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**Work of the United Nations Office on Drugs and Crime
in facilitating the 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 concerns developments pertaining to technical assistance in the area of counter-terrorism. It reviews the progress made in delivering assistance on legal and related capacity-building matters by the United Nations Office on Drugs and Crime (UNODC), in particular by its Terrorism Prevention Branch, and highlights the importance given to cooperation and partnerships with other entities and organizations. The report further addresses challenges faced by UNODC, in particular in assisting Member States with the implementation of the United Nations Global Counter-Terrorism Strategy (General Assembly resolution 60/288 of 8 September 2006), and emphasizes the need for enhanced governmental support in that regard. It contains 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 should be read in conjunction with the report of the Secretary-General entitled “Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the United Nations Office on Drugs and Crime” (A/61/178), submitted to the General Assembly for consideration at its sixty-first session.

II. Developments pertaining to technical assistance

2. The mandate of the United Nations Office on Drugs and Crime (UNODC) in the provision of technical assistance to counter terrorism was reinforced by the General Assembly in 2006, in its resolutions 60/288 of 8 September 2006 on the United Nations Global Counter-Terrorism Strategy, 61/40 of 4 December 2006 on measures to eliminate international terrorism and 61/181 of 20 December 2006, entitled “Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity”. In paragraph 18 of its resolution 61/40, the General Assembly requested the Terrorism Prevention Branch of UNODC to continue its efforts to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognized, in the context of the United Nations Global Counter-Terrorism Strategy and Security Council resolution 1373 (2001) of 28 September 2001, its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism, including the most recent among them, and in strengthening international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building.

3. The adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy in September 2006 was a landmark event, as it was the first time that the 192 Member States had agreed on a common approach to fighting terrorism. The elaboration of such a strategy had been mandated by Heads of State and Government in the 2005 World Summit Outcome (General Assembly resolution 60/1 of 16 September 2005).

4. Pursuant to Assembly resolution 60/1, the Secretary-General issued a report entitled “Uniting against terrorism: recommendations for a global counter-terrorism strategy” (A/60/825) in April 2006. In his recommendations, he underlined the role of UNODC as a provider of technical assistance and emphasized that considerable work remained to be done with regard to the incorporation into national legislation of the provisions of the universal legal instruments and the strengthening of States’ institutional structures and mechanisms to implement international obligations.

5. The report served as a basis for discussions at the General Assembly, leading to the adoption of the United Nations Global Counter-Terrorism Strategy. The Strategy’s plan of action (Assembly resolution 60/288, annex, of 8 September 2006) contains four pillars: measures to address the conditions conducive to the spread of terrorism; measures to prevent and combat terrorism; measures to build States’ capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard; and measures to ensure respect for human rights for

all and the rule of law as the fundamental basis of the fight against terrorism. In the plan, UNODC was encouraged to facilitate the provision of assistance to subregional and regional organizations to create or strengthen counter-terrorism mechanisms or centres and, including its Terrorism Prevention Branch, to enhance its provision of technical assistance to States to facilitate the implementation of international conventions and protocols related to the prevention and suppression of terrorism and relevant United Nations resolutions. UNODC, together with the International Monetary Fund (IMF), the World Bank and Interpol, was further encouraged to enhance cooperation with States to help them to comply fully with international norms and obligations to combat money-laundering and the financing of terrorism. The plan also encouraged Member States to resort to the technical assistance delivered, inter alia, by UNODC, to develop and maintain effective and rule of law-based criminal justice systems that can ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in support of terrorist acts is brought to justice, on the basis of the principle to extradite or prosecute, and that such terrorist acts are established as serious criminal offences in domestic laws and regulations.

6. In response to the Strategy, UNODC prepared a paper entitled “Putting into action the United Nations Global Counter-Terrorism Strategy: the role of UNODC”, which provides an overview of the specific steps that UNODC plans to pursue in assisting Member States in their efforts to implement the Strategy. Consultations on the paper were undertaken with Member States, including through meetings held in November 2006 with the chairmen of the regional groups and major donors, under the leadership of the Executive Director of UNODC.

7. The United Nations Global Counter-Terrorism Strategy welcomed the intention of the Secretary-General to institutionalize the Counter-Terrorism Implementation Task Force within the Secretariat in order to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system. The Task Force, established by the Secretary-General in June 2005, brings together 24 key international actors working on counter-terrorism issues, including UNODC. The Task Force aims to trigger concrete initiatives to implement the Strategy, including the identification of ways to enhance the delivery of technical assistance.

III. Progress made in delivering technical assistance

8. The technical assistance work of UNODC to counter terrorism is mainly undertaken by its Terrorism Prevention Branch. In addition, the work of the Anti-Money-Laundering Unit contributes significantly to addressing the relevant aspects of countering the financing of terrorism. The work of other UNODC entities also contains elements pertinent and contributory to countering terrorism, especially the Treaty and Legal Affairs Branch, the Criminal Justice Reform Unit and the interregional advisory services under the regular programme of technical cooperation. The Terrorism Prevention Branch carries out its work in close cooperation with and, as relevant, drawing on the expertise of those other units and the operational capacities of field offices.

9. Since the launch of its global project on strengthening the legal regime against terrorism in January 2003, the Terrorism Prevention Branch has supported more than 126 countries either directly (through missions, videoconferences and visits of national officials to the Branch) or indirectly (through subregional and regional workshops) in ratifying and implementing the universal legal instruments against terrorism and in strengthening the capacity of national criminal justice systems to implement effectively their provisions in conformity with the principles of the rule of law.

10. In addition to the work of the Branch in promoting international cooperation in criminal matters specifically relating to counter-terrorism, of direct relevance to combating terrorism are various programme activities of UNODC aimed at facilitating overall international cooperation in criminal matters, especially extradition and mutual legal assistance. These activities, carried out mainly by the Treaty and Legal Affairs Branch, include the elaboration of model treaties, the provision of legal advisory services to requesting countries and the design of software tools.

