

Fifth special meeting of the Counter-Terrorism Committee with international, regional and subregional organizations held in Nairobi, Kenya from 29 to 31 October 2007

Analysis of the report of the participants in the plan of action and the joint statement

I. Introduction

1. The Counter-Terrorism Committee held its fifth special meeting with international, regional and subregional organizations in October 2007, in Nairobi, Kenya. The two main themes of the meeting were preventing terrorist movement and ensuring effective border security. The meeting served to strengthen the close relationship between the Committee and the Counter-Terrorism Committee Executive Directorate (CTED) and the relevant international, regional and subregional organizations. The meeting also provided participants the opportunity to establish a framework for their activities, aimed at maximizing cooperation and consistency in their joint efforts to help Member States implement those provisions of Security Council resolution 1373 (2001) that relate to effective border control and security.

2. The meeting produced two main outcomes: a joint statement of the participants (focused on 10 clusters of activities) and an accompanying plan of action. The 10 clusters of activities (which were divided into sub-activities in the plan of action) strengthen existing mutual understandings and cooperative arrangements which, when executed, support implementation of the border-control provisions of resolution 1373 (2001).

3. In October 2008, while awaiting the input of other participating organizations on their related activities, CTED submitted to the Committee a preliminary progress report on the plan of action, outlining the efforts of the five international organizations that led the thematic sessions of the Nairobi meeting: the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO), the International Criminal Police Organization (INTERPOL), the World Customs Organization (WCO), and the United Nations High Commissioner for Refugees (UNHCR). This input has now mostly been received, and has been incorporated into the attached report.

4. This report summarizes the accomplishments of those participating organizations that are most involved in border control and security work and that intend to continue their partnership in the global cooperative effort to detect and prevent terrorist mobility and to maintain effective border controls for this purpose.

II. Summary of the activities of participants in the plan of action

5. A review of the submissions of participants in the plan of action indicates that those organizations linked many of their activities to the objectives of the fifth special meeting and that they are making concerted efforts to ensure that the required measures and initiatives relevant to border control and security are actively promoted and supported. A brief summary of participants' activities follows:

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- CTED and the relevant international, regional and subregional organizations conduct a wide range of activities and participate in, or contribute to events designed to keep one another informed about plans, strategies, future directions, changing trends and areas of emphasis and deepen their understanding and knowledge of one another's mandates with a view to increasing cooperation and synergies.
- The relevant international, regional and subregional organizations are engaged in continuous efforts to promote their border control and security instruments and measures, developing and disseminating supporting guidance material; conducting audits, assessments and diagnostic studies; establishing information and communications systems; providing or facilitating training and capacity-building; convening workshops and seminars; and facilitating regional operations and pilot projects in order to help their member States develop and implement border-security management strategies and increase the efficacy of their counter-terrorism efforts. A number of these organizations have taken part in the Committee's visits to States or provided information to facilitate the work of the Committee in its efforts to share their expertise in assessing the effectiveness of controls relating to border security.
- The Committee/CTED and international, regional and subregional organizations promote ratification of international and/or regional counter-terrorism instruments by Member States, on a continuous basis. In order to support Member States in this activity, international, regional and subregional organizations hold workshops and training sessions and provide model laws and relevant legislative provisions that Member States can adapt to their respective situations. International, regional and subregional organizations also provide resources to help Member States draft and implement the requisite domestic legislation.
- All relevant international organizations have introduced specific programmes for capacity-building and technical cooperation, with fundraising components. Some organizations develop and deliver border-control and security-training programmes and material. Others host, and participate in training workshops and conferences that provide an environment suited to open dialogue and the sharing of expertise and best practices with respect to countering terrorist mobility across international borders. Others operate or support regional training centres, and some regional organizations either facilitate the capacity-building work of international organizations by working with their members or work with assistance providers as regional "clearing houses". CTED, for its part, has developed a constantly updated directory of technical assistance which covers 14 counter-terrorism areas, including border control.
- Organizations, through their own means and processes, have developed, and continue to develop standards and recommended practices that are required to address border control and security needs. They have also developed guidance material and organized workshops and training sessions to assist Member States in their implementation efforts.

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- The Committee/CTED and the relevant international, regional and subregional organizations also remind and encourage Member States to become parties to the international instruments on human rights law, refugee law and international humanitarian law. Some international, regional and subregional organizations help Member States to incorporate relevant provisions in their domestic legislation and, in some cases, monitor instances of possible violations of those instruments. Some organizations provide inputs and clarifications to CTED and suggest issues for discussion during the Committee's visits to States.

6. The contributions of participants in the fifth special meeting indicate a pattern of focused activities on the part of regional and subregional organizations that complements the activities of international organizations. This is borne out by the activities of a number of regional and subregional organizations that have arranged training and technical assistance on a consistent basis or organized topical workshops and relevant training programmes, throughout their regions, on various aspects of border security. These regional and subregional organizations have utilized their resources and leverage effectively to further the implementation and delivery of the required programmes and technical assistance in their respective geographical regions.

7. This regional focus supplements and reinforces the technical outreach efforts of those international organizations (notably ICAO, IMO, INTERPOL and WCO) that establish international standards for border controls and security. In this respect, the interaction among international and regional/subregional organizations is both symbiotic and vital to ensuring that these international norms cascade down to the relevant subregional entities. Since effective border security largely depends upon regional cooperation, the contribution of regional organizations helps maintain a seamless relationship that helps relay and apply standards on a "top-down" basis. The contributions of participants in the plan of action clearly indicate that this process is operating positively.

