

Implementing the United Nations General Assembly's Global Counter-Terrorism Strategy in the Asia-Pacific

March 2007



Center on Global Counter-Terrorism Cooperation

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Acronyms

| | |
|-------------------|--|
| ADB | Asian Development Bank |
| AEC | ASEAN Economic Community |
| AML | Anti-Money Laundering |
| APEC | Asia Pacific Economic Cooperation forum |
| APG | Asia/Pacific Group on Money Laundering |
| AOC | Alliance of Civilizations |
| ARF | ASEAN Regional Forum |
| AMMTC | ASEAN Ministers Meeting on Transnational Crime |
| ASC | ASEAN Security Community |
| ASCC | ASEAN Socio-Cultural Community |
| ASEAN | Association of South East Asian Nations |
| ASEM | Asia-Europe Economic Meeting |
| AU | African Union |
| BCTP | Bali Counter-Terrorism Process |
| BIMP-EAGA | Brunei Darussalam Indonesia Malaysia the Philippines - East ASEAN Growth Area |
| COSCAP-SEA | Cooperative Development of Operational Safety and Continuing Airworthiness Programme of Southeast Asia |
| CSCAP | Council for Security Cooperation in the Asia-Pacific |
| CTC | Counter-Terrorism Committee (UN SC) |
| CTED | Counter-Terrorism Executive Directorate (UN SC) |
| CTF | Counter-Terrorism Financing |
| CTITF | Counter-Terrorism Implementation Task Force (UN SG) |
| CTTF | Counter-Terrorism Task Force (APEC) |
| EU | European Union |
| FATF | Financial Action Task Force |
| FRFTSI | Cooperation Fund for Regional Trade and Financial Security Initiative (ADB) |
| FSAP | Financial Sector Assessment Program |
| FSRB | FATF-Style Regional Body |
| GA | General Assembly (UN) |
| GPML | Global Programme against Money Laundering (UNODC) |
| IAEA | International Atomic Energy Agency |
| ICAO | International Civil Aviation Organization |
| ILEA | International Law Enforcement Academy (Bangkok) |
| IMO | International Maritime Organization |
| INTERPOL | International Criminal Police Organization |
| ISGCBM | Inter-Sessional Group on Confidence Building Measures (ARF) |
| ISMCTTC | Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime (ARF) |
| ISPS | International Ship and Port Facility Security Code (IMO) |
| JCLEC | Jakarta Centre for Law Enforcement Cooperation |
| MRTDs | Machine-Readable Travel Documents |
| NBC | Nuclear, Biological and Chemical |
| OFC | Offshore Financial Center |
| OHCHR | Office of the High Commissioner for Human Rights (UN) |
| OPCW | Organization for the Prohibition of Chemical Weapons |
| OSCE | Organization for Security and Cooperation in Europe |
| PASO | Pacific Aviation Safety Office (ICAO) |
| PIF | Pacific Islands Forum |
| PIA | Preliminary Implementation Assessment |

| | |
|-----------------|--|
| RCO | Resident Coordinator (UNDP) |
| ReCAAP | Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia |
| SAFE FoS | SAFE Framework of Standards to Secure and Facilitate Global Trade (WCO) |
| SC | Security Council (UN) |
| SEARCCT | Southeast Asia Regional Center for Counter-Terrorism, Kuala Lumpur |
| SG | Secretary-General (UN) |
| SOMTC | Senior Officials Meeting on Transnational Crime (ASEAN) |
| STAR | Secure Trade in the APEC Region |
| TPB | Terrorism Prevention Branch (UNODC) |
| UN | United Nations |
| UNDP | United Nations Development Programme |
| UNESCO | United Nations Educational, Scientific and Cultural Organization |
| UNODC | United Nations Office of Drugs and Crime |
| U.S. | United States (of America) |
| VAP | Vientiane Action Programme (ASEAN) |
| WCO | World Customs Organization |

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Executive Summary

On 8 September 2006, the United Nations (UN) General Assembly (GA) unanimously adopted a Global Counter-Terrorism Strategy (Strategy) as the culmination of a multi-year effort by the Secretary-General (SG) to encourage all member states to accept and adopt a blueprint for a coordinated, consistent, and comprehensive response to terrorism at the national, regional, and global levels. This report provides an independent assessment of the challenges and opportunities for implementing the Strategy in the Asia-Pacific region. It offers an overview of the Strategy and the relevant efforts of international, regional, and sub-regional bodies operating in the Asia-Pacific. It examines how the Strategy may be used as a guide for each of those bodies to improve their own efforts, but also as a basis for improving the overall coordination and cooperation in the region on combating terrorism in a manner that plays to the comparative advantages of each. It also examines the role that different parts of the UN system, in particular the Security Council's (SC) Counter-Terrorism Committee (CTC) and its staff-body, the Counter-Terrorism Executive Directorate (CTED), can play in strengthening regional implementation of the UN counter-terrorism framework. The following findings and recommendations focus on enhancing and sustaining the efforts of those key stakeholders in implementing the Strategy in the region.