11. The Anti-Money-Laundering Unit, through its Global Programme against Money-Laundering, has been assisting States in taking measures to protect their financial systems from abuse by persons planning or engaged in terrorist activity. Specific initiatives are built around awareness-raising, training, institution- and capacity-building, in particular the establishment of financial intelligence units. In 2006, the Global Programme against Money-Laundering delivered anti-money-laundering/countering the financing of terrorism-related technical assistance to most regions of the world and the demands are increasing.

12. UNODC initiatives in countering terrorism are based on the premise that, for these to be effective, they should be pursued within the framework of strong criminal justice institutions that operate within the rule of law. Therefore, an important contribution to counter terrorism is made by UNODC technical assistance projects 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.

13. A concerted effort has been made to take full advantage of UNODC field-level capacities. The Terrorism Prevention Branch has continued to expand and enhance its network of field-level experts, who are based in strategic locations, covering North Africa and the Middle East, Latin America and the Caribbean, South-East Asia and the Pacific, as well as West and Central Africa, the Commonwealth of Independent States and Central Asia. The objective is to foster field-based capacity, by involving a growing number of field experts in UNODC counter-terrorism work and training them, for example through periodic substantive briefings, in order to enrich their knowledge of pertinent counter-terrorism issues.

14. The field-based mentor programme of the Global Programme against Money-Laundering, in place since 1999, has also provided long-term assistance to States in fighting money-laundering and the financing of terrorism. The Global Programme against Money-Laundering continues to expand the deployment of professional expertise in the field to train people and build institutions, deliver direct technical assistance and to strengthen anti-money-laundering and combating the financing of terrorism capacity. Mentors are currently deployed in East and

Southern Africa, West and Central Africa, Central America, Central Asia, South-East Asia and the Middle East and North Africa.

A. Main achievements

1. Direct assistance to countries

15. In 2006, the Terrorism Prevention Branch provided direct technical assistance to the following 54 countries: Afghanistan, Algeria, Argentina, Armenia, Azerbaijan, Belize, Benin, Bosnia and Herzegovina, Botswana, Burkina Faso, Burundi, Central African Republic, Congo, Costa Rica, Croatia, Democratic Republic of the Congo, Dominican Republic, Egypt, Fiji, Gabon, Georgia, Guatemala, Iraq, Jordan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Mali, Mauritania, Mexico, Moldova, Morocco, Nepal, Niger, Nigeria, Panama, Paraguay, Philippines, Saudi Arabia, São Tomé and Príncipe, Senegal, South Africa, Sri Lanka, Tajikistan, Thailand, Togo, Turkmenistan, Ukraine, Uruguay, Uzbekistan and Yemen. Most of those technical assistance missions resulted in national action plans accompanied, in many cases, by a request for additional specialized assistance from the Terrorism Prevention Branch for legislative drafting and training of criminal justice practitioners.

16. In this regard, the Branch has increasingly made use of videoconferences as a cost-effective means of delivering technical assistance, especially for follow-up activities and the sharing of expertise with national legal practitioners. In 2006, videoconferences were organized with Burundi, the Central African Republic, Congo, the Democratic Republic of the Congo, Liberia, Madagascar, Mali, Nepal, Senegal, Sri Lanka and Togo.

17. The Branch also helps Member States to compile the elements needed for the submission of their reports to the Counter-Terrorism Committee established by the Security Council in its resolution 1373 (2001). In 2006, such assistance was provided to Madagascar, Mali, Togo and Uruguay.

18. In 2006, delegations from Armenia, Azerbaijan, the Dominican Republic and Georgia visited UNODC; during these visits they received legal assistance from the Terrorism Prevention Branch and were briefed on related substantive issues by other UNODC entities.

19. A specialized training session for criminal justice officials was initiated by the Branch in cooperation with various Governments, organizations, universities and institutions. The purpose of this specialized training is to provide judges and prosecutors with the theoretical knowledge and practical skills needed to effectively implement the universal legal instruments related to terrorism, in particular mechanisms of international cooperation, through a direct exposure to national, regional and international practices. Two sessions were organized in 2006, for criminal justice officials from Burkina Faso (27 February-17 March 2006) and from Egypt and Morocco (4-29 September 2006).

20. Legal training for high-level judicial practitioners was also provided during specialized national training sessions in San José (30 October-2 November 2006) and in Cancún, Mexico (6-9 November 2006). Each session was attended by over 30 prosecutors, judges and judicial police officers and addressed legal aspects of

counter-terrorism, related aspects of international cooperation in criminal matters and prosecutorial strategies. Senior prosecutors from Argentina, Canada, Colombia, Italy, Spain, the United States of America and Eurojust contributed to the training sessions.

2. Subregional and regional workshops

21. The Terrorism Prevention Branch has also continued to undertake activities at the subregional and regional levels. Initial regional meetings aimed at mobilizing political commitment, intensifying national action and increasing international cooperation in combating terrorism have been followed by meetings aimed at evaluating the progress made and identifying areas where further assistance is required. In some cases, the activities dealt also with international cooperation against transnational organized crime and corruption, drawing on expertise from other UNODC entities and the interregional advisory services under the regular programme of technical assistance. The following 10 subregional and regional workshops were organized in 2006, reaching more than 82 countries:

(a) The Third Conference of Ministers of Justice of Francophone African Countries on the implementation of the universal anti-terrorism conventions, held in Sharm El-Sheikh, Egypt, from 7 to 9 February 2006, was organized in collaboration with the International Organization of la Francophonie and the Government of Egypt and attended by representatives of 27 countries. The participants adopted the Sharm El-Sheikh Declaration (A/60/845, appendix II), in which a strong commitment was made that the French-speaking States of Africa that were not yet parties to the universal anti-terrorism conventions should ratify or adhere to those conventions as soon as possible and which called upon UNODC to provide the necessary assistance for strengthening international cooperation in criminal matters related to terrorism. The status of implementation of the Sharm El-Sheikh Declaration will be reviewed at the next ministerial conference, to be held in Burkina Faso from 20 to 22 March 2007;

(b) A training workshop for States members of the Common Market for East and Southern Africa (COMESA) on international cooperation in the fight against terrorism and its financing, held in Djibouti from 14 to 16 March 2006, was organized jointly with COMESA and the Ministry of Justice and Central Bank of Djibouti and attended by delegates from 15 COMESA member States. The workshop addressed issues such as money-laundering, terrorist-financing and international legal and police cooperation;

