

Presentation on the Global Implementation Survey 2021
Elizabeth Joyce, Section Chief – Americas, Asia Pacific
Counter-Terrorism Committee Executive Directorate

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This week, the Counter-Terrorism Committee adopted the latest edition of its 2021 global implementation survey on Member States' implementation of resolution 1373, based on CTED's assessment work of States' counter-terrorism efforts.

CTED has a remarkable and unique capacity for such global analysis, which rests on a firm foundation of consistent monitoring based on asking the same questions of all Member States. Updated over time, it also allows the CTC and – in the global implementation survey the public at large – to see progress in implementation.

CTED's assessment reports have traditionally been part of a confidential dialogue between the Committee and Member States.

Nevertheless, great strides in transparency pursuant to resolution 2395 have been made in recent years by the Member States themselves in volunteering to make their reports more readily available. The Global Implementation Survey, however, still affords the public a rare insight into the work of the Committee and CTED.

The survey takes a regional approach to its analysis. It sometimes names and praises, but never names and shames.

A strong and broad mandate in resolution 1373 has been supplemented by additional mandates, particularly since 2014. Examples of themes that CTED has focused on in recent years include threats to critical infrastructure; the development of prosecution, rehabilitation and reintegration (PRR) tools to address the threats associated with returning foreign terrorist fighters (FTFs); the integration of gender as a cross-cutting issue; the introduction of API/PNR in civil aviation and border management; the prevention of small arms and light weapons falling into the hands of terrorists; the nexus between organized crime and terrorism; and, throughout all its work, the protection of human rights while countering terrorism. Many of these initiatives have led to the delivery of technical assistance to Member States by such providers as OCT and UNODC, in collaboration with CTED, informed by the Committee's recommendations pursuant to assessment visits to Member States.

At the heart of this effort is CTED's unique dialogue with Member States, conducted on behalf of the Committee, and relying for its success on the kind cooperation of *all* Member States, including:

- their willingness over the years to open their counter-terrorism regimes to scrutiny;
- their gracious responsiveness to CTED's many requests for information;
- their readiness to engage in the enormous job of work it takes to host a CTC visit; and
- their diligence in continuing that engagement in follow up to the findings and recommendations of the visits.

In this respect, CTED's global analysis exists thanks to the hard work of all Member States.

This year, while maintaining the firm framework of consistent analysis of Member States' CT implementation across all regions, CTED's 2021 Survey has taken the additional step of shining a spotlight on some of the issues in specific regions that it believes are deserving of particular attention at the moment, whether by virtue of the seriousness and urgency of the challenges and/or because of the innovation with which Member States have tackled them, in compliance with Security Council resolution 2395, which recommends that CTED employ a risk-based approach to its work.

The selected issues we are going to highlight today, which are by no means exhaustive, were chosen based on CTED's desk-based analysis and visits to Member States, as well as in discussion with other UN agencies and entities, including, but not confined to, close partners such as the 1267 Monitoring Team, UNODC and OCT.

While we continue to monitor and analyse the threats that Member States, let us give credit where it is due and never lose sight of the efforts and the innovation that so many Member States have made and the achievements that have resulted. Here are some of them.

The Sahel

Let me begin with Africa and the Sahel and the role of evidence collected from battlefields. The Sahel faces an extremely high terrorist threat. In recent years, the dramatic increase in terrorist activity in the subregion is primarily due to two groups both designated by the Security Council: Al-Qaida-affiliated Jama'at Nusrat al Islam wal Muslimeen (JNIM) and the Islamic State in the Greater Sahara (ISGS). Both groups are active in Mali and the tri-border region of Mali, Niger and Burkina Faso. In August, JNIM and Al-Qaida in the Islamic Maghreb jointly celebrated the Taliban's accession to power in Afghanistan. In the meantime, ISGS has strengthened its connections with the Islamic State West Africa Province in Nigeria.

In some States of the Sahel, where terrorist organizations have taken advantage of remote and ungoverned spaces to carry out their operations, the role of the military in enabling effective criminal justice responses to terrorism is essential. In such cases, the military is the first (and sometimes only) responder to terrorist attacks. To some extent, States use evidence collected by the military to address accountability for terrorism crimes. This process, however, is a complex challenge that requires military and criminal justice institutions to develop sufficient familiarity with each other and to agree on the need to coordinate and cooperate. States in the Sahel have taken concrete steps to increase cooperation between the military and criminal justice authorities. Two have formalised agreements between key ministries (Defence, the Interior and Justice) to ensure that said cooperation is systematic and integrated into the working methods of each institution. Trials of terrorism cases are now taking place in four States. Nonetheless, given limited human and technical capacities, the backlog of cases remains heavy.