Summary of Key Findings

The unanimously adopted Strategy establishes for the first time a truly global counter-terrorism framework and seeks to bring to bear all the different parts of the UN system, other multilateral bodies, and civil society on the problem of transnational terrorism.

With its inclusion of both socio-economic conditions conducive to the spread of terrorism and preventive measures, the Strategy is consistent with the notion of “comprehensive security” in the Asia-Pacific region. Thus, it reflects the concerns of countries in the region and is likely to be embraced by them.

Regional and sub-regional bodies can offer ideal fora for undertaking region-specific Strategy-related initiatives and other actions that complement and build upon global counter-terrorism objectives, by taking cultural and other contextual issues into account. In the Asia-Pacific, for example, bodies such as the Association of Southeast Asian Nations (ASEAN) could play a leading role in promoting ways to address terrorist recruitment, radicalization, and extremism.

The ability of the overlapping regional and sub-regional bodies in the Asia-Pacific to enhance Strategy implementation efforts is constrained by a number of factors. These include the adherence to the traditional norm of non-interference in domestic affairs, limited institutional capacities and counter-terrorism mandates, and an insufficient UN presence on the ground. These difficulties are exacerbated by duplication of efforts stemming from inadequate region-wide coordination among the different bodies.

The CTC and its CTED have an important role to play in contributing to implementation of the capacity-building elements of the Strategy. Given the threat emanating from parts of the Asia-Pacific, its capacity gaps, vast size, and lack of coherent regional architecture, increased CTC/CTED involvement in the Asia-Pacific is needed. The Strategy provides the CTED with a fresh opportunity to intensify its interaction with countries and bodies in the region.

Many parts of the UN system, which includes a number of bodies and agencies that have regional offices or presences in the Asia-Pacific, have a role to play in both the development and implementation of a seamless, global counter-terrorism web that cuts across all four core elements of the Strategy. Thus, enhancing the UN presence in the region and coordinating among organizations to minimize duplication and ensure that synergies are being maximized is crucial. A more coherent UN regional presence is needed to help ensure that Strategy-related activities in the field are properly coordinated.

Summary of Key Recommendations

Regional and sub-regional bodies in the Asia-Pacific

- **Formally endorse the Strategy**, harmonize existing counter-terrorism programs with the holistic framework it provides, and design and implement programs tied to the Strategy.
- **Develop organization-specific action plans** which identify short, medium, and long-term objectives that ensure the body is adopting a “whole of organization” approach to counter-terrorism, consistent with the approach in the Strategy.
- **Strengthen Strategy-related coordination and cooperation among regional and sub-regional bodies.** This should include the establishment of focal points for Strategy implementation within each relevant regional/sub-regional body and a region-wide Strategy-implementation task force. Focal points would liaise with member states, other bodies in the Asia-Pacific region, and the UN Counter-Terrorism Implementation Task Force (CTITF).
- **Enhance and support an expanded role for the ARF to become the central forum for cooperation on Strategy implementation efforts in the region,** with functions that could include hosting a region-wide implementation mechanism and task force.
- **Enhance the capacity of the secretariats of regional and sub-regional bodies to enable them to better monitor and assist with implementation of international and regional counter-terrorism commitments.**

- **Enhance and promote “Track II” initiatives related to Strategy implementation.**
- **Enhance partnerships for implementation with relevant functional organizations and stimulate the development of public/private sector partnerships.**
- **Develop programs aimed at preventing recruitment, radicalization, and extremism.**

UN System

- **Appoint a special envoy to promote Strategy implementation** to help spread the ideas and approach contained in the Strategy and help the UN present a more unified approach to its implementation efforts.
- **Enhance the UN presence in the region as part of an effort to generate more dialogue and build trust in the region regarding the UN.**
- **Give UNDP resident coordinators responsibility for coordinating Strategy-related UN technical assistance programs** and seek to highlight the connections between the emphasis on good governance programs and the Strategy’s focus on “conditions conducive to the spread of terrorism.”