(c) The Ministerial Conference on International Cooperation against Terrorism and Transnational Organized Crime, held in Panama City from 4 to 7 April 2006, was organized in cooperation with the Inter-American Committee against Terrorism of the Organization of American States (OAS), and attended by representatives of eight Central American countries. The Ministerial Conference culminated in the adoption of the Panama Declaration on International Cooperation against Terrorism and Transnational Organized Crime (A/60/820-S/2006/265, annex);

(d) A regional training session for attorneys to strengthen national capacities in counter-terrorism was held in Cartagena, Colombia, from 8 to 12 May 2006 and organized jointly with the Government of Spain and the Inter-American Committee

against Terrorism, in cooperation with the Attorney-General's Office of Colombia. The training session was attended by representatives of 18 Latin American and Caribbean countries and benefited from the participation of senior judges and prosecutors from other countries, including France, Italy, Spain and the United States;

(e) The Madrid Ministerial Round Table of West and Central African Countries on a Counter-Terrorism Legal Framework, held in Madrid on 25 and 26 May 2006, was organized jointly with the Government of Spain, and attended by representatives of 26 West and Central African countries. Participants reported on the progress made in their countries with the ratification and implementation of the universal legal instruments against terrorism and with the reporting to the Counter-Terrorism Committee. The Round Table adopted the Madrid Declaration and Plan of Action on strengthening the legal regime against terrorism in West and Central Africa (A/61/368-S/2006/756, annex) which specifies concrete measures and steps to be taken;

(f) A subregional training seminar for member States of the Economic Community of West African States (ECOWAS) on international legal cooperation against terrorism was held in Abuja from 24 to 26 July 2006 and attended by representatives of 14 West African countries. The seminar was organized jointly with the ECOWAS executive secretariat and aimed at providing substantive training to criminal justice officers on the use of the universal instruments against terrorism as tools for international cooperation, particularly extradition and mutual legal assistance. The participants adopted a plan of action;

(g) The Second Subregional Expert Workshop on International Cooperation on Counter-Terrorism, Corruption and the Fight against Transnational Organized Crime was held in Bucharest from 13 to 15 November 2006. The Workshop was organized jointly by UNODC and the Organization for Security and Cooperation in Europe (OSCE) and attended by representatives of 12 countries. The participants adopted the Bucharest Declaration on International Cooperation on Countering Terrorism, Corruption and Transnational Organized Crime (A/61/601, annex) in which they called upon the participating regional and international organizations and bodies to fully assist participating States, as appropriate and within their respective mandates, in the fight against terrorism, transnational organized crime and corruption;

(h) The fourth study tour for Portuguese-speaking countries on the ratification and implementation of the international legal instruments against corruption and terrorism, international cooperation and alternative sentences to prison was held in Maputo from 13 to 16 November 2006 and attended by representatives of eight Portuguese-speaking countries. Held under the regular programme of technical cooperation, the meeting aimed at assisting participating countries in becoming parties to and implementing the universal legal instruments against terrorism and facilitating the exchange of information and best practices on measures to enhance international judicial cooperation. Participants made a number of recommendations;

(i) A training workshop for regional magistrates in Southern Africa on international cooperation in combating terrorism and its financing, in partnership with the Association of Regional Magistrates of Southern Africa and the

Commonwealth Secretariat was held in Johannesburg, South Africa, from 15 to 18 November 2006, with more than 230 representatives from six countries. The main objective of the workshop was to sensitize and train senior judicial officers on the key components of measures to address international terrorism and its financing, with a specific focus on practical issues relating to the adjudication of terrorism and related cases;

(j) A subregional training workshop for Southern African countries on international cooperation in the fight against terrorism and its financing was held in Windhoek from 5 to 7 December 2006 and organized in cooperation with the Southern African Development Community (SADC) and the Commonwealth Secretariat, with participants from 13 Southern African countries. The member States of SADC developed a set of recommendations and called on UNODC and its relevant partners to continue providing technical assistance to SADC member States.

3. Technical assistance tools

22. To facilitate a more sustained impact of its counter-terrorism technical assistance, the Terrorism Prevention Branch has developed a number of technical assistance tools, such as a checklist of offences and jurisdictions set forth in the universal instruments relating to terrorism and Security Council resolution 1373 (2001), a *Legislative Guide to the Universal Anti-Terrorism Conventions and Protocols*,¹ a *Guide for the Legislative Incorporation and Implementation of the Universal Anti-Terrorism Instruments* and a model law against terrorism.²

23. New tools and substantive working documents are being developed and existing tools are regularly updated. The Terrorism Prevention Branch has recently finalized a *Comparative Study on Anti-Terrorism Legislative Developments in Seven Asian and Pacific Countries*, which reviews the status of legal provisions and practices, focusing on the existing gaps in the implementation of the first 12 universal conventions and protocols related to terrorism in Cambodia, Indonesia, the Lao People's Democratic Republic, Malaysia, the Philippines, Timor-Leste and Viet Nam. The Branch plans to prepare studies on the national legislation and practices of countries in other subregions and regions.

24. One of the tools under preparation is a training manual on international cooperation in the fight against terrorism for criminal justice officials. Practitioners specialized in this area have been involved in the drafting process to ensure a practical approach. The draft was reviewed by a second expert group, consisting of 18 experts from governmental and intergovernmental organizations, which met in Vancouver, Canada, from 8 to 10 May 2006. A further meeting of experts will be held in Vienna in April 2007 to finalize the manual.

25. Another important tool is the electronic legal resources on international terrorism,³ maintained by the Terrorism Prevention Branch, which includes the full text of the universal instruments against terrorism and their status of ratification,

¹ United Nations publication, Sales No. E.04.V.7.

² All four documents are available from the website of UNODC at http://www.unodc.org/unodc/terrorism_tools.html.