III. Benefits of the fifth special meeting

8. The interaction among participants since the fifth special meeting and the review of their inputs to the report on the plan of action indicate robust and continued interest and commitment to working with the Committee on issues of border security and the prevention of terrorist mobility. This view is supported by the active contributions made by participants in the Nairobi discussions, as well as by follow-up meetings and other interactions aimed at developing future strategies and methodologies. It is also supported by their participation in follow-up joint activities with CTED such as the organization of workshops on specific themes, their willingness to provide reports and briefings, and their general interest in benefiting from the Committee's wide political reach to advance the implementation of their security norms and standards. Most international, regional and subregional organizations are technical in their outreach.

9. The fifth special meeting served as the catalyst for this interest and commitment by laying the foundation for more dynamic partnerships. It did so in two main ways:

- It sought to create a forum for raising awareness and sharing information about standards and required measures and about activities and projects designed to combat terrorist

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mobility across borders. This objective has been achieved. Moreover, participants' follow-up activities will permit the institutionalization of information-sharing, not just between the Committee/CTED and international, regional and subregional organizations, but also among the organizations themselves.

- It provided the impetus for some international, regional and subregional organizations to go beyond information-sharing to enhance their various respective links and relationships through the implementation of joint initiatives. This represents notable progress, and the Committee and CTED will continue to play their full role in such joint initiatives.

IV. Follow-up activities

10. The fifth special meeting and the resulting follow-up meetings and interactions between CTED and certain international, regional and subregional organizations have demonstrated the need to develop specific or targeted activities, designed to highlight a particular issue or address a specific need, which will take place over the next 12-to-18 months. These activities would, to the extent possible, include both international and regional organizations and aim to improve Member States' border controls in order to detect and prevent the movement of terrorists across their international borders. One example of such activities is collaboration between ICAO, INTERPOL, IOM and the relevant regional bodies, and Member States that do not yet issue machine-readable passports but must meet a mandatory deadline in this regard. A workshop on machine-readable passports and travel document security was co-sponsored by the Inter-American Committee against Terrorism (CICTE), CTED and ICAO in November 2008 in Bogota, Colombia. A similar workshop will be held for African States in Abuja, Nigeria, with the participation of a number of regional African organizations.

11. A further example of such activities is a proposal for the Committee/CTED to work with IMO to implement the Memorandum of Understanding (MoU) on the establishment of a subregional coastguard network for the West and Central African subregion by 20 member States of the regional Maritime Organization of West and Central Africa (MOWCA). The purpose of this initiative is to facilitate the provision of technical assistance in developing and implementing the related legislative provisions to enable enforcement activities and bilateral and multilateral international cooperation. The MoU underscores, among other things, the importance of the global fight for maritime safety and security. In this regard, it will provide guidelines for coastal surveillance and enforcement of international conventions, regulations and codes, notably the relevant IMO conventions and the United Nations Convention on the Law of the Sea.

12. Other proposals for future activities include the following: (i) cooperation among the Committee/CTED, INTERPOL and UNHCR to facilitate the exchange of information during the refugee status determination process in order to ensure that refugees and asylum-seekers have not committed terrorist acts; (ii) using indicators in the Committee's global implementation survey concerning weaknesses or inefficiencies in border control and security in order to develop appropriate follow-up activities and identify which organization(s) should be involved; and (iii) contributing to the implementation of subregional action plans on border control and security by assisting in planning, organizing and promoting related events and activities.

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13. Each type of entity has a specific role to play in this collaborative process. The international standard-setting organizations contribute their technical specifications, knowledge and assistance programmes; other organizations offer their regional outreach and organizational and facilitative encouragement; and the Committee offers its political influence, encouraging Member States to adopt the relevant international standards on border controls and security to limit terrorist mobility, thereby complying with the relevant provisions of resolution 1373 (2001). This collaborative process helps forge strategic partnerships aimed at achieving specific goals and thus advancing the overall objectives of the fifth special meeting. This cooperative and complementary approach also facilitates the implementation of the United Nations Global Counter-Terrorism Strategy, with the Committee/CTED, the relevant international, regional and subregional organizations, and Member States working together to promote its implementation.

V. Conclusion

14. The fifth special meeting has clearly generated an ongoing dynamic of follow-up activities and initiatives among the various participants. It is important that the Committee and CTED harness this momentum and continue to provide the necessary leadership and guidance in order to ensure that this dynamic continues to produce dividends in the future. The first steps in this process will be to share this analysis and the attached report with the relevant international, regional and subregional organizations, posting them on the Committee's website, and working closely with the relevant partners in the follow-up process.

15. As a key player in the global response to terrorism, mandated to monitor implementation of resolution 1373 (2001), the Counter-Terrorism Committee is in a position to create forums and institutional frameworks for decision-making, as well as to provide support through CTED. The Committee's fifth special meeting provided a forum and a framework in which participants stated their intention to work together to achieve the 10 objectives outlined in their joint statement and "underlined the importance of strengthening their cooperation with a view to furthering the plan of action".

16. The relevant international, regional and subregional organizations (and their membership) are the driving force for the implementation of the plan of action, but the facilitation and advocacy of the Committee will shape the outcome of the fifth special meeting in a positive way. This also applies in respect of many other important themes that are addressed by the provisions of resolution 1373 (2001) and should also be considered by the Committee.