CTC/CTED

- **Appoint a regional CTED representative with resources to visit other countries in the region** to enhance the CTED’s ability to work with regional and sub-regional bodies to develop counter-terrorism programs aimed at furthering efforts to implement the UN counter-terrorism framework.
- **Place dialogue in the context of the Strategy (vice the more controversial SC Resolution 1373),** as part of its effort to intensify its interaction with countries in the region.
- **Convene regional and sub-regional meetings involving government experts** to develop and deepen the CTED expert network and allow experts in the region to interact and exchange best practices on implementation of relevant SC resolutions.
- **Reduce the burden on under-resourced states** by conducting joint visits to states by the various SC counter-terrorism bodies; rationalizing the multiple reporting requirements of the different SC counter-terrorism bodies; and prioritizing the states and regions where additional implementation efforts are most urgently needed.

Human Rights

- **Establish regional human rights mechanisms**, one within the Association of Southeast Asian Nations (ASEAN) and an independent mechanism consisting of human rights organizations and other members of civil society.
- **Facilitate cooperation with the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.** Relevant regional and sub-regional bodies should consider inviting the Special Rapporteur to conduct a regional visit. In addition, ASEAN should co-host a regional workshop with the Special Rapporteur and the UN Office of the High Commissioner for Human Rights (OHCHR), focusing on the human rights section of the Strategy.
- **Enhance the capacity of OHCHR's two regional offices in the Asia-Pacific region**, to allow each to take on more Strategy-related activities and assume a leading role in promoting Strategy implementation in the region.

Introduction

The international response to the global terrorist threat has focused primarily on nonmilitary aspects of counter-terrorism. In the immediate aftermath of the events of 11 September 2001, the locus of the United Nations' (UN) counter-terrorism efforts centered on the fifteen-member Security Council (SC). In recent months this locus of activity has started to shift back to the more broadly representative 192-member General Assembly (GA), which on 8 September 2006 unanimously adopted a Global Counter-Terrorism Strategy (Strategy). The Strategy, which is annexed to this report in Appendix 2, calls for a more holistic, inclusive approach to counter-terrorism, which includes not just security-related preventative measures that have been the SC's focus, but also gives priority attention to ensuring respect for human rights and the rule of law, as well as addressing underlying conditions conducive to the spread of terrorism. These conditions include: "poverty, prolonged unresolved conflicts, dehumanization of victims of terrorism, lack of rule of law and violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance."¹ Although its provisions are largely directed towards UN member states and/or different parts of the UN system, the Strategy notes that regional and sub-regional bodies have an important contribution to make as well.

This report focuses on the challenge of implementing the Strategy in the Asia-Pacific, a vast and diverse region.² Starting with an analysis of the Strategy itself, this report examines the nature of the threat facing areas within the region. It then turns to the roles relevant regional and sub-regional bodies and the different parts of the UN system, in particular the SC's Counter-Terrorism Committee (CTC) and its staff-body, the Counter-Terrorism Executive Directorate (CTED), can play in strengthening implementation in the Asia-Pacific, and how the Strategy might be a vehicle for creating a more coherent regional response to the terrorist threat. Throughout, and in its conclusion, the report offers concrete recommendations on how to enhance Strategy implementation.

This assessment of the Asia-Pacific region will be the first component of a broader effort to enhance implementation of the Strategy in other regions over the next eighteen months. The Center on Global Counter-Terrorism Cooperation (the Center) intends to conduct similar assessments of other regions before the summer of 2008. The Center will then convene a meeting in New York to discuss the recommendations from each regional exercise and identify and share best practices, which can then be presented to the wider UN membership prior to the GA's scheduled fall 2008 major review of Strategy implementation efforts.

1. Strategy

The Strategy provides a blueprint for a coordinated, consistent, and comprehensive response to terrorism. Its adoption was the culmination of nearly eighteen months of work aimed not only at strengthening the UN's counter-terrorism program but developing

