

# **Technical guide to the implementation of Security Council resolution 1373 (2001) and other relevant resolutions**



**Counter-Terrorism Committee Executive Directorate (CTED)  
United Nations**

New York, UN HQ, 21 December 2017

# OVERVIEW

# CTC – Program of Work 2016

The Committee will consider information provided by the Executive Directorate regarding its progress in **updating** the Technical Guide to the Implementation of resolutions 1373 (2001) and 1624 (2005), while also taking into account the new requirements set forth in resolutions 2129 (2013), 2133(2014), 2178 (2014), 2195 (2014), 2199 (2015), 2220 (2015), 2242 (2015) and 2253 (2015), **in order to reflect the additional elements prescribed in these resolutions.**

# The status of the 2009 Guide

- Developed by CTED
- Presented to the CTC in 2009 and endorsed by the CTC as a CTED reference tool on 10 December 2009.
- Includes a disclaimer **“The guide does not purport to impose any obligations upon States apart from those that already exist by virtue of the relevant Security Council resolutions, international treaties, customary international law, or other obligations voluntarily undertaken by States.”**

# Agreed Methodology

- Keeping the structure of the 2009 version maintained
- Mainstreaming all the latest SC Resolutions
- Deepening the analysis
- Agreed language
- References from approved documents:
  - SC resolutions, DIS, Madrid Guiding Principles, CTC policy guidance, FTF reports
  - footnoted
- Feedback from CTED partners (UNODC, FATF, ICAO, INTERPOL, WCO and OHCHR).
- Mainstreaming Human rights, ICT and gender

# **NATIONAL AND REGIONAL STRATEGIES**

## Developing comprehensive and integrated counter-terrorism strategy

- Security Council resolutions 1963 (2010) and 2129 (2013)
- Two important factors these measures:
  - *First*, the evolution of the terrorist threat which requires the response to be holistic, comprehensive and multidisciplinary.
  - *Second*, the Security Council's counter-terrorism measures have become increasingly aligned with those of the United Nations Global Counter-Terrorism Strategy.

## Two main areas of inquiries in the new Technical Guide

- Does the State have in place a comprehensive and integrated counter-terrorism strategy that engages a wide range of stakeholders (e.g., academia, media, civil society) beyond law enforcement agencies?
- Does the State have in place a mechanism for implementing such a strategy?



# Methodology

- During assessment visits and as part of its stocktaking, CTED advises States, where applicable, on the need to develop comprehensive and integrated counter-terrorism strategies.
- The Global Counter-Terrorism Strategy as a general “Blueprint.” In addition, “The Bogota Principles” set forth the elements required for a strategy to be deemed a “comprehensive” strategy, rather than focused only on a “law enforcement” strategy.
- CTITF Working Group on National and Regional Strategies (Co-Chaired by CTED and the Office of Counter Terrorism)

# FINANCING OF TERRORISM

# Financing of Terrorism

- While terrorist groups and threats change over time, the basic need for terrorists to raise, move and use funds remains the same. Financing is required, not just for operational needs but also to sustain terrorist activity, including through recruitment and training
- Terrorists have also demonstrated the facility to adapt quickly and to exploit both traditional ways and new technologies to mobilize and transfer funds
- TG contributes to assess how Member States adopt measures to identify and disrupt the TF activity
- TG incorporates main CFT elements of recent resolutions including 2178 (2014), 2253 (2015), 2368 (2017) as well as updated recommendations from the Financial Action Task Force (FATF)

# Main TF areas of focus

- Criminalization of terrorist financing
- Asset freezing
- Role of the financial intelligence units
- Misuse of non-profit organizations
- Misuse of new technologies and payment methods
- Links with organized crime

**BORDER SECURITY, ARMS  
TRAFFICKING AND LAW  
ENFORCEMENT**

# Overview of BM-LE-SA

- *EFFECTIVE BORDER CONTROLS AND RELATED ISSUES;*
- *SUPPRESSION AND PREVENTION OF RECRUITMENT ;*
- *TAKE THE NECESSARY STEPS TO PREVENT THE COMMISSION OF TERRORIST ACTS, BY PROVISION OF EARLY WARNING;*
- *ELIMINATING THE SUPPLY OF WEAPONS TO TERRORISTS;*

# Technical Guide: 2009 vs 2017

- **2009 : About 30 references + INTERPOL tools and resources;**
- **2017 Technical guide; More than 75 references, new international standards, IROs good & recommended practices + INTERPOL tools;**
  - **INTERPOL CT Strategy;**
  - **WCO Punta Cana Resolution on API/PNR - Security in Customs;**
  - **ICAO AVSEC Culture + GAsEP;**
  - **5 Key UNSC resolutions**, 2178 (2014) on FTFs ; 2322 (2016) on International Judicial and Law enforcement cooperation ; 2309 (2016) on the terrorism threat to civil aviation ; 2341 (2017) on CI, 2370 (2017) on preventing terrorist from acquiring weapons;
  - **New international CT instruments:** (Convention for the Suppression of Unlawful Acts Relating to International Civil Aviation, Beijing, 10/9/2010; Protocol for the Suppression of Unlawful Seizure of Aircraft, Beijing 10/9/2010; Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft done at Montréal on 4/4/2014 (or “Protocol to amend the Tokyo Convention”));

