to 24 June. The platform is an international cooperation network of focal points from Burkina Faso, Mali, Mauritania and the Niger, who are responsible for facilitating extradition requests and mutual legal assistance. The focal points also identify technical assistance needs for strengthening judicial cooperation. Follow-up activities include annual meetings, connection of the platform with other judicial networks, specialized training courses and the development of practical tools. The platform follows the model developed for member States of the Indian Ocean Commission, which has been instrumental in facilitating extradition and mutual legal assistance.

29. National capacity-building workshops on international cooperation in criminal matters related to counter-terrorism were held, inter alia, in Ethiopia from 21 to 23 September, Djibouti from 23 to 25 March and Uganda from 16 to 18 February. A workshop on extradition matters was organized for magistrates of the Supreme Court of Justice and the Constitutional Court of Colombia on 1 March. National legislative drafting workshops were held in the Philippines on 11 and 12 February and the Lao People's Democratic Republic from 6 to 9 September. UNODC also provided assistance for the development of a prosecutors manual on extradition in Thailand.

30. The Branch developed tailor-made collections of bilateral, regional and international agreements on extradition and mutual legal assistance for Kenya and for the Niger (jointly with the Government of France), as well as for the countries of the Indian Ocean Commission and for member States of the Economic Community of West African States.

31. UNODC also undertook activities aimed at facilitating overall international cooperation in criminal matters, including by developing tools, such as best practices, model laws, an online directory of competent national authorities and the Mutual Legal Assistance Request Writer Tool. They also included legal advisory services to requesting countries and the training of relevant authorities through national, regional or cross-regional workshops. The Branch contributed to the regional workshop on international cooperation in criminal matters, organized by UNODC in Panama from 22 to 24 November.

2. Addressing transportation-related security

32. An area of growing importance for specialized assistance is transportation-related security. Recent events show that aviation remains a high-priority target. Efforts are also required to strengthen land-transportation security and maritime security.

33. Together with the Counter-Terrorism Executive Directorate and the International Maritime Organization (IMO), the Branch organized a regional expert meeting in Libreville from 2 to 4 June for Central African States (Angola, Cameroon, Congo, Equatorial Guinea, Gabon and Sao Tome and Principe), aimed at strengthening the legal regime applicable to unlawful acts committed against the safety of maritime navigation and offshore fixed platforms. A similar meeting is planned for the countries of West Africa and the Sahel. A subregional workshop on combating maritime terrorism for the Black Sea Economic Cooperation Organization countries was held in Ukraine from 26 to 28 May.

34. Countries are increasingly interested in addressing the issue of crimes committed at sea as a part of training workshops for criminal justice officials, such as those held in Algeria from 12 to 14 October and in Djibouti from 23 to 25 March.

35. In addition, UNODC is undertaking work on countering piracy, in close cooperation with IMO.

3. Suppressing the financing of terrorism

36. UNODC works to provide legal and related assistance to counter the financing of terrorism. An expert group meeting held in Vienna on 22 and 23 November outlined the key elements for a training syllabus on cash couriers, to be developed for customs, law enforcement and intelligence officials, prosecutors and policymakers.

37. At the regional level, joint initiatives have included (a) a regional workshop for high-level prosecutors from ASEAN member States and the Republic of Korea, held in Seoul from 23 to 25 August; (b) a subregional workshop for criminal justice officials of Kenya, Rwanda, Uganda and the United Republic of Tanzania, held in Nairobi from 13 to 15 July; (c) a subregional workshop for Caribbean countries, held in Nassau from 16 to 18 June, attended by participants from 12 Caribbean countries; (d) a subregional expert meeting of the West African Economic and Monetary Union (UEMOA) member States regarding the freezing of assets and the applicability of the UEMOA uniform law in the fight against the financing of terrorism, held in Dakar from 9 to 11 March and attended by participants from eight UEMOA member States; and (e) a subregional capacity-building workshop on cross-border cooperation in fighting terrorism and its financing, held in Cartagena from 23 to 26 February, attended by participants from Bolivia (Plurinational State of), Chile, Colombia, Costa Rica, Ecuador, Panama and Peru. UNODC also participated in meetings of, and activities organized by, regional bodies that complement the work of the Financial Action Task Force on Money Laundering.