it within the context of a comprehensive, global approach. On the one-year anniversary of the 11 March 2004 Madrid train bombings, the SG first articulated the elements of a global strategy.³ Building upon the SG's speech, and reflecting the broad dissatisfaction with the UN's counter-terrorism program, the leaders at the UN World Summit in September 2005 requested the SG to prepare a formal report with recommendations on how to enhance the UN effort. The resulting April 2006 report, *Uniting Against Terrorism*, urged states to focus their efforts on the concrete, practical contributions that the different parts of the UN system can make in the counter-terrorism effort and on improving coordination and cooperation among the twenty-four different parts of the system currently engaged in this effort.⁴ The report emphasized the role that the UN can play in helping countries strengthen their counter-terrorism capacities, both by identifying and helping close gaps. The SG also argued for the development of a more holistic, inclusive UN approach to counter-terrorism, seeking to deepen the coordination between the SC's security-focused program and the parts of the UN system that deal with crime, development, human rights, education, and peacekeeping—issues which are connected to one or more of the underlying societal and political conditions that may contribute to terrorism. The work of the relevant parts of the UN system need not be given a counter-terrorism label, as in some cases giving it one might limit its impact, but, according to United Kingdom Ambassador to the UN, Sir Emyr Jones Parry, “we should not forget [their] potential to have huge benefits.”⁵

Given the GA's universal membership, the politically sensitive nature of many of the issues involved in developing a comprehensive counter-terrorism strategy, and the often different regional and sub-regional perspectives as to both the nature of the terrorist threat and the appropriate strategy for addressing it, the GA was unable to endorse many of the detailed proposals contained in SG's report. Instead the Strategy consists largely of broadly-worded provisions focused around four major themes: 1) addressing conditions conducive to the spread of terrorism; 2) preventing and combating terrorism; 3) improving the capacity of all states to prevent and combat terrorism; and 4) ensuring respect for human rights and the rule of law.

Although there was a decision to assess the progress made in the implementation after two years, the Strategy offers few specifics to help guide that implementation. Much of the Strategy repeats existing commitments in resolutions adopted by the GA, SC, and other UN bodies. By bringing them together into a single document, unanimously adopted by the GA, however, it does establish for the first time a truly global counter-terrorism framework. In addition, it seeks to bring to bear all the different parts of the UN system, other multilateral bodies, and civil society on the problem. Included in this framework are the counter-terrorism obligations imposed by the fifteen-member SC in various post-September 2001 resolutions. Thus, one of the limitations in the SC counter-terrorism regime, namely its perceived lack of legitimacy due to its under-representative nature, may have been overcome.⁶ Moreover, by incorporating the international conventions and protocols related to terrorism, the UN Convention on Transnational Organized Crime and its three protocols, and the international human rights instruments into a single document, the Strategy brings the UN counter-terrorism legal framework more in line with the scope of both the threat and what is needed to address it effectively.

(See Appendix 5 for a list of relevant instruments.) According to the president of the 61st GA, Sheikha Haya Rashed Al Khalifa of Bahrain, member states must now translate the paper commitments into action for the Strategy to be truly significant.⁷

To achieve unanimous adoption by the GA, the text of the Strategy is deliberately ambiguous in many places. The general nature of many of the Strategy's provisions, however, allows regions and sub-regions a degree of latitude as they seek to develop implementation plans and programs. The terrorist threat varies from region to region and thus a one-size-fits-all approach to implementation is not likely to be effective or appropriate. Rather, regions and sub-regions will need to determine how best to implement the Strategy to maximize its impact on the ground. To complement this global framework and increase the likelihood that there will be concrete advances to report to the GA when implementation efforts are assessed in two years, strategies should be devolved away from the bureaucracy of that global body. The GA tends to dwell on controversial political issues when debating terrorism, such as definitional ones, and thus has difficulty focusing on developing pragmatic approaches to dealing with the threat. There are a number of parts of the Strategy where it will be easier to achieve consensus on specific implementation programs at the regional or sub-regional level than in the GA. These include areas related to the role of the media, education, inclusion of victim's perspectives, and youth radicalization.

Although the Strategy's provisions are largely directed towards UN member states and/or different parts of the UN system, a few explicitly involve regional and sub-regional bodies.⁸ These bodies often have at their disposal knowledge and expertise of local conditions and can offer an ideal forum for building trust and information sharing. They are uniquely suited to develop approaches that can take into account cultural and other contextual issues and undertake region-specific initiatives or other actions that complement and build upon global counter-terrorism objectives. If given the necessary resources and mandate, they can serve as transmission belts not only between what is adopted at the global level by the UN and other international organizations and the states trying to implement that framework, but also better inform the global bodies as to the different regional contexts. They can facilitate the exchange of best practices, expertise, and information among government and nongovernmental experts. Regional bodies also have different comparative advantages in working with their members that might make them well-suited to facilitate the implementation of certain parts of the Strategy that are directed at the member states, the UN system, or other international institutions. It is nevertheless important for all those involved in promoting Strategy implementation to emphasize its comprehensive nature which calls for states to develop an integrated "whole of government" response that utilizes a range of policy and legal instruments.