³ The electronic legal resources on international terrorism are available from the website of UNODC at <http://www.unodc.org/tldb>.

searchable by region, country, treaty and time period. This database also contains legislation from more than 130 countries, covering a total of more than 500 laws. Data are regularly updated and, whenever possible, provided in all six official languages of the United Nations. The site is available on a password-protected basis to selected external users, such as government officials and partner organizations.

26. The database of electronic legal resources on international terrorism complements the International Money-Laundering Information Network (IMoLIN), a one-stop research resource for anti-money-laundering/countering the financing of terrorism, maintained by the Anti-Money-Laundering Unit on behalf of a partnership of international organizations. IMoLIN includes the Anti-Money-Laundering International Database, a password-restricted legal database providing information on the anti-money-laundering/countering the financing of terrorism legislation of some 163 jurisdictions. Since January 2005, more than 300 new and amended anti-money-laundering/countering the financing of terrorism laws and regulations have been included in the database.

27. The Anti-Money-Laundering Unit drafted, in March 2006, an updated version of the model law on money-laundering and the financing of terrorism, to be used by civil law systems, in a joint initiative with IMF. The model law incorporates new internationally accepted standards to combat money-laundering and the financing of terrorism, such as the United Nations conventions and various regional provisions and takes into account best practices.

28. Tools on judicial cooperation in criminal matters have also been developed by the Legal Advisory Section. The Mutual Legal Assistance Request Writer Tool enables justice system authorities to rapidly draft effective mutual legal assistance requests. The software tool covers all serious crimes under international conventions, including the terrorism instruments. A similar software tool is being developed to enable central authorities, judges and prosecutors to write effective extradition requests. Progress has also been made regarding a model bill on the proceeds of crime and unlawful activities, money-laundering and terrorist financing, to be used by common law countries, and regarding a model law on mutual legal assistance, which follows the work undertaken with regard to the Model Law on Extradition.

4. Measuring the impact of technical assistance

29. The Branch measures the impact of its technical assistance and related activities against several indicators, such as the increase in the number of ratifications of the universal legal instruments, the number of countries that draft and implement new counter-terrorism laws after having received assistance from UNODC, the number of officials trained and briefed on the universal instruments and related issues, the number of technical assistance tools developed and disseminated and comments by Member States on the work of UNODC.

30. Through its assistance, UNODC has contributed significantly to improving the status of ratification of the universal instruments. Member States, with which the Terrorism Prevention Branch has conducted technical cooperation activities since 2003, undertook an estimated 353 new ratifications of the universal anti-terrorism instruments. In 2006 alone, 67 new ratifications of the universal counter-terrorism instruments were undertaken by Member States with which the Terrorism

Prevention Branch had conducted technical assistance activities. In January 2003, when the global project on strengthening the legal regime against terrorism started, only 26 countries had ratified the first 12 universal instruments, whereas by January 2007 that figure had risen to 85 countries. Also in January 2003, 98 countries had ratified 6 or less of the 12 instruments, whereas by January 2007 that figure had been reduced to only 32 countries.

31. In addition, at least 37 countries have taken steps to incorporate the provisions of the universal legal instruments into national legislation: 12 have passed new anti-terrorism legislation and at least another 25 have new anti-terrorism legislation in progress.

32. Approximately 4,700 national criminal justice officials have been provided with specialized substantive briefings on the universal conventions and protocols against terrorism and the related Security Council resolutions. Approximately 1,700 of them were trained in 2006. Since the beginning of 2003, nine technical assistance tools and substantive publications have been developed to help countries strengthen their legal regimes against terrorism.

33. In order to learn from experiences to date, the Terrorism Prevention Branch has initiated an evaluation of its technical assistance delivery in selected countries in Africa and in Latin America and the Caribbean. The evaluation is being carried out by the Independent Evaluation Unit of UNODC.

B. Cooperation and partnerships

34. In order to maximize the impact of its technical assistance and to avoid duplication of efforts, UNODC has continued to strengthen its operational partnerships.

35. In 2006, new partnership arrangements and joint activities were undertaken or reinforced with a number of organizations, including the Commonwealth Secretariat, SADC, the Intergovernmental Authority on Development, the Association of Regional Magistrates of Southern Africa and the Pacific Island Forum secretariat. Collaboration was strengthened between the Terrorism Prevention Branch and numerous partner organizations, including the supporting entities to the subsidiary bodies of the Security Council and the other members of the Counter-Terrorism Implementation Task Force, as well as many organizations at the subregional, regional and international levels, such as OSCE, the Council of Europe, the European Union, the Inter-American Committee against Terrorism of OAS, the African Union, the Central African Economic and Monetary Community, the Economic Community of Central African States, COMESA, ECOWAS, the Organization of the Islamic Conference, the League of Arab States, the Association of Southeast Asian Nations (ASEAN), the International Organization of la Francophonie and the International Development Law Organization. To raise substantive awareness for counter-terrorism issues, the Terrorism Prevention Branch makes contributions to the work of the United Nations Information Service, by providing briefings for visiting groups and by participating in relevant events. For example, the Terrorism Prevention Branch contributed to a panel at the GLOBSEC 2006 international conference on global security, entitled "Five years after 9/11: are we winning the fight against international terrorism?", held in

Bratislava from 13 to 15 December 2006 and co-sponsored, inter alia, by the Public Diplomacy Division of the North Atlantic Treaty Organization.

36. The Global Programme against Money-Laundering has developed and maintained strategic relationships and conducted many joint projects with regional and international organizations, such as the Commonwealth Secretariat, the European Union, IMF, OSCE, the World Bank, the Egmont Group of Financial Intelligence Units and the Office of Overseas Prosecutorial Development, Assistance and Training of the United States Department of Justice. The Programme continued to strengthen its relationship with the Financial Action Task Force on Money Laundering (FATF), particularly to help States fully meet the international standards, including FATF Forty Recommendations on Money-Laundering and Nine Special Recommendations on Terrorist Financing. The Programme has also obtained observer status within the FATF-style regional bodies.

1. Cooperation with subsidiary bodies of the Security Council and their supporting entities

37. UNODC delivers its technical assistance under the policy guidance of the Counter-Terrorism Committee of the Security Council and the priorities established by it, in coordination with and fully respecting the operational requirements set out by the Counter-Terrorism Committee Executive Directorate.