Lake Chad Basin

ISWAP and Boko Haram, also terrorist groups listed by the Security Council, have long dominated the terrorism landscape in Nigeria and the Lake Chad Basin. The estimated death toll of over

35,000 persons in Nigeria is just one indicator of the devastating effects that these groups have had on population and the region.

Member States in the Lake Chad Basin are confronted with the difficult challenge of how to handle individuals whom they believe have been associated with Boko Haram and who may have committed a terrorist offence, or be a victim, or both. There are tremendous pressures on this delicate decision-making process, multiplied by in 2021 thousands of persons surrendering themselves following the killing of Shekau, feared leader of Boko Haram, by ISWAP on orders from ISIL core, and cross-border movement between the four States.

Lake Chad Basin States have made progress towards the development of screening, prosecution, rehabilitation and reintegration (SPRR) strategies, and are working towards developing comprehensive strategies. Two States have created bodies in charge of coordinating the handling of individuals associated with Boko Haram who surrendered to the authorities, involving representatives from multiple ministries and agencies – at both local and national level. Three have made significant progress towards establishing a process to screen individuals for prosecution, rehabilitation or reintegration, as well as taken steps to develop reintegration pathways which include community outreach. There nevertheless remain challenges such as coordination between local and Federal actors, community and civil society engagement and sufficient specialized and operational capacity to address all aspects of PRR.

South Asia

In **South Asia**, the overall threat level remains high. Recent events in Afghanistan, including a rapidly growing humanitarian crisis in that Member State, may lead to negative consequences linked to terrorism in neighbouring Member States and beyond in the medium and long term. The coordinator of the Monitoring Team, Edmund Fitton-Brown, recently pointed out that a safe haven for AQ in Afghanistan seems assured and that Afghanistan is likely to serve as a platform for planning, communication, recruitment, training, and fund raising. Many terrorist groups (including, Al-Qaida in the Indian Subcontinent (AQIS), and the Islamic State in Iraq and the Levant - Khorasan (ISIL - K)) are active in the subregion. Much of the terrorist activity in the subregion appears to be ISIL-inspired, if not directed.

However, progress has been made by South Asian Member States in several areas, including on the collection and use of electronic evidence in the criminal justice space. Five years ago, police, prosecutors and judicial officers in several States of South Asia had little or no capacity to use electronic evidence in their investigations and prosecutions. Although gaps remain in this area, increased attention has been paid to the importance of electronic evidence and considerable improvements have been made.

Prosecutors and police have gained experience and capacity in obtaining electronic evidence across borders through police-to-police cooperation; direct communication with service providers; and the mutual legal assistance (MLA) process. Practitioners have also become aware of the importance of timely requests for the preservation of electronic evidence directed at service providers and have begun to acquire familiarity with their needs and requirements.

South East Asia

South-East Asia has been infiltrated by ISIL-inspired foreign terrorist fighters (FTFs), and local terrorist groups continue to be inspired by, and pledge allegiance to, ISIL. This subregion remains a source, transit point and destination for ISIL fighters, as well as for militants connected to, inter alia, the Abu Sayyaf Group (ASG), Al-Qaida, Jemaah Islamiyah and others.

However, all States in South East Asia are aware of the importance of adopting a “whole-of-society” approach in countering terrorism and the value of engaging with, and including, relevant stakeholders across Government, civil society and the private sector. There has been a dynamic and robust approach in this region to establishing ties with the private sector and setting up public-private partnerships (PPP) in a range of critical areas, such as air and maritime security and the protection of critical infrastructure and “soft” targets.

The Association of South-east Asian Nations (ASEAN) has adopted the ASEAN Plan of Action (PoA) to Prevent and Counter the Rise of Radicalization and Violent Extremism 2018-2021 and the Work Plan of the ASEAN PoA 2019-2025 (Bali Work Plan), which set out priority areas, activities and outcomes for government agencies to strengthen legislation, enhance good governance, improve law enforcement measures, and expand partnerships to support a whole-of-society approach throughout the region.

Central Asia

Central Asia continues to face significant security challenges, including due to its proximity to regions marked by terrorist activity, illicit drugs and arms trafficking, vulnerability to terrorist propaganda and recruitment, and risks associated with widespread reliance on alternative money remittances. Although there has been a relatively limited number of terrorism-related attacks or incidents in Central Asia in recent years, the number of terrorist attacks carried out by Central Asians *outside* the region has increased. Returning and relocating FTFs are also a concern.