2. Regional Overview

The Asia-Pacific region faces serious threats to its security and economies from terrorist groups with both local and global ties, most notably the Moro Islamic Liberation Front and Abu Sayef in the Philippines and Jemaah Islamiya in Indonesia and elsewhere.

Southeast Asia, in particular, has been victimized by numerous terrorist attacks, including in Bali, Jakarta, southern Thailand, and the Philippines. Further, insurgencies, for example in southern Thailand and Mindanao, the Philippines, and terrorism sometimes overlap, and global terrorists often exploit the local grievances and local resentments in the region to spread an ideology of hate and violence. Although certain groups such as Jemaah Islamiya have established links with al Qaeda and international terrorist groups, the nature of these links and the extent to which this is true of many of the other terrorist groups in the region is matter of some debate.⁹

Although much of the threat emanates from a few countries in the region (Indonesia, the Philippines, and Thailand), terrorists have demonstrated an ability to exploit the region's geographical and institutional vulnerabilities, large areas of land insufficiently controlled by national governments, high-volume cash economies, intra- and inter-state rivalries, festering local insurgencies, and a relative lack of formal multilateral security cooperation.¹⁰ The differing threat perceptions, the treasured norms of non-interference, and the perception of terrorism as a domestic security problem have largely limited counter-terrorism cooperation in the region to bilateral or trilateral channels.¹¹

Given the vastness of and diversity in the region, and the tendency among states to view it as three separate sub-regions (Northeast Asia, Southeast Asia, and the Pacific Islands), it is not surprising that the Asia-Pacific is one of the few regions where countries have not joined together in a single regional organization, but have instead elected to participate in a series of overlapping formal and informal fora and arrangements, many of which include countries from outside the region. These include, among others, ASEAN, the ASEAN Regional Forum (ARF), the Asia-Pacific Economic Cooperation Forum (APEC), the Pacific Islands Forum (PIF), and the Bali Counter-Terrorism Process (BCTP). As the brief overview of some of the different regional actors will show, the capacity and nature of these bodies, and the extent of their counter-terrorism contributions, varies greatly. Most lack a robust mandate from their member countries and suffer from an institutional deficit that has limited their capacity to respond to the terrorist threat. The region-wide effort has also suffered from a lack of coordination and cooperation among the different bodies, which has produced overlapping mandates and duplication of efforts. This problem has been exacerbated by the lack of a mechanism to coordinate the efforts of stakeholder countries and multilateral bodies.

With each overlapping arrangement seeing itself as having something to contribute to the fight against terrorism, it is likely that each will seek out a role in implementing one or more parts of the Strategy in the region. While all such bodies should be encouraged to embrace Strategy implementation, given the scarcity of resources and the need to develop a more coherent region-wide approach, it is essential for the response in the Asia-Pacific to be well-organized and coordinated to play to the comparative advantages of each body involved and maximize synergies.

Tackling transnational terrorism in the Asia-Pacific requires the formulation of regional and sub-regional strategies with a clear multilateral dimension, but the region and sub-regions have yet to agree upon a single, let alone coherent, approach to counter-terrorism. With the inclusion of both the socio-economic conditions that may be conducive to the spread of terrorism and preventative measures, the Strategy is consistent with the notion of “comprehensive security” in the Asia-Pacific region and reinforces what many terrorism experts in the region have long felt.¹² As such, it reflects the concerns of countries in the region and should thus be embraced by them as they work to develop a regional strategy. By calling on such a broad array of stakeholders in the international community to contribute to its implementation, the Strategy provides an overarching framework that could encourage the many countries and multilateral bodies in the Asia-Pacific to adopt a “whole of region” approach to counter-terrorism, which brings together security, economic, and socio-cultural elements. Thus, not only can different bodies contribute to implementation of the Strategy, but the Strategy can provide a vehicle for increasing the counter-terrorism cooperation and coordination among states and multilateral bodies in the region as well.

With its holistic approach and emphasis on the “conditions conducive to the spread of terrorism,” the Strategy may offer countries in the region an alternative to the United States (U.S.)-led “Global War on Terrorism.”¹³ In certain areas the U.S. approach is viewed as targeting Islam and is therefore making it more difficult for some countries in the region to cooperate with the U.S. and bodies like the SC, which are perceived to be U.S.-dominated.¹⁴

3. The Contributions of Regional and Sub-Regional Bodies

Regional and sub-regional bodies can play critical roles in implementing the Strategy in the Asia-Pacific. Some have already been involved in areas, albeit often with limited practical impact, that address issues relevant to the Strategy. These include, for example, preventing terrorist financing, strengthening port and aviation security, and enhancing police cooperation. However, in areas such as addressing issues related to the radicalization and recruitment of terrorists and the role of the Internet, and ensuring that counter-terrorism measures respect human rights and the rule of law, their efforts have been much less developed or even nonexistent. (See Appendix 3 for a survey of the Strategy-related counter-terrorism contributions of regional and sub-regional organizations to date.)

