

**Special Meeting of the Counter-Terrorism Committee on
“Stemming the Flow of Foreign Terrorist Fighters”**

Madrid, 28 July 2015

Conclusions

The Counter-Terrorism Committee:

Reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed; that terrorism cannot and should not be associated with any religion, nationality or ethnic group; and that terrorism should be unequivocally condemned universally;

Recalls that the Security Council, acting pursuant to Chapter VII of the Charter of the United Nations, adopted resolution 2178 (2014) on countering threat posed by foreign terrorist fighters, on 24 September 2014;

Recalls the Statement of the President of the Security Council of 19 November 2014 (S/PRST/2014/23), which reaffirmed that the increasing threat posed by foreign terrorist fighters is part of the emerging issues, trends and developments related to Security Council resolutions 1373 (2001) and 1624 (2005) and encouraged the Counter-Terrorism Committee to hold special meeting in 2015, with the participation of Member States and relevant international and regional organizations, to discuss ways to stem the flow of foreign terrorist fighters; in this regard, *expresses its gratitude* to the Government of Spain for its generosity in hosting the Special Meeting of the Counter-Terrorism Committee in Madrid and for ensuring the meeting’s successful organization and outcome;

Underscores the need to implement all aspects of resolution 2178 (2014), to intensify those efforts and to identify and undertake priority actions aimed at stemming the flow of foreign terrorist fighters, in particular those mentioned in the Statement of the President of the Security Council of 29 May 2015 (S/PRST/2015/11);

Reaffirms that Member States must ensure that any measures taken to counter terrorism comply with all their obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law;

Underlines that the United Nations, specialized international and regional organizations, civil society, research institutes and academia have an important role to play in building an

understanding of the threat posed by the phenomenon of foreign terrorist fighters and in facilitating international cooperation in this field;

Notes and welcomes the conclusions of the technical discussions conducted with the Members of the Counter-Terrorism Committee, other participating Member States, and other relevant international and regional actors held in Madrid on 27 July 2015 that were briefed to the Committee by the rapporteurs for each of the three sub-topics identified and outlined below:

Group I - Detection and Intervention against Incitement, Recruitment and Facilitation of FTFs

- Member States are encouraged to address the threat posed by foreign terrorist fighters (FTFs) through a comprehensive approach in accordance with resolution 2178 (2014).
- Member States are encouraged to prevent radicalization to terrorism, stem recruitment, counter violent extremism, which can be conducive to terrorism, counter incitement to terrorist acts motivated by extremism or intolerance, and promote political and religious tolerance, economic development and social cohesion and inclusiveness.
- Member States are encouraged to engage relevant local communities and non-governmental actors in developing strategies to counter the violent extremist narrative that can incite terrorist acts, and address the conditions conducive to the spread of violent extremism, which can be conducive to terrorism, including by empowering youth, families, women, religious, cultural and education leaders, and all other concerned groups of civil society.
- Member States, international organizations and civil society are undertaking important initiatives in a number of relevant areas, including creating avenues for the voices of women and youth, strengthening the role of civil society while respecting its independence, supporting families in crisis, creating opportunities for victims to contribute to countering violent extremism, seeking a more prominent role for religious leaders, reinforcing community-policing programmes, monitoring the Internet and social media while respecting human rights and the rule of law, and developing education programmes to promote critical thinking and understanding of other cultures.
- There is a need to provide greater political and financial support for such initiatives and to provide for the security needs of civil society actors and others speaking out against terrorism and violent extremism.

- There is a need for further, in-depth global, regional and thematic research and analysis, both to better understand factors contributing to radicalization and to measure the impact of policies and projects aimed at addressing the threat.

Group II - Prevention of FTF Travel

- Member States affected by the FTF phenomenon have been strengthening their border-related controls to more effectively detect and prevent the cross border movement of FTFs.
- However, because some of the required measures and practices have not yet been fully put in place, there is a need to raise awareness of the implications of the actions of FTF at the border.
- Member States should consider increasing the availability of information needed for decisive action.
- Member States should consider strengthening coordination and inter-agency information exchange, both domestically and with counterparts in other Member States.
- Member States should consider providing dedicated resources and automated tools, including advance passenger information (API), access to watch lists, and centralized databases.
- Member States should consider introducing measures and practices to enhance the capacities of competent border authorities, including with respect to the type of information required at the border, the sources of information, and the methodologies for its processing in order to detect potential FTFs, and consider sharing this information with competent authorities.
- API is an essential source of information about passengers, both prior to their departure and prior to their arrival.
- Member States should consider standardizing the data transmitted and the means of transmittal, establishing a single point of collection of the information, use of interactive API, and importance of support to Member States to implement API systems.
- Member States should consider coordinated border management as an effective way to strengthen controls and delivery of service, achieve economies of scale, streamline operations, and enhance strategic management.

Group III - Criminalization, Prosecution, International Cooperation, and the Rehabilitation and Reintegration of Returnees

- Member States have already implemented a number of good practices related to the criminalization, prosecution, rehabilitation and reintegration of FTFs, as well as in the area of international legal cooperation.
- Member States should consider reviewing the compliance of existing legislation with the requirements of resolution 2178 (2014) and updating national legislation frameworks accordingly.
- Member States should consider adopting legislation that is clear and comprehensive and upholding fundamental rule of law and human rights principles, in accordance with the relevant Security Council resolutions.
- In order to ensure effective investigation and prosecution of FTF-related offences, Member States should consider adopting criminal procedural and evidentiary rules that will permit the collection and use of evidence against FTFs.
- Member States should consider ensuring that criminal justice responses are complementary to existing comprehensive counter-terrorism strategies, as well as to adopt a case-by-case approach to returnees.
- Member States should consider implementing administrative measures and/or rehabilitation and reintegration programmes in cases where it would not be appropriate to bring terrorism-related charges.
- Member States should consider engaging in effective international legal cooperation in handling FTF-related cases, which are transnational in nature, as well as ensuring that their legislation is complementary by criminalizing the full range of offences contained in resolution 2178 (2014).
- Member States should consider updating their MLA laws and mechanisms; softening formal MLA requirements wherever possible; strengthening national MLA procedures; and establishing MLA central authorities endowed with adequate resources, training, and legal authority.

Resolves to develop, with the assistance of the Counter-Terrorism Committee Executive Directorate (CTED), a detailed outcome document containing a set of guiding principles taking into consideration the above with a view to assisting Member States' efforts to stem the flow of foreign terrorist fighters, including by compiling good practices and principles and promoting a unified approach for implementing resolution 2178 (2014);

Encourages CTED to step up its efforts, in close cooperation with the Counter-Terrorism Implementation Task Force (CTITF) Office, the United Nations Counter-Terrorism Centre (UNCCT) and other relevant CTITF entities, as well as other international specialized agencies, to facilitate technical assistance to Member States most affected by the foreign terrorist fighter phenomenon;

Resolves to continue to monitor and assist, with the support of CTED, Member States in the full implementation of all relevant Security Council resolutions; *further resolves* to continue to focus on ways and means to identify principal gaps in Member States' capacities to implement resolutions 1373 (2001) and 1624 (2005) that may hinder their abilities to stem the flow of foreign terrorist fighters, identify good practices, and facilitate delivery of related technical assistance; in this regard, *looks forward to* receiving CTED's third analytical report of the critical gaps for the most affected Member States for countering foreign terrorist fighters in September 2015, as well as CTITF's capacity building implementation plan for countering foreign terrorist fighters by October 2015.