38. Specialized workshops were held at the national level, including in Argentina on 14 and 15 December, Azerbaijan from 9 to 11 November, Costa Rica from 5 to 7 April, Honduras from 19 to 21 October, Indonesia on 25 and 26 February, the Libyan Arab Jamahiriya on 18 and 19 May, Panama from 19 to 20 August,

Papua New Guinea on 8 and 9 February, Peru from 27 to 29 October, Saint Vincent and the Grenadines from 25 to 28 May and Trinidad and Tobago from 24 to 27 August. A workshop organized in Saint Kitts and Nevis from 9 to 12 February was attended by criminal justice practitioners from Antigua and Barbuda, Saint Lucia and Saint Vincent and the Grenadines. Legislative drafting assistance was provided to Djibouti on 25 August, Ecuador from 8 to 11 November and Honduras on 31 August. The Branch also worked closely with the International Monetary Fund (IMF) to assist the Philippines from 5 to 9 July in drafting legislation to counter the financing of terrorism. Workshops in Colombia from 26 to 29 January and Paraguay from 23 to 26 March provided criminal justice practitioners with specialized training on investigative and prosecutorial strategies and devoted focused attention to the issue of the financing of terrorism. A UNODC mission to Bangladesh from 9 to 13 August led to the programming of project activities on countering the financing of terrorism. Substantive expertise was also provided to workshops in Colombia held on 12 and 13 October and from 21 to 25 June and on 6 and 7 May and to the financial intelligence unit (Plurinational State of Bolivia) on 10 and 11 June.

39. During 2010, the Global Programme against Money-Laundering continued to encourage the development of policies to counter money-laundering and the financing of terrorism, raise awareness of cross-cutting aspects and act as a centre of expertise. It provided advice and assistance to practitioners from more than 90 jurisdictions. Specific initiatives entailed awareness-raising and capacity- and institution-building, particularly the setting up and operation of financial intelligence units, the delivery of technical assistance and training at the national and regional levels. The work was supported by technical advisers in the field.

40. The Global Programme also continued to expand its International Money-Laundering Information Network, a one-stop research resource, administered on behalf of a partnership of international organizations. The Global Programme includes the Anti-Money-Laundering International Database, a password-protected service containing laws from 185 jurisdictions.

4. Preventing nuclear, chemical, biological and radiological terrorism

41. The Branch assisted countries in implementing the international legal instruments related to nuclear terrorism, in close cooperation with International Atomic Energy Agency (IAEA) and other relevant organizations.

42. On 29 and 30 April, the Organization for Security and Cooperation in Europe (OSCE) and UNODC jointly organized a workshop in Vienna for OSCE member States on the legal instruments against terrorism agreed in 2005 and on their implementation in national legislation. Other specialized regional activities included a workshop on chemical, biological, radiological and nuclear terrorism and maritime terrorism, held for 16 Caribbean countries in Barbados from 24 to 26 November. UNODC also held a national capacity-building workshop in Egypt on 15 and 16 February on the 2005 international legal instruments. A national workshop held in Indonesia from 25 to 27 October dealt, inter alia, with legislative preparation for the ratification and implementation of the International Convention for the Suppression of Acts of Nuclear Terrorism.

43. The Branch contributed to a regional facilitation event for the implementation of Security Council resolution 1540 (2004) for Argentina, Brazil, Costa Rica and Peru, organized in Lima from 9 to 11 November, by the Security Council Committee established pursuant to resolution 1540 (2004) and the Office for Disarmament Affairs of the Secretariat. The Branch also participated in a meeting organized by the Caribbean Community (CARICOM) on the implementation of resolution 1540 (2004) in the Caribbean, held in Guyana on 2 November. UNODC participated in a meeting, held in Vienna on 15 and 16 December, of international, regional and subregional organizations on cooperation in promoting implementation of the resolution.

44. Having obtained official observer status with the Global Initiative to Combat Nuclear Terrorism in August 2009, UNODC participated in a conference held by the Initiative in Hungary on 19 January and in a conference, held in Ukraine in November organized under the aegis of the Initiative.

45. UNODC participated in an IAEA conference on developing nuclear forensics libraries and international directories from 12 to 14 October, an IAEA technical meeting on three nuclear recommendation documents from 27 September to 1 October, an IAEA workshop on implementing legislation in nuclear security for some Asian countries, held in Vienna on 26 and 27 April, and in various meetings of the IAEA-led International Nuclear Security Education Network. On 18 November, UNODC participated in an IAEA event on facilitating adherence to the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material. On 18 October, UNODC participated in a meeting with senior Chinese officials, hosted by IAEA, on the establishment of an integrated national legal framework for nuclear security.

46. UNODC also participated in a conference held in Israel from 7 to 9 June on nuclear forensics and legal frameworks to combat nuclear terrorism and in a European Union regional conference held in Jordan on 26 and 27 May on establishing chemical, biological, radiological and nuclear centres of excellence. UNODC participated in a workshop of the World Institute for Nuclear Security, held in Vienna on 27 January, on defining the legal responsibilities for the security of nuclear and radioactive material. On 28 and 29 January, UNODC participated in an advanced research workshop on the theme “Legal framework for strengthening nuclear security and combating nuclear terrorism”, held in Vienna and organized by the Center for International Trade and Security of the University of Georgia, United States of America.