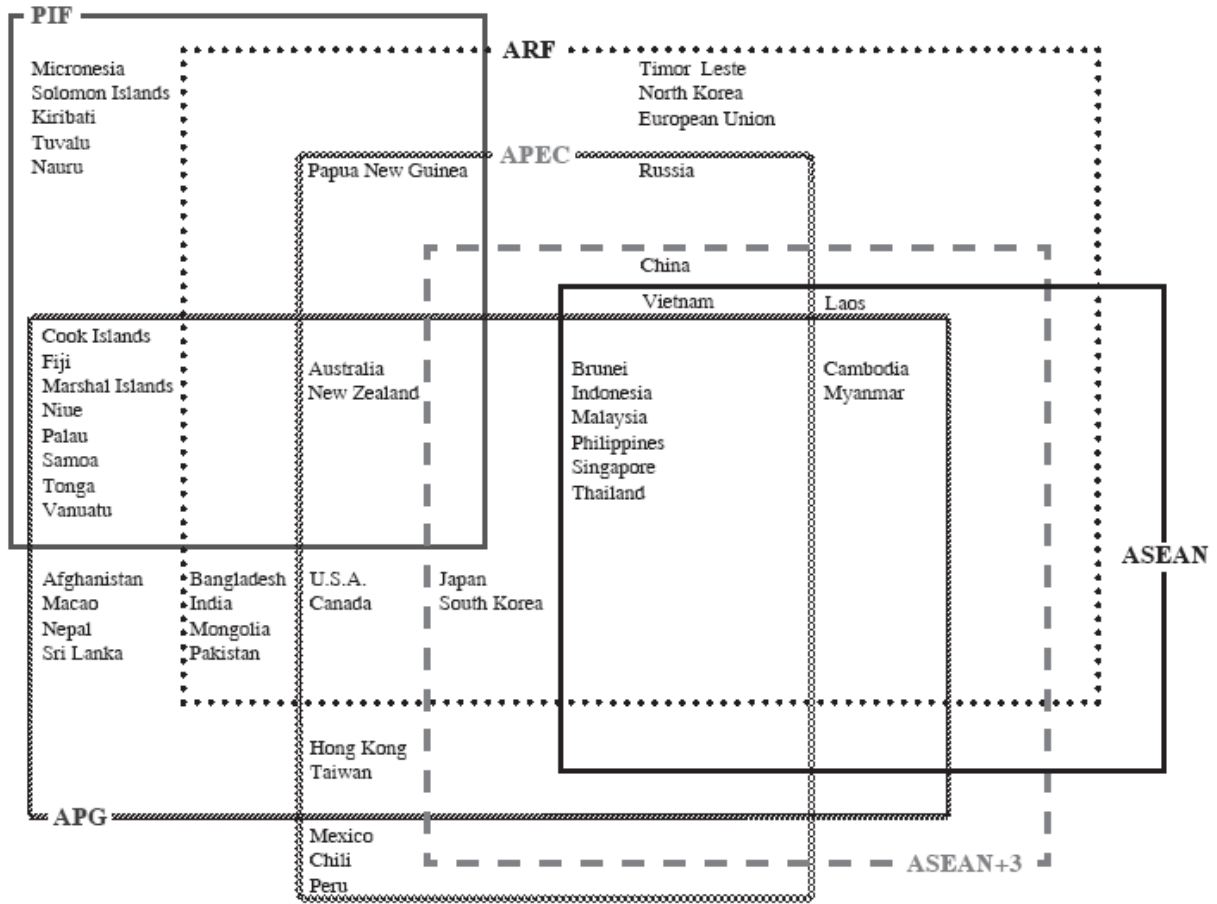


Table 1 – Overlapping Membership of Key Regional Organizations in the Asia-Pacific

3.1 The Asia-Pacific Economic Cooperation Forum (APEC)

Although focused on facilitating trade and investment in the Asia-Pacific region, APEC has been able to become involved in terrorism-related issues despite lacking a security mandate. Its twenty-one member economies have circumvented this limitation by addressing terrorism through an economic lens: seeing it as serious threat to APEC’s goals of free trade and investment in the region. Focusing on defending shared core economic interests has enabled APEC to navigate difficult political obstacles and develop a meaningful, pragmatic counter-terrorism program. Its contributions to date have been primarily related to those sections of the Strategy that focus on capacity-building and other more technical efforts to prevent terrorism.