38. The functions of the Counter-Terrorism Committee and its Executive Directorate and UNODC are fully complementary and mutually supportive: the political, policy, coordination and facilitation work of the Committee and its Executive Directorate precedes and guides the work of UNODC in delivering technical assistance in the legal and related capacity-building areas; the technical assistance work of UNODC in turn helps the Committee to verify the response to the identified gaps and needs in the counter-terrorism capacity of Member States. In accordance with these distinct functions, the following effective working arrangements are in place:

(a) UNODC participates in country visits of the Executive Directorate, in accordance with Security Council resolution 1535 (2004) of 26 March 2004;

(b) Experts of the Committee and its Executive Directorate participate in UNODC national, subregional and regional activities and provide briefings on the role of the Committee and priorities identified in terms of Security Council resolution 1373 (2001);

(c) Consultations with the Committee and its Executive Directorate take place in the planning of UNODC activities and the Committee and its Executive Directorate provide guidance on the countries in need of assistance;

(d) UNODC provides technical assistance in legal and related areas to those countries, upon confirmation of request;

(e) UNODC also assists Member States in compiling reports for submission to the Committee. The Terrorism Prevention Branch has shared with the Committee and its Executive Directorate its mission reports and the periodic matrices of ongoing and planned technical assistance activities and, in June 2006, provided briefings on UNODC counter-terrorism activities to the Committee and its Executive Directorate. UNODC participated in on-site visits of the Executive

Directorate to Algeria, India, Kuwait, Malaysia, Mali, Pakistan, the former Yugoslav Republic of Macedonia, the Philippines and the United Republic of Tanzania in 2006. The Executive Directorate provided UNODC with its assessment of the technical assistance needs of numerous countries and requested that UNODC attempt to assist in meeting those needs, in consultation with the concerned countries.

39. Cooperation has been strengthened with the Security Council Committee established pursuant to Security Council resolution 1267 (1999) of 15 October 1999 concerning Al-Qaida and the Taliban and associated individuals and entities (the Al-Qaida and Taliban Sanctions Committee) and its Analytical Support and Sanctions Monitoring Team established pursuant to paragraph 6 of Security Council resolution 1526 (2004) of 30 January 2004. Members of the Monitoring Team met with UNODC staff in March 2006 to discuss possible areas of cooperation. The Terrorism Prevention Branch briefed the Al-Qaida and Taliban Sanctions Committee and the Monitoring Team on the mandate of UNODC in June 2006. Subsequently, the Committee endorsed the proposal of the Monitoring Team to work in various areas with UNODC, in coordination with the Counter-Terrorism Committee Executive Directorate. When providing technical assistance to States, UNODC seeks to reinforce States' capacity in the legislative and regulatory areas to implement the sanctions regime against Al-Qaida and the Taliban and associated individuals and entities, in particular, the measures to freeze funds and other financial resources, as well as to assist States in drafting the portions of their reports to the Committee in the areas in which UNODC has specialized expertise. The Terrorism Prevention Branch and the Anti-Money-Laundering Unit will also assist in disseminating information on the sanctions regime against Al-Qaida and the Taliban and associated individuals and entities and in explaining to the relevant national authorities, including judges and prosecutors, the scope of States' obligations with regard to the measures under the sanctions regime as imposed by Security Council resolution 1267 (1999) and subsequent resolutions.

2. Cooperation with members of the Counter-Terrorism Implementation Task Force

40. UNODC is working closely with the Executive Office of the Secretary-General, which acts as chair of the Counter-Terrorism Implementation Task Force. At the request of the Executive Office, the Terrorism Prevention Branch contributed to the drafting of the report of the Secretary General entitled "Uniting against terrorism: recommendations for a global counter-terrorism strategy". The Branch provided extensive support to the Executive Office during the development and adoption of the United Nations Global Counter-Terrorism Strategy by the General Assembly and the related consultations among Member States.

41. Enhanced cooperation is also sought with the Office of Legal Affairs of the Secretariat, in particular through active participation in the subregional workshops and seminars of both parties.

42. UNODC and the International Civil Aviation Organization (ICAO) have further intensified their working relationship. Further to the launching of its Coordinated Assistance and Development Strategy, ICAO and the Terrorism Prevention Branch held working sessions in October 2006 to initiate cooperation in the field of technical assistance and training in aviation security, especially with regard to the legal framework. Future cooperation would include regular sharing of

information and technical assistance tools, the undertaking of joint training activities and the development of joint training programmes.

43. UNODC and the International Maritime Organization (IMO) continued to contribute to the workshops of each party, for example, by the participation of the UNODC Regional Office for West and Central Africa in the IMO Maritime Organization for West and Central Africa forum on the establishment of an integrated coast guard function network for West and Central African countries, held in Dakar from 23 to 25 October 2006. The forum adopted a resolution, which would form the basis of action plans to be developed for the implementation of the integrated coast guard function network. IMO also participated in the Ministerial Conference on International Cooperation against Terrorism and Transnational Organized Crime.

44. UNODC has also strengthened its cooperation with Interpol, in particular with respect to carrying out joint training courses in countering the financing of terrorism and other relevant areas. Interpol has contributed to the specialized training sessions for criminal justice officials of the Terrorism Prevention Branch and participated in several of its subregional training workshops for senior criminal justice officials. In order to facilitate participation in the activities of both parties, UNODC is sharing with Interpol its periodically updated matrices reflecting planned technical assistance missions.

45. UNODC and the Office of the United Nations High Commissioner for Human Rights have also enhanced their cooperation by participating in the workshops of each party, for example, by the participation of UNODC in the Workshop on Human Rights and International Cooperation in Counter-Terrorism, held in Liechtenstein from 15 to 17 November 2006, and by the participation of the Office of the United Nations High Commissioner for Human Rights in the specialized training sessions on counter-terrorism for criminal justice officials, in the Madrid Ministerial Round Table of West and Central African Countries on a Counter-Terrorism Legal Framework and in the Ministerial Conference on International Cooperation against Terrorism and Transnational Organized Crime.