The five States of Central Asia have taken steps to address terrorism in a comprehensive and integrated manner, notably through their engagement in the regional Joint Plan of Action to implement the United Nations Global Counter-Terrorism Strategy (JPoA), currently undergoing a 10-year review process following the completion of three stages. Since 2016, all Central Asian States have developed new national counter-terrorism and CVE strategies and corresponding action plans, many with the support of international organizations. Most of these national strategies and action plans reflect a whole-of-Government approach and, to varying degrees, include elements of a whole-of-society approach.

Latin America and the Caribbean

While the threat of terrorism has been fairly low in recent years, States of Latin America and the Caribbean have been disproportionately affected by the proliferation and availability of illegal firearms. Small arms and light weapons are more frequently used in homicides in Latin America and the Caribbean than in any other regions of the world. Four States of Latin America accounted for a quarter of all global gun-related deaths in 2017. Progress is being made, however.

In Latin America, several States have strengthened intelligence collection and analysis at the national, regional and international levels. Other States have strengthened the capacity of their law enforcement officials to detect and seize firearms, especially at land border control posts, through increased targeting, and cooperation between police and customs.

In the Caribbean, States have strengthened their cooperation and coordination on law enforcement and border-control measures, particularly within the framework of CARICOM and OAS/CICTE. CARICOM has been particularly innovative in establishing regional arrangements to share border-control infrastructure and traveller data. Notable mechanisms in this regard include the regional Implementation Agency for Crime and Security's two sub-agencies (the JRCC and the Regional Intelligence Fusion Centre (RIFC)), which serve to facilitate information and intelligence sharing with Member States and international partners.

WEOG

States of the **Western Europe, North American and other States** group have continued to suffer from a steady rate of terrorist attacks over the past five years. **Australia, Canada, New Zealand and the United States** have experienced terrorist activity since the previous global survey. The risk profile is not evenly spread, however. Some States (e.g., Australia, France, Germany and the United Kingdom) have experienced a disproportionately high level of incidents. Nevertheless, smaller-scale or less-frequent attacks continued to occur throughout Western and Central Europe, including in Austria, Belgium, Finland, the Netherlands, Norway and Sweden.

All States of this group face varying, but increasing challenges posed by terrorist groups, as well as developing new measures and adopting existing measures to tackle the threat posed by individuals motivated by xenophobia, racism and other forms of intolerance, which are becoming increasingly organized and transnational.

West Asia

Between 2016 and 2020, terrorist attacks had affected 10 of the 12 Member States of West Asia (Middle East). The fragility of the political and security situation in some of States continues to warrant vigilance. The proximity to the armed conflict in the Syrian Arab Republic and the activities of various terrorist organizations continues to exacerbate the terrorist risk in the region, owing in part to the continued displacement of people from Iraq and the Syrian Arab Republic, causing continued cross-border security concerns and significant political and economic tensions. The porous and lengthy nature of many land borders and border-control weaknesses also continue to increase the subregion's vulnerability.

ISIL remains an active terrorist threat within the borders of some States and its presence continues to fuel sectarianism and increase the intensity, duration and complexity of conflict in Western Asia.

The large youth populations of most of the States of this subregion are very active online and are thus vulnerable to online recruitment. The exploitation of ICT, including social media, by terrorist

groups represents a substantial challenge to Member States of Western Asia. The Secretariat of the Cooperation Council for the Arab States of the Gulf has taken steps towards the drafting of a comprehensive treaty on cyberterrorism. The 2010 Arab Convention on Combating Information Technology Offences does not fully cover all offences relating to the abuse of the Internet for terrorist purposes.

A final word

As this global information survey notes, the Committee has continued to address relevant human rights issues in its assessments of States' implementation of resolution 1373 (2001). As the Security Council has often reaffirmed, respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing with effective counter-terrorism measures and are essential to of a successful counter-terrorism effort.

This Survey notes that, while some States have enhanced the compliance of their counter-terrorism laws and policies with international legal obligations, many States have still not done enough in this area. Some important shortcomings relate to overly broad national definitions of terrorism or terrorist acts, and the misuse of such definitions. CTED continues to monitor this issue and report to the Committee on it.

The Committee's assessments have also continued to reveal grave human rights violations committed by security forces and other authorities, including extrajudicial killings, arbitrary detentions, and torture and ill-treatment. Compliance with international standards of due process and fair trial also remain matters of concern and CTED will remain alert to such issues in its work.

That concludes these remarks on the global implementation of resolution 1373. I thank you very much.

ENDS