The relative success of APEC’s counter-terrorism program can be attributed in part to the degree to which counter-terrorism has been institutionalized within APEC, both in terms of establishment of its Counter-Terrorism Task Force (CTTF) and the unit in the APEC secretariat. This allows for regular interaction among experts from member economies. Nonetheless, the group’s foray into security-related matters has not been without its problems. According to a former chairman of APEC’s CTTF, “security is an ‘insecure’ subject at APEC.”¹⁵ Tanya Ogilvie-White, a regional expert at the University

of Canterbury (New Zealand), has noted that many of APEC's ASEAN members tend to resist the western counter-terrorism agenda, which views Southeast Asia as a "second front" in the so-called war on terrorism.¹⁶ A further challenge is that "[w]hile APEC has traditionally operated on the basis of 'non-binding commitments, open dialogue, and equal respect for views of all participating economies'—which sits comfortably within the Asian diplomatic tradition—some ASEAN members are worried that the West-centric counter-terrorism agenda is forcing institutional change within APEC in favor of a more legalistic, formal framework."¹⁷

Given the growing resentment of ASEAN countries towards APEC's deepening involvement in counter-terrorism, ASEAN countries are likely to resist giving APEC a leading role in implementing the Strategy in the region. In addition, Taiwan's participation in APEC would make it politically difficult to get support for involving APEC in promoting this UN initiative, which foresees deepened cooperation among regional bodies and the relevant parts of the UN, to which Taiwan is excluded.

3.2 The Association of Southeast Asian Nations (ASEAN)

Although ASEAN has helped to build confidence and avert conflict among its diverse membership, it has been largely noncommittal in taking collective action to address security threats. Cooperation in fighting terrorism in Southeast Asia has largely been limited to bilateral or trilateral efforts, involving only a few of the ten ASEAN countries. As an organization, ASEAN has made numerous statements and adopted many declarations about its intentions to prevent and combat terrorism. Its members have a mixed record, however, in incorporating these decisions or commitments into their respective national legislation or practice. They do not have a strong track record when it comes to implementing the existing UN global counter-terrorism legal framework. For example, the ratification rate of the international counter-terrorism instruments among ASEAN members is among the lowest of any region in the world.¹⁸

ASEAN's adherence to the norm of non-interference in the domestic affairs of its members and the lack of formal binding agreements and mechanisms to implement political commitments have limited its ability to take meaningful action on important transnational security issues such as terrorism. As a result, rather than serving as a force multiplier as is the case for many inter-governmental bodies, ASEAN's response to terrorism has largely been no greater than the sum of the contributions of its individual members.

The ASEAN secretariat is limited in size and has few financial resources.¹⁹ This reflects ASEAN members' traditional preference for a loosely structured organization and their respect for the principles of national sovereignty and non-intervention.²⁰ According to former ASEAN Secretary-General, Rodolfo C. Severino, because it lacks the mandate, the ASEAN secretariat cannot authoritatively call for states to implement commitments made in ASEAN declarations or undertake initiatives advancing ASEAN purposes.²¹ Lacking both mandate and resources, the secretariat has not produced

concrete results that go beyond the intentions expressed in the various declarations adopted since September 2001.

Given ASEAN's traditionally weak institutional structure, it has had difficulty developing strong institutional ties with much of the UN system, including those parts such as the International Maritime Organization (IMO), International Criminal Police Organization (Interpol), and International Civil Aviation Organization (ICAO), which have important roles to play in implementing the capacity-building aspects of the Strategy. The recent GA decision to grant ASEAN observer status at the UN,²² however, should give ASEAN added visibility and importance at the UN and help ASEAN deepen its involvement with the UN system.²³ Prior to this decision, ASEAN was the only regional organization that did not have observer status at the UN, in part reflecting the reality that the UN has traditionally not been a major influence in the Asia-Pacific, particularly for countries in Southeast Asia.²⁴

Over the past few years there have been numerous proposals aimed at addressing some of ASEAN's historic institutional shortcomings and encouraging more formal forms of intra-regional cooperation against terrorism. These proposals include the establishment of an ASEAN Centre for Combating Terrorism under the proposed ASEAN Security Community²⁵ as well as the establishment of an ASEAN charter which is also currently being discussed. Implementing meaningful and sustainable institutional reforms, including through the adoption of an ASEAN charter, could have a positive impact beyond the ten-member organization and affect broader regional efforts to implement the Strategy as ASEAN forms the base for many other cooperative arrangements, particularly the ASEAN Regional Forum (ARF) which has primary responsibility for security cooperation in the region.