47. The Branch has also paid increased attention to the international legal instruments related to chemical and biological terrorism and participated in a tabletop exercise, organized by the Organization for the Prohibition of Chemical Weapons in Poland from 21 to 23 November on the preparedness of State parties to prevent terrorist attacks involving chemicals.

5. Enhancing procedural aspects of countering terrorism, including strengthening of the position of victims during criminal proceedings, related to the rule of law

48. In accordance with the United Nations Global Counter-Terrorism Strategy, all UNODC activities seek to reinforce the principle that effective counter-terrorism

measures and respect for the rule of law are complementary and mutually reinforcing goals.

49. In implementing General Assembly resolution 64/68, UNODC organized an expert group meeting aimed at enhancing the exchange of information among high-level experts on international standards and national legislation and on their experiences regarding the status of victims of terrorism during criminal proceedings. A follow-up meeting in Colombia will be held in January 2011.

50. Special attention was devoted to human rights challenges in a workshop on rule of law-based criminal justice responses to terrorism, held in Morocco on 22 and 23 September, which involved experts from the Office of the United Nations High Commissioner for Human Rights (OHCHR). Participants looked into practical cases and discussed such issues as criminalization of incitement to terrorism, use of special investigation techniques and detention of terrorist suspects.

51. Two national capacity-building workshops for criminal justice officials were held in Colombia from 2 to 5 November and on 25 and 26 February. The workshops focused on the interrelation between the international legal framework to counter terrorism, international humanitarian law and human rights law.

52. Practical training was given to senior judges and prosecutors from Afghanistan during a study tour to Germany and Sweden from 5 to 11 December. A study tour to Italy, the Netherlands and Spain was organized from 17 to 26 January for senior criminal justice practitioners from Algeria. A specialized training programme was held in Austria from 22 to 26 February for criminal justice officials from Azerbaijan.

53. UNODC technical assistance projects also aimed at improving the management and operation of law enforcement agencies, the judiciary and penitentiary systems, in accordance with United Nations standards and norms in crime prevention and criminal justice.

6. Countering the use of the Internet for terrorist purposes

54. While the existing international legal instruments do not make a specific reference to the use of the Internet, they are applicable, in so far as the acts committed fall within their substantive scope. A specialized subregional workshop addressing the use of the Internet for terrorist purposes was organized for South American countries in Cartagena, Colombia, from 10 to 13 October. The workshop was attended by participants from Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay and Venezuela (Bolivarian State of).

C. Partnerships for delivery

55. The successful delivery of technical assistance has been fostered through enhanced coordination and partnerships with other entities and organizations.

1. Cooperation with Security Council bodies dealing with counter-terrorism

56. The counter-terrorism work of UNODC is carried out in close cooperation with the Counter-Terrorism Committee of the Security Council and the Counter-Terrorism Committee Executive Directorate. The respective functions are complementary and mutually supportive: the facilitation work of the Committee and its Executive Directorate precedes and guides the work of UNODC in delivering assistance; the technical assistance work of UNODC in turn helps countries to address the gaps and needs identified in their capacity and helps the Committee/Executive Directorate to verify the measures taken by countries in that regard.

57. During 2010: (a) UNODC participated in visits of the Committee/Executive Directorate to Bolivia (Plurinational State of), Brunei Darussalam, Tunisia and Yemen; (b) experts from the Executive Directorate participated in UNODC activities and informed participants about priorities under Security Council resolution 1373 (2001); (c) advanced information about planned activities was shared; (d) UNODC, upon confirmation of specific requests, provided assistance to States referred to it by the Committee/Executive Directorate; and (e) UNODC continued to assist requesting Member States in compiling the elements needed for the submission of their responses to the Committee.

58. The Chief of the Branch participated in an open Committee briefing on maritime security on 7 April and briefed the Committee on 3 June on recent technical assistance activities.

59. In its resolution 1963 (2010), the Security Council encouraged the Committee to continue joint activities, in cooperation with the monitoring team established pursuant to resolution 1267 (1999), the Expert Group established pursuant to resolution 1540 (2004), and UNODC to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including through organizing regional and subregional workshops.