46. The World Bank and IMF participated in the Madrid Ministerial Round Table of West and Central African Countries on a Counter-Terrorism Legal Framework. IMF also participated in the Ministerial Conference on International Cooperation against Terrorism and Transnational Organized Crime. The legal assistance work of the Terrorism Prevention Branch in the Latin American and Caribbean region is carried out in close coordination with IMF.

47. Consultations with the International Atomic Energy Agency (IAEA) have been initiated regarding possible areas of cooperation to assist Member States with regard to the International Convention for the Suppression of Acts of Nuclear Terrorism (General Assembly resolution 59/290, annex, of 13 April 2005). A representative of IAEA participated in the Second Subregional Expert Workshop on International Cooperation on Counter-Terrorism, Corruption and the Fight against Transnational Organized Crime and presented a case study on nuclear terrorism.

3. Cooperation with other subregional, regional and international organizations

48. UNODC has participated in the meetings of the Counter-Terrorism Action Group of the Group of Eight. Progress has been made with regard to the

coordination of technical assistance activities at the field level by participants of the Counter-Terrorism Action Group. The chair of the Group has been invited to subregional and regional workshops of the Terrorism Prevention Branch.

49. The Terrorism Prevention Branch and the Commonwealth Secretariat, in particular its Criminal Law Section, have been working together for a number of years. An understanding has been reached to implement activities and partnerships jointly to the maximum extent possible. The Branch has conducted several technical assistance and training workshops in partnership with the Commonwealth Secretariat, in particular in East and Southern Africa. The Branch has also contributed to several Commonwealth Secretariat initiatives, including the national seminars entitled “Training of specialists and trainers programme”, held in Kingston from 13 to 17 March 2006 and in Trinidad, Trinidad and Tobago, from 5 to 9 June 2006.

50. Over recent years a tradition of exemplary cooperation with OSCE has evolved. This is particularly demonstrated through strengthened cooperation with the OSCE Action against Terrorism Unit and the Office for Democratic Institutions and Human Rights, and through mutual participation in UNODC and OSCE technical assistance activities. OSCE has joined UNODC, when appropriate, in both bilateral and subregional technical assistance workshops, particularly in Central Asia and the Caucasus. A joint OSCE/UNODC expert workshop to promote international judicial cooperation and UNODC technical assistance tools took place on 23 and 24 March 2006. A follow-up joint expert workshop on enhancing legal cooperation in criminal matters to counter terrorism is planned for March 2007. A joint regional workshop for Central Asia and the Caucasus on international cooperation against terrorism and transnational organized crime took place in Antalya, Turkey, in February 2007.

51. Cooperation between the Terrorism Prevention Branch and the Council of Europe has also continued, including through the exchange of information, the participation of staff in relevant meetings organized by the partner organization, and each party relying on the expertise of the other. UNODC attended the Expert Workshop on Preventing Terrorism: Fighting Incitement and Related Terrorist Activities, held in Vienna on 19 and 20 October 2006, organized by OSCE and the Council of Europe. The Council of Europe also participated in the joint UNODC/OSCE regional workshop for Central Asia and the Caucasus on international cooperation against terrorism and transnational organized crime, held in February 2007 in Turkey.

52. UNODC has been building upon a strategic partnership with the European Union in the implementation of the legislative framework for enhancing international cooperation within the requirements of Security Council resolutions and the universal legal instruments against terrorism. The Terrorism Prevention Branch is sharing information regarding ongoing and planned technical assistance activities at country and regional levels with European Union interlocutors responsible for planning and implementing counter-terrorism actions. Common priorities have been identified as a result of several meetings with representatives of the Council of the European Union, the European Union Counter-Terrorism Coordinator, and the European Commission. UNODC has also initiated a new partnership with the European Union’s judicial cooperation unit Eurojust and the

European Police Office (Europol), which participated in both specialized training sessions on counter-terrorism for criminal justice officials.

53. UNODC has established a permanent operational partnership with the Inter-American Committee against Terrorism of OAS. Training seminars, workshops, ministerial conferences and technical assistance missions have been jointly organized and conducted by the two organizations. Activities have included the organization of specialized training courses for judges and prosecutors at the national, subregional and regional levels, as well as the conducting of joint national legislative assistance missions to provide the necessary support for the incorporation into national legislation of requirements set forth by the international legal instruments against terrorism.

54. Building on previous engagement and cooperation with the African Union and in line with its overall plan of action for Africa, UNODC has sought to strengthen collaboration with the African Union on legal and related aspects of counter-terrorism. The Terrorism Prevention Branch has been working closely with the African Union on developing a model law for African Union member States. Pursuant to initial consultations in July 2006, discussions are under way with the African Union and with its African Centre for Studies and Research on Terrorism in Algiers to develop a joint working relationship to enhance African capacity to implement the provisions of the universal legal framework and the recently drafted African Union model law on terrorism. The Centre has participated in the Branch's specialized training session on counter-terrorism for criminal justice officials.

55. In Southern Africa, UNODC formalized a partnership agreement with SADC in September 2006 through an exchange of letters by the Executive Director of UNODC and the Executive Secretary of SADC. The partnership adds valuable political support and substantive expertise to activities of the Terrorism Prevention Branch in Southern Africa and ensures that issues particularly germane to the subregion are fully taken into account. Detailed workplans have been elaborated, including a series of national and subregional workshops and technical assistance activities. UNODC also worked closely with other key partners in the region, including the Association of Regional Magistrates of Southern Africa and the African Prosecutors Association.

56. In East Africa, UNODC established a formal partnership agreement with the Intergovernmental Authority on Development and has benefited from the participation of COMESA in its meetings. In West and Central Africa, UNODC has worked jointly with ECOWAS. A training seminar for ECOWAS member States on international legal cooperation against terrorism was organized jointly by UNODC and ECOWAS in Abuja in July 2006. The Economic Community of Central African States and the Central African Economic and Monetary Community have participated in subregional counter-terrorism events.