# 2017 Technical Guide

- ***New presentation:*** Still easy for everybody, more user friendly, more detailed for practitioners, more references, guidance...
- ***Some key news elements:***
  - Foreign terrorist fighters, broken travels, criteria, Travel risk assessment;
  - Border Security Management (UNCCT/GCTF, Good Practices on Border Security & Management in the Context of CTC and Stemming the Flow of FTFs);
  - Use, storage & sharing of Biometrics data to detect FTFs and Terrorists;
  - Advance passenger Information (API) & Passenger Name Record (PNR);
  - Securing Passenger Air Travel cycle (Travel document, procedures)
  - Critical Infrastructures Strategies and Action Plan; Soft Targets:
  - IEDs, Arms trafficking online, Internet Web and Dark web, 3D Printers files...
- ***Engaging with Member States and IROs***
  - Support IROs efforts
  - Support MS efforts, sharing of information, resources from IROs, joint efforts (API initiative, Compendium and guiding principles on Biometrics, on CI)
  - Monitoring implementation of intern. standards & facilitating the delivery of TA



# **LEGAL AND CRIMINAL JUSTICE**

# Universal Legal Regime against Terrorism

- 1373 (2001), 1624 (2005) and subsequent UNSC resolutions
- 2178 (2014) and new FTF returnees resolution
- 2322 (2016) – International cooperation
- 2341 (2017) – Critical infrastructure
- 19 international CT instruments
- Related conventions

# Key Components of Legal and Criminal Justice Responses to Terrorism

- Criminalisation of terrorism and related offences, including preparatory and support offences
- Ability to investigate and bring to justice (investigators, prosecutors and judges).
- International cooperation (MLA, extradition).

# New Elements Added by Technical Guide

- FTFs and returnees
- Links between terrorism and transnational organized crime
- Collecting evidence from battlefields
- Attacks on critical infrastructure
- Increased risk for law enforcement and criminal justice personnel
- New approaches to complex investigations and prosecutions
- ICT and digital evidence

# HUMAN RIGHTS

# Human Rights, SCR 1624, and CVE

- The Security Council has stressed that CT measures must comply with human rights obligations.
- Human rights matters appear throughout the TG.
- The TG now also includes SCR 1624 on incitement.
- Incitement requires a comprehensive approach: criminalization, and also countering through dialogue and partnerships; prevent subversion of educational and religious institutions.

# Countering Violent Extremism (CVE)

- Security Council resolution 2178 (2014) includes innovative provisions on CVE.
- Promotion of community engagement; empowerment of youth, women, families, religious and community leaders, civil society; inclusion; education.
- Development of national strategies to counter incitement and violent extremism; Madrid Guiding Principles.

# Countering Terrorist Narratives: SC Resolution 2354 (2017)

- The Technical Guide includes new reference to Security Council resolution 2354 (2017).
- “Comprehensive International Framework” on countering terrorist narratives (S/2017/375): 1) Suppression; 2) Public-Private Partnerships; 3) Counter-Narratives.
- Engage with all actors; develop both counter-messages and positive/alternative messages; gender dimension.



# **INFORMATION AND COMMUNICATION TECHNOLOGIES**

# Information and Communication Technology and Technical Guide

- Use of ICT for terrorist purposes mentioned in resolutions 1373 (2001), 1624 (2005), 2129 (2013), 2178 (2014), 2322 (2016), 2341 (2017) and 2354 (2017) and other relevant resolutions but not reflected in 2009 Technical Guide

# Information and Communication Technology and Technical Guide

- New Technical Guide mainstreams ICT in the different chapters:
  - CFT
  - Recruitment online
  - Weapons
  - Special Investigation Techniques
  - Forensics
  - Mutual Legal Assistance
  - Counter-Narrative

**GENDER**

# Roles of women: Victims, Supporters, Perpetrators & Preventers

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## Women's Alliance for Security Leadership (WASL)

# Resolution 2242 (2015)

## OP 11

- *Calls for the greater integration by Member States and the United Nations of their agendas on women, peace and security, counter-terrorism and countering-violent extremism*
- *Encourages CTC and CTED to integrate gender as a cross-cutting issue from assessment to technical assistance, including by increasing consultations with women*

## OP 12

- *Conduct and gather gender-sensitive research*
- *Ensure monitoring and assessment mechanisms and processes mandated to prevent and respond to violent extremism, have the necessary gender expertise*

## OP 13

- *MS and UN to ensure participation of women and women's leadership in development of PVE strategies*
- *Including countering incitement to commit terrorist acts, creating counter narratives and other appropriate interventions, and building their capacity to do so effectively*
- *Calls for adequate financing, increased amount allocated within CT/CVE funding to gender (15%)*

# Gender as a Cross-Cutting issue

Prevention

Interdiction

Response

CVE,  
Combating  
Incitement/  
Countering  
narratives  
Community  
policing  
Border mgmt

Law  
enforcement,  
criminal  
justice,  
security  
sector

Prosecution,  
rehabilitation &  
reintegration  
strategies;  
CVE

Thank you