60. In addition to the regional workshop on maritime security for Central African States held from 2 to 4 June, UNODC co-organized several activities with the Executive Directorate, including a regional workshop on national and regional cooperation in counter-terrorism matters, organized jointly with the Southeast European Cooperation Initiative, and held in Sarajevo from 26 to 29 October; and a subregional workshop held in Ulaanbaatar from 26 to 28 May on the implementation of Security Council resolution 1373 (2001) and other counter-terrorism measures for the Democratic People's Republic of Korea, the Lao People's Democratic Republic, Mongolia and Myanmar. UNODC also participated in a number of other activities organized by the Executive Directorate, including a joint meeting with OSCE on Central Asia to develop strategies for countries on incitement and violent extremism, held in Uzbekistan on 9 and 10 December; an Executive Directorate workshop for prosecutors, held in New York from 1 to 3 December; an Executive Directorate workshop on effective border control for Kenya, Uganda and the United Republic of Tanzania, held in Nairobi from 30 June to 2 July and an Executive Directorate workshop on supporting the regional prosecutors and police network, held in Sri Lanka from 8 to 10 June.

61. Cooperation continued with the Committee established pursuant to Security Council resolution 1267 (1999) and its Monitoring Team. Regular consultations

were undertaken, and the Monitoring Team participated in a number of UNODC events, including a regional workshop held in Jeddah on 25 and 26 May for countries of the Organization of the Islamic Conference.

62. Cooperation was enhanced with the Committee established pursuant to Security Council resolution 1540 (2004) and its group of experts. In addition to the above-mentioned activities, the experts met regularly in Vienna and New York with Branch staff to discuss areas of strengthened cooperation.

2. Participation in the Counter-Terrorism Implementation Task Force

63. UNODC participated in the retreats of the Task Force in New York from 24 to 26 February and from 7 to 9 July, as well as in the side events, hosted at the International Peace Institute, on the occasion of the second review of the implementation of the United Nations Global Counter-Terrorism Strategy held in New York from 7 to 9 September.

64. Together with the Executive Office of the Secretary-General and the Counter-Terrorism Executive Directorate, UNODC has been coordinating the integrated assistance for countering terrorism (I-ACT) initiative of the Task Force, which enables partnering Member States to address to Task Force entities their requests for strategy-related assistance related to all four pillars of the United Nations Global Counter-Terrorism Strategy in a user-friendly way, via a single access point. The initiative aims to avoid duplication, fosters consultation and maximizes the impact of assistance delivery. In 2010, UNODC fine-tuned the Internet-based interactive information system that serves as the key communication tool among Task Force members in implementing the I-ACT initiative. The system facilitated the initial mapping of technical assistance needs with respect to the first partnering Member States, Burkina Faso and Nigeria, which led to the elaboration of technical assistance action plans, developed in close consultation with national stakeholders. UNODC was actively involved in missions to Nigeria from 1 to 6 August and from 15 to 19 February. The Branch also participated in a consultative meeting for the I-ACT focal points of Task Force entities and in a stakeholders meeting for Nigeria, held in New York on 22 and 23 November.

65. Together with IMF and the World Bank, UNODC co-chairs the working group on Tackling the Financing of Terrorism. The group produced a report containing a set of recommendations aimed at helping Member States to effectively implement existing international standards in combating the financing of terrorism. The Working Group is identifying follow-up activities, based on the report.

66. UNODC is also actively involved in the working group on Protecting Human Rights while Countering Terrorism, which is developing a set of basic human rights reference guides on specific issues. The Branch has contributed to the elaboration of the first two guides, which address “stopping and searching of persons” and “designing security infrastructure” and participated in the launch of the publications in New York on 9 September.

67. UNODC is a member of the Working Group on Countering the Use of the Internet for Terrorist Purposes and co-organized, together with the Task Force Office and Germany, a workshop on the theme “Countering terrorist use of the Internet: addressing legal aspects”, held in Berlin on 25 and 26 January. UNODC also participated in the workshop on the theme “Countering terrorist use of the

Internet: technical issues”, held in Seattle, United States, in February. Those meetings have provided material for the elaboration of a guide, which will contain good practices and recommendations.

68. UNODC is also participating in the Working Group on Conflict Prevention and Resolution and participated in the first meeting of its Central Asia initiative, held in Bratislava on 15 and 16 December.

69. In February, UNODC joined the Working Group on Preventing and Responding to Weapons of Mass Destruction Attacks and participated in a workshop on the theme “International response and mitigation of a terrorist attack using nuclear and radiological weapons or materials”, hosted by IAEA in Vienna from 29 to 31 March. UNODC also joined the Working Group on Supporting and Highlighting Victims of Terrorism and participated in the expert group meeting held in Siracusa, Italy, on 2 and 3 December. UNODC also joined the newly created Task Force Working Group on Border Control and Management.