57. Pursuant to the agreement made between the Organization of the Islamic Conference and UNODC in July 2004 to enhance their cooperation in the delivery of technical assistance and to cooperate with regard to capacity-building and training for the General Secretariat of the Organization of the Islamic Conference, the Terrorism Prevention Branch held, on 11 and 12 April 2006, a workshop on the universal legal framework against terrorism for the staff of the General Secretariat and member States representatives of the counter-terrorism group (also known as

the “group of 13”) and undertook consultations with officials of the Organization of the Islamic Conference aimed at strengthening cooperation on counter-terrorism technical assistance activities. It was agreed that representatives from the Organization of the Islamic Conference would be invited to attend all relevant national or subregional activities conducted by the Branch.

58. UNODC is also cooperating with the Council of Arab Ministers of the Interior. The Terrorism Prevention Branch briefed the Secretary General of the Council and his staff on the mandate and activities of the Branch in April 2006 and participated in the Arab Conference on Combating Terrorism, held in Tunis in July 2006.

59. The Branch continued to work with ASEAN, providing substantive input to the workshop for ASEAN government legal officers on mutual assistance in criminal matters, held in Malaysia in May 2006, and ad hoc specialized advice to the expert working group preparing an ASEAN Convention on Counter-Terrorism, in November 2006.

60. Cooperation was also initiated with the Pacific Islands Forum secretariat. The Terrorism Prevention Branch participated and made substantive presentations at the meeting of the Pacific Islands Forum Counter-Terrorism Working Group, held in Auckland, New Zealand, in April 2006. As requested by the meeting, the Branch undertook a peer review of the Pacific Island Forum model law on counter-terrorism. A closer partnership is being developed between the Branch and the secretariat for the delivery of counter-terrorism technical assistance to the Pacific Island countries.

IV. Enhancing the delivery of technical assistance

61. UNODC is rising to the challenge of reinforcing its counter-terrorism technical assistance delivery to assist countries with the implementation of the United Nations Global Counter-Terrorism Strategy by building upon its in-house capacities in related areas and by achieving effective coordination and synergy of efforts, internally and with partner organizations, including within the framework of the Counter-Terrorism Implementation Task Force. Mobilizing increased substantive and financial support from Member States will be crucial for meeting this challenge.

A. Helping States translate commitments into action

62. The United Nations Global Counter-Terrorism Strategy, which encourages UNODC to enhance its provision of technical assistance to Member States and encourages Member States to resort to the assistance delivered by the Office, necessitates a further significant expansion of UNODC technical assistance activities in legal and related capacity-building matters, especially those carried out within the framework of the global project on strengthening the legal regime against terrorism, as described below:

(a) Continued awareness-raising at the policy level on the universal legal regime against terrorism and expanded provision of legal advisory services to an increased number of Member States, covering a broader array of substantive issues. Specialized advice continues to be required to promote and facilitate the ratification

of all the universal instruments against terrorism, especially the most recently adopted instruments, namely the International Convention for the Suppression of Acts of Nuclear Terrorism (General Assembly resolution 59/290, annex), the Amendment to the Convention on the Physical Protection of Nuclear Material,⁴ the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation⁵ 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;⁶

(b) Enhanced legislative drafting assistance and expanded training for criminal justice practitioners to be provided to an increased number of Member States, with a special focus on ensuring compliance with the principles of the rule of law and States' obligations under international law, in particular international human rights law, refugee law and humanitarian law;

(c) Expanded level of specialized expertise to be provided to promote legal mechanisms for international cooperation in criminal matters and to enhance the domestic capacity of an increased number of Member States in that regard, as well as to facilitate the creation and strengthening of counter-terrorism mechanisms or centres at the subregional and regional levels;

(d) Further bolstering of counter-terrorism legal expertise at the national level. This can be facilitated through the promotion of academic legal training on counter-terrorism issues, in partnership with universities, academic institutions and other research centres.

63. In reinforcing its counter-terrorism work, UNODC will draw on and build upon its expertise in crime prevention and drug control, including promoting cooperation among criminal justice agencies at the regional level and the use of good legal and related capacity-building practices in counter-terrorism and expanding its counter-terrorism legal research and specialized training. The counter-terrorism work of UNODC is to be undertaken in a comprehensive manner, taking fully into account the work done with regard to the drug and crime conventions. Counter-terrorism is not only an important area of UNODC work, but also a cross-cutting issue and the various organizational entities within UNODC strive to integrate pertinent counter-terrorism aspects in their respective substantive areas of work. Increased use is also to be made of the operational support provided by field level experts as conduits to transmit expertise to countries in legal and related matters.

⁴ Adopted on 8 July 2005 by the Conference to Consider and Adopt Proposed Amendments to the Convention on the Physical Protection of Nuclear Material.

⁵ Adopted on 14 October 2005 by the Diplomatic Conference on the Revision of the SUA Treaties (LEG/CONF.15/21).

⁶ Adopted on 14 October 2005 by the Diplomatic Conference on the Revision of the SUA Treaties (LEG/CONF.15/22).

B. Contributing to the work of the Counter-Terrorism Implementation Task Force

64. UNODC plays an active role within the Counter-Terrorism Implementation Task Force and serves as one of the lead entities for various priority “deliverables” in the workplan of the Task Force, in areas such as facilitating the integrated implementation of the United Nations Global Counter-Terrorism Strategy, tackling the financing of terrorism and enhancing technical assistance delivery.

65. UNODC has also contributed to the United Nations Counter-Terrorism Online Handbook, compiled by the Task Force. This online resource tool, created on the basis of a recommendation made by the Secretary-General in his report entitled “Uniting against terrorism: recommendations for a global counter-terrorism strategy”, aims to centralize and disseminate information on United Nations system counter-terrorism-related resources and activities.

66. The United Nations Global Counter-Terrorism Strategy also encourages the United Nations to work with relevant subregional, regional and international organizations, including to identify and share best practices. Building upon and enhancing the established relations with relevant subregional and regional organizations are crucial to sustaining political will and policy-level commitment. UNODC therefore aims to strengthen its collaboration and coordination with relevant subregional, regional and international organizations.