70. UNODC was actively involved in the organization of a workshop on the regional implementation of the United Nations Global Counter-Terrorism Strategy in South-East Asia, organized by the Task Force and the Government of Indonesia on 2 and 3 November. This was the first of a number of regional meetings, organized as a follow-up to the international workshop for national counter-terrorism focal points, held in Vienna in October 2009. UNODC presented the summary proceedings of the Vienna workshop in New York on 9 September.

3. Partnerships with other organizations

71. The Branch continued to work with many international partners (the Commonwealth, the Counter-Terrorism Action Group, the Financial Action Task Force on Money Laundering, IAEA, the International Civil Aviation Organization, the International Criminal Police Organization (INTERPOL), IMO, IMF, International Organization for Migration, OIC, OHCHR, Office of the United Nations High Commissioner for Refugees, OPCW and the World Bank) as well as with a large number of regional and subregional partners, such as the African Union, ASEAN, the Central African Economic and Monetary Community, the Organization of American States/International Committee against Terrorism, CARICOM, the Commonwealth of Independent States (CIS), the Common Market for Eastern and Southern Africa, the Cooperation Council for the Arab States of the Gulf, the Council of Europe, the Economic Community of Central African States, ECOWAS, the European Union and Eurojust, the Indian Ocean Commission, the League of Arab States, the Organization of Eastern Caribbean States, OSCE, the Naif Arab University for Security Sciences, the Southern African Development Community, the Central American Integrated System and UEMOA.

72. Activities implemented in the Americas are jointly organized and carried out with the Organization of American States/International Committee against Terrorism to ensure full complementarity of programmes and action.

73. A similar partnership exists with OSCE for activities undertaken in Eastern European and Central Asian countries. The Branch also closely cooperates with the Council of Europe, such as through participation in the Council of Europe conference on the theme “Prevention of terrorism: prevention tools, legal instruments and their implementation”, held in Istanbul on 16 and 17 December.

UNODC participated in meetings of the Regional Cooperation Council on the regional strategy on justice and home affairs, held in Bosnia and Herzegovina from 29 November to 1 December. UNODC also participated in the CIS Inter-Parliamentary Assembly Meeting on the harmonization of CIS anti-terrorism legislation, held in the Russian Federation on 13 and 14 October.

74. UNODC further strengthened the exchange of information with the European Union and engaged in a regular policy dialogue. At the request of the respective presidencies of the European Union, the Branch held briefings for the working party on terrorism (international aspects) of the Foreign Affairs Council in March and October. A briefing on the work of the Branch in the area of providing support to victims of terrorism was provided to the Terrorism Working Group of the European Union in March. Regular consultations were held with the Counter-Terrorism Coordinator of the European Union and with counterparts in the European Commission. UNODC also participated in a panel discussion on security challenges in the Sahel region at the European Parliament on 13 September.

75. Cooperation with ASEAN included participation in the ASEAN-Japan counter-terrorism dialogue on the ASEAN Convention on Counter-Terrorism, effective implementation through extradition and mutual legal assistance, held in Thailand on 30 and 31 March. Partnership activities also continued with the Pacific Islands Forum secretariat, including through participation in its annual security meeting, held in Fiji from 31 May to 5 June.

76. The Branch participated in a subregional workshop on links between terrorism and drug trafficking in the Sahel, held in Dakar on 25 and 26 May by the African Centre for Studies and Research on Terrorism and in a seminar on combating the financing of terrorism and money-laundering organized by the Naif Arab University for Security and Sciences from 29 May to 2 June.

77. The Branch further attended workshops organized by the Center on Global Counterterrorism Cooperation, including those focusing on the implementation of the Global Counter-Terrorism Strategy in North Africa, held in Morocco on 24 and 25 May and in West Africa, held in Nigeria from 15 to 19 February. The Center also hosted the launch of the *Digest of Terrorist Cases* in Washington, D.C., on 30 November.

4. Cooperation with recipient and donor countries

78. In addition to the formal communications pursued through the permanent missions to the United Nations in Vienna and New York and the ministries of foreign affairs, the Branch works closely with representatives and experts of recipient countries, and working-level contacts are maintained with concerned ministries and with judicial and prosecutorial services.

79. Between January 2003 and 31 December 2010, voluntary contributions to support terrorism prevention (paid and pledged) totalled \$54,281,530. Pledges/contributions have been made by the following 23 countries: Austria, Belgium, Canada, Colombia, Denmark, France, Germany, Greece, Israel, Italy, Japan, Liechtenstein, Monaco, Netherlands, New Zealand, Norway, Romania, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America. The following organizations have also made voluntary contributions: European Union, Indian Ocean Commission, International

Organization de la Francophonie, IMO, INTERPOL, OSCE and the Counter-Terrorism Executive Directorate.

D. Evaluating delivery and assessing impact

80. In its comprehensive 2007 evaluation of the global project on strengthening the legal regime against terrorism, the Independent Evaluation Unit of UNODC reached positive conclusions regarding the relevance, effectiveness and efficiency of the project, the efficiency of its overall management and the sustainability of its outputs. Action was taken to implement the recommendations of the evaluation, including the development of a comprehensive strategy regarding capacity development. The Branch has reviewed its project document and is in the process of fine-tuning a standardized monitoring and evaluation mechanism for its assistance activities. The qualitative performance indicators and tools elaborated should help the Branch to better assess, through the feedback received from participants, the impact of capacity-building activities on the ability of participants to successfully investigate and prosecute terrorism cases.

81. Strong results-based management and reporting tools have helped the Branch to demonstrate measurable results. The Branch has been using several tangible indicators, such as the increase in the number of States becoming parties to the international legal instruments, the number of assisted countries drafting legislation and the number of national officials trained.

82. An estimated 559 ratifications of the international legal instruments have been undertaken by assisted Member States since 2003, with 34 new ratifications undertaken in 2010. When the global project was launched in January 2003, only 26 States had ratified the first 12 instruments. As at 31 December 2010, 111 States had ratified them. Similarly, 98 States had ratified six or fewer of the 12 instruments as at 31 January 2003. As at 31 December 2010, the number of States in that category had been brought down to 19. In addition, at least 79 States assisted by the Branch have taken steps to incorporate the provisions of the international instruments into national legislation: 34 States have adopted new legislation, and at least another 45 States are preparing new legislation. Moreover, more than 11,100 national criminal justice officials have been trained since 2003, of which over 1,950 were trained in 2010.

III. Challenges ahead

83. The Branch has adjusted the content of its assistance activities to ensure that its services remain pertinent and fully aligned with the actual and emerging needs of requesting countries, bearing in mind the changes occurring in the external operating and funding environment. The process needs to be further consolidated, and strengthening operational partnerships and mobilizing increased substantive and financial support by Member States is crucial in that regard.

A. Enhancing the delivery of technical assistance through modalities that provide a conducive response to the evolving needs of Member States

84. The Branch needs to continue to assist in the ratification and legislative implementation of the international instruments and to focus on instruments with a lower ratification rate.

85. Only seven countries (Austria, Fiji, Latvia, Liechtenstein, Nauru, Spain and Switzerland) have ratified the first 16 instruments. The Amendment to the Convention on the Physical Protection of Nuclear Material has not yet entered into force. Furthermore, the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, both of which entered into force in July 2010, are lagging behind in terms of implementation. Additionally, the recent Beijing Convention and the Protocol supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft further expand the need for legislative work.

86. Special efforts are made to engage with executive branch decision makers and with parliamentarians, whose support is needed during the ratification process or for the adoption of necessary domestic legislation.

87. In-depth capacity-building assistance programmes have been initiated in a number of countries but other countries have also expressed requests. An effective response to terrorism requires a criminal justice system capable of functioning in an integrated fashion, able to rely on the contribution of all components, including the police, the prosecution, the defence bar, the judiciary and the correctional system. Additional work is required to strengthen rule of law based procedural aspects, including for strengthening the positions of victims of terrorism during criminal proceedings, drawing on the international legal framework and recognized standards and norms.

88. Moreover, in order to further regional and subregional cooperation among criminal justice practitioners, assistance should be provided for the establishment of judicial platforms, in line with the ones created for countries of the Indian Ocean Commission and the Sahel region.

89. Special efforts are required to take care of the preventive aspects of countering terrorism, including criminalization of incitement or other acts, including travel with the purpose of attending terrorist training camps.

90. Because of the increasingly complex nature of terrorism, the Branch is challenged to further enhance expertise-building and transfer in specific thematic areas, such as transportation security, chemical, biological, radiological and nuclear terrorism, countering the financing of terrorism and countering the use of the Internet for terrorist purposes.

91. Overall, the Branch should work towards long-term capacity-building programmes, providing training to all stakeholders, based on a steady dissemination of easily accessible training materials, backstopped by effective follow-up and reinforced by ongoing support services on the ground. In that regard, UNODC is

steadily enhancing its “train-the-trainers” approach by involving national training institutions in its activities and by strengthening the expertise of those institutions through the elaboration of counter-terrorism modules for integration in their national curricula. Further elaboration of the comprehensive legal training curriculum provides a reliable substantive basis.