C. Mobilizing increased governmental support

67. Donor support for the technical assistance activities of the Terrorism Prevention Branch has been steadily increasing. Between January 2003 and December 2006, voluntary contributions (paid and pledged) for activities by the Terrorism Prevention Branch totalled some US\$ 15.5 million. Contributions have been made by the following 18 countries: Austria, Canada, Denmark, France, Germany, Italy, Japan, Liechtenstein, Monaco, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States.

68. The required further expansion of counter-terrorism technical assistance activities depends on increased resources becoming available. In order to respond to the increased requests, a much higher level of voluntary contributions will be required.

69. In addition, it is also essential to provide for a minimum level of core capacity in terms of specialized expertise to enable the planning and backstopping of the expanded programme of work. This core capacity needs to be provided through regular budget allocations. The resource allocation in the regular budget has remained at the same level since 2003, of approximately \$1 million per year. The Branch has been meeting the increased core capacity requirements through donor contributions. This makes advance planning difficult and may not be sustainable in the long term.

70. Similarly, the technical assistance activities of the Anti-Money-Laundering Unit and its Global Programme against Money-Laundering rely almost exclusively

on voluntary contributions, with only nominal regular budget resource allocation. The funding base of the Global Programme against Money-Laundering will need to be expanded and made more predictable if these increased demands are to be met.

V. Conclusions and recommendations

71. The scope of specialized technical assistance in the legal and related capacity-building areas provided by UNODC, in particular by its Terrorism Prevention Branch, has consistently expanded since the launch of the global project on strengthening the legal regime against terrorism in 2003, in terms of its geographical reach, the number of countries receiving assistance, as well as in terms of the substantive content of the legal assistance provided. In view of the increase in the number of universal ratifications and countries reached through first-stage subregional, regional and bilateral assistance activities, the work of the Branch is focusing increasingly on in-depth follow-up activities and support for national counter-terrorism capacity-building for criminal justice systems, in particular through legislative drafting and implementation assistance and specialized training in the judicial and prosecutorial fields. Assistance is offered to countries already receiving technical support, especially in Africa, Latin America and the Middle East, as well as to countries lagging behind in terms of ratification and implementation, and is provided in close collaboration with relevant providers of bilateral assistance and subregional and regional organizations.

72. In response to the United Nations Global Counter-Terrorism Strategy, UNODC must also reinforce its technical assistance work on legal and related capacity-building matters. It must also develop new initiatives to promote subregional- and regional-level counter-terrorism legal cooperation, good practices, legal research and academic training, drawing on and building upon its expertise in crime prevention and drug control. UNODC also needs to integrate pertinent counter-terrorism aspects in other relevant substantive areas of UNODC mandates and work, such as money-laundering, transnational organized crime, drug trafficking, corruption and criminal justice reform.

73. The Commission may wish to provide further guidance with regard to the reinforcement of UNODC technical assistance work on counter-terrorism issues and the development of new initiatives and invite recipient and donor countries to work closely with UNODC in this regard.

74. To facilitate the provision of counter-terrorism technical assistance to Member States, the UNODC network of field-level experts needs to be strengthened, to serve as a conduit for the transmission of expertise.

75. The Commission may wish to provide further guidance with regard to the strengthening of the UNODC network of field-level experts.

76. It is also vital to continue to establish and reinforce partnerships with other organizations, internal and external to the United Nations system, and to make valid contributions to the work of the Counter-Terrorism Implementation Task Force.

77. The Commission may wish to invite relevant organizations at the subregional, regional and international levels to enhance their cooperation with UNODC on counter-terrorism issues.

78. While acknowledging with appreciation that donor countries have provided increased voluntary contributions for the counter-terrorism work of UNODC, it is important to note that the current resource level is not sufficient to meet the increasing requests for technical assistance on legal and related capacity-building matters and the corresponding expansion in operational activities and substantive initiatives for assisting States with the implementation of the United Nations Global Counter-Terrorism Strategy. Increased voluntary contributions by donors and cost-sharing arrangements with assisted countries are essential, as are joint initiatives and partnerships with other relevant organizations.

79. Realizing the full potential of the expanded UNODC counter-terrorism technical assistance activities also requires increased core capacity in terms of specialized expertise, which needs to be provided through regular budget allocations, thus releasing the extrabudgetary resources currently used to meet these core expertise requirements for implementing technical assistance activities at the field level.

80. The Commission may wish to express gratitude to the donors for the voluntary contributions made available to UNODC for its counter-terrorism work and invite Member States to increase the level of extrabudgetary and regular budget resources for implementing UNODC technical assistance activities on legal and related capacity-building aspects of counter-terrorism.

Annex

**Contributions to the United Nations Crime Prevention and
Criminal Justice Fund for technical assistance projects of
the Terrorism Prevention Branch, from prior to 2002 to
31 December 2006***

(United States dollars)

Donor	Total amount paid and pledged as at 31 December 2006	Prior to 2002	2003	2004	2005	2006
Austria	1 292 385	13 522 (2002) 294 985 (2002)	730 689		242 366	10 823
Canada	811 097			47 071	74 371	689 655
Denmark	1 317 249				546 701	770 548
France	1 119 626		247 578	246 305	283 013	342 730
Germany	891 154		162 690	256 400	242 130	229 934
Italy	1 959 782	65 043 (2001) 198 216 (2002)	271 150	306 373	600 000	519 000
Japan	146 160	30 000 (2002)			66 160	50 000
Liechtenstein	100 000				50 000	50 000
Monaco	60 000					60 000
Netherlands	1 877 865		4 720		937 731	935 414
New Zealand	140 845					140 845
Norway	1 129 861			442 478	459 383	228 000
Spain	605 698		156 576		47 337	401 785
Sweden	1 311 344				491 344	820 000
Switzerland	40 000				40 000	
Turkey	120 170	20 170 (1999) 25 000 (2000)		50 000		25 000
United Kingdom of Great Britain and Northern Ireland	1 274 493			478 000	212 146	584 347
United States of America	1 224 000	230 000 (2000)		250 000	446 000	298 000
Organization for Security and Cooperation in Europe	13 175					13 175
Total	15 434 904	876 936	1 573 403	2 076 627	4 738 682	6 169 256

* Includes outstanding pledges of US\$ 878,141.