92. The furthering of online training activities is supported by the positive feedback received from participants. The newly established permanent virtual communication forum will enable trainees to remain connected with the training facilitators at the Branch and with each other, which will enhance the sustainability of the capacity-building activities. The forum will also facilitate the Branch’s enhanced cooperation with external partners, including the private sector and civil society.

93. A long-term sustained engagement is facilitated by a field-based delivery approach. The placement of terrorism prevention experts in UNODC field offices has enabled the Branch to work closely with local officials in designing and implementing activities. The Branch envisages further decentralization of its programming and delivery capacity.

94. The Branch also seeks to further strengthen its results-based management approach. The performance tools and the information management application system currently developed will allow it to enhance data management and reporting, showing progress made in project implementation against targets set. For capacity-building activities, the systematic analysis of evaluation questionnaires will enable the Branch to keep better track of the knowledge and skills development of participants.

95. A strengthened field-based approach facilitates the full integration of the counter-terrorism activities of the Branch in UNODC regional and country programmes. Such an approach responds to the increasing demand for more comprehensive packages of assistance that encompass assistance on terrorism prevention as well as on criminal justice reform and on the prevention of transnational organized crime and corruption, thereby strengthening counter-terrorism efforts by addressing related criminal activities.

B. Mobilizing increased support from Member States

96. As a result of the financial support provided by its 23 donor countries and organizations, the Branch has been able to establish a core pool of expertise and the basic secretariat capacity for the planning, delivery, coordination and management of its counter-terrorism assistance and related partnerships.

97. Reliance by the Branch on voluntary contributions, however, makes long-term planning, including the maintenance of necessary technical expertise, challenging. Funding uncertainty remained a key issue in 2010.

98. Dependence on extrabudgetary resources for core expertise and basic secretariat functions is not tenable. In order to preserve that core expertise and to be able to deliver the basic secretariat functions, such capacities need to be stabilized and ensured through increased regular budget allocations. Except for the addition of a junior-level post approved in December 2007, the regular budget allocation has

remained at almost the same level since 2003. Stable regular budget resources are needed to ensure that the Branch can adequately meet the expectations of the Member States.

99. Moreover, the Branch needs predictable, multi-year, non-earmarked funding in order to be able to continue to conduct key technical assistance activities with a view to implementing its global mandate. Bearing in mind the importance of a properly functioning criminal justice system to prevent terrorism for attaining sustainable economic and social development in recipient countries, donor States should consider exploring whether development funds could increasingly be drawn upon to support the activities of the Branch.

IV. Conclusions and recommendations

100. Given the continued threat posed by terrorism, it is imperative to sustain focused attention on and support for the efforts to strengthen the legal regime against terrorism and the delivery of assistance for enhancing related national capacities. As underlined in the United Nations Global Counter-Terrorism Strategy, establishing a rule of law-based criminal justice response to terrorism is crucial to global counter-terrorism efforts and is the backbone and prerequisite for other initiatives.

101. The technical assistance requests received by the Branch demonstrate the growing need for capacity-building assistance, in addition to the need for continued assistance for the ratification and legislative implementation of the international legal instruments. In particular, there is an increased need for long-term, in-depth, custom-tailored assistance on the ground, and for reaching out to the criminal justice practitioners involved in the investigation, prosecution and adjudication of concrete cases. UNODC should also continue to assist in reinforcing mechanisms for international cooperation in criminal matters to counter terrorism, including by providing support for the establishment of relevant networks and platforms.

102. The requests received also highlight the need for enhanced, specialized and substantive expertise-building and transfer in such thematic areas as nuclear, chemical, biological and radiological terrorism, transportation security, financing of terrorism and countering the use of the Internet for terrorist purposes. There is a demand for more comprehensive packages of technical assistance that enable criminal justice practitioners to deal with a range of crimes potentially related to terrorism.

103. The delivery of expertise should continue to happen on the ground as well as through the use of innovative and cost-efficient training modalities and mechanisms, such as online and computer-based courses.

104. The Commission may wish to provide further guidance with regard to the reinforcement of UNODC technical assistance work on the criminal justice aspects of countering terrorism, both in terms of content as well as in terms of delivery mechanisms, with a view to better tailoring the assistance to meet the evolving needs of Member States. The Commission may thereby wish to request UNODC to assist Member States in addressing possible connections between terrorist acts and related criminal activities.

105. UNODC, in particular its Terrorism Prevention Branch, is strongly committed to continuing to assist Member States in meeting their needs. It will therefore continue to explore synergies with other United Nations entities, including within the framework of the Counter-Terrorism Implementation Task Force, and to work with partner entities at the international, regional and subregional levels, in order to enhance efforts towards maximizing consultation, coordination and cooperation in counter-terrorism assistance delivery.

106. The Commission may wish to provide further guidance concerning UNODC involvement in the work of the Counter-Terrorism Implementation Task Force. The Commission may invite the Security Council bodies dealing with counter-terrorism, the Task Force office and other Task Force member entities, as well as relevant international, regional and subregional organizations, to enhance their cooperation with UNODC on counter-terrorism issues, in order to strengthen synergies and avoid duplication.

107. The Commission may also wish to call upon UNODC to strengthen its cooperation with the private sector and with civil society on counter-terrorism issues and related areas.

108. UNODC relies on Member States to step up their support, both politically and financially, to enable the Office to continue to assist Member States in implementing a fully functional rule of law-based international legal regime against terrorism. Whereas donor countries have provided invaluable voluntary contributions, it is important to reiterate that the current resource level is inadequate to meet the increasing requests and the required corresponding enhancement in technical assistance activities and substantive initiatives. Member States should therefore make sufficient resources available to make the counter-terrorism work of the Terrorism Prevention Branch sustainable, through an adequate increase in regular budget resources and through the provision of predictable and multi-year, extrabudgetary resources.

109. The Commission may wish to express gratitude to the donor countries for the voluntary contributions made available to UNODC and to invite Member States to increase the level of extrabudgetary and regular budget resources to enable the Office to implement its work in the area of countering terrorism.

Annex

Contributions to the United Nations Crime Prevention and Criminal Justice Fund for technical assistance projects of the Terrorism Prevention Branch as at 24 January 2011

(United States dollars)

<i>Donor</i>	<i>Total amount paid and pledged</i>	<i>1999-2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008^a</i>	<i>2009^a</i>	<i>2010^a</i>	<i>2011^a</i>	<i>2012^a</i>
Austria	2 445 736	308 507	730 689		242 364	10 823	631 007		267 115	255 231		
Belgium	1 150 231							345 853	362 965	441 413		
Canada	6 698 895			47 071	74 371	689 211	465 967	727 788	934 389	1 572 450	2 187 648	
Colombia	483 630						80 000	70 667		332 963		
Denmark	4 542 476			181 737	182 481	953 030	885 960	564 791	604 829	562 361	607 287	
France	2 414 568		247 578	246 305	283 314	365 475	346 629	310 419	215 827	399 021		
Germany	5 443 876		162 690	256 400	242 130	229 935	311 088	678 544	2 724 102	838 987		
Greece	70 000						70 000					
Israel	20 000								20 000			
Italy	3 056 850	263 259	271 150	306 373	600 000	523 965	535 000		557 103			
Japan	2 161 288	30 000			66 160	50 000	83 855	66 000	66 983	1 798 290		
Liechtenstein	345 594				50 000	50 000	100 000	100 000		45 594		
Monaco	405 227					60 000	60 000	59 611	65 616	80 000	80 000	
Netherlands	2 765 755		4 720		887 709	889 335	21 542	938 804		23 645		
New Zealand	411 064						137 691	118 548	51 144	103 681		
Norway	3 466 564			442 478	459 382	228 310	248 262	870 575	572 292	645 265		
Romania	123 305									123 305		
Spain	2 214 009		156 576		47 337	401 785	672 043	647 668		288 600		
Sweden	6 435 786				491 344	820 000	1 303 180	1 374 122	1 367 006	1 080 134		
Switzerland	328 074				40 000		40 000	80 000	122 619	45 455		

^a Including funds not pledged yet but informally confirmed and pledges yet to be finalized.

<i>Donor</i>	<i>Total amount paid and pledged</i>	<i>1999-2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008^a</i>	<i>2009^a</i>	<i>2010^a</i>	<i>2011^a</i>	<i>2012^a</i>
Turkey	489 534	45 170		25 000	25 000	27 942	76 422	50 000	140 000	100 000		
United Kingdom of Great Britain and Northern Ireland	3 109 180			478 000	212 146	584 348	957 092	877 594				
United States of America	3 446 255	230 000		250 000	446 000	298 000	200 000	148 375	200 000	250 000	799 440	624 440
Counter-Terrorism Executive Directorate	10 000									10 000		
European Union	2 083 000										1 388 700	694 300
International Maritime Organization	40 000									40 000		
Indian Ocean Commission	4 518								4 518			
INTERPOL	11 536								11 536			
Organization of La Francophonie	78 616							78 616				
Organization for Security and Cooperation in Europe	25 963					13 175			12 788			
Total	54 281 530	876 936	1 573 403	2 233 364	4 349 738	6 195 334	7 225 738	8 107 975	8 300 832	9 036 395	5 063 075	1 318 740