In addition, in December 2004, all ASEAN members signed the first legally binding regional instrument related to counter-terrorism: the Treaty on Mutual Legal Assistance in Criminal Matters.²⁶ Although the treaty does not provide for extradition, it contains measures that if ratified and implemented will facilitate apprehension, investigation, prosecution, exchange of witnesses, and sharing of evidence in terrorism cases. This instrument also offers a vehicle for more formal counter-terrorism cooperation among countries in the wider Asia-Pacific, as it allows non-ASEAN countries to accede to it "upon consensus by the original Parties."²⁷ The treaty, however, also provides that domestic laws take precedence over implementation of the treaty's provisions.²⁸ This provision allows for some variation in the degree of cooperation required under the treaty and safeguards against interference in domestic affairs, thus protecting ASEAN's paramount norm of respect for sovereignty.²⁹

Finally, the adoption of an *ASEAN Convention on Counter-Terrorism*³⁰ at the January 2007 ASEAN Summit could help to boost those efforts by complementing ASEAN's various nonbinding political declarations with a binding legal instrument.³¹ Unlike the above-mentioned ASEAN mutual legal assistance treaty, however, this agreement is not open to non-ASEAN members. Given the recognized transnational and trans-regional nature of the terrorist threat and the porous borders in the Asia-Pacific,

enhanced legal cooperation among all countries in the region is needed. The restrictive nature of the new ASEAN convention, therefore, may limit its effectiveness in enhancing such cooperation.

On the other hand, the treaty is closely linked with the existing international counter-terrorism instruments and includes language from the Strategy concerning the need to address the “conditions conducive to the spread of terrorism” and human rights. It also requires states parties to enact legislation and take steps at the national level to further counter-terrorism cooperation in the sub-region. As such, it offers a good example of connecting regional (or in this case sub-regional) efforts with global norms and national action. The challenge of implementation and compliance, however, will remain a hurdle without an increase in states’ institutional capacities and an empowered ASEAN secretariat or other regional mechanism to monitor, encourage, and assist implementation.

Notwithstanding its institutional shortcomings, ASEAN can play an important role in promoting the Strategy among its members, particularly in areas of relevance for the sub-region. Given the experience that a number of ASEAN countries continue to have in reaching out to religious moderates across different faiths and in building or reforming schools, prisons, and other institutions as part of an effort to tackle radicalization, ASEAN could provide a useful forum not only for sharing these experiences, but in transmitting best practices and lessons learned to other regions that are grappling with many of these same issues. For example, as part of its new counter-terrorism convention, ASEAN countries agreed to share best practices on rehabilitative and social reintegration programs that have been pursued with some success in certain ASEAN countries and could be emulated elsewhere.³² Further, given the different ASEAN countries that have been victimized by terrorism, ASEAN could serve as a platform for highlighting the victims of terrorism in order to put a human face on counter-terrorism efforts. It could encourage its members to work together to channel victims’ loss and grief into constructive counter-terrorism. There is a lot of cross-learning that can occur between and among governments in the region. ASEAN could facilitate this sharing of experiences.

ASEAN should also study the recently released *Report on the Alliance of Civilizations* (AOC),³³ which includes a number of recommendations aimed at promoting respect and advancing understanding among peoples, cultures, and religions, and identifies areas where regional and sub-regional bodies can help promote implementation of the report’s recommendations among their members, including in cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and/or the United Nations Development Program (UNDP). While individual ASEAN members such as the Philippines will likely continue to play a leading role in promoting the AOC and similar initiatives such as the Forum for Interfaith Cooperation for Peace, ASEAN leadership in reinforcing these messages at the sub-regional level will broaden their appeal.

Finally, although perhaps the most politically sensitive part of the Strategy, ASEAN could help its members make important strides in implementing the Strategy's human rights and rule of law elements. The development and maintenance of an effective and rule of law-based national criminal justice system that can investigate and prosecute or extradite suspected terrorists lies at the heart of this section of the Strategy, which recognizes that many states will require assistance in this area. In addition, the Strategy offers the support of all 192 UN member states for the strengthening of the UN human rights machinery, including the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (Special Rapporteur).

A first step in meeting the human rights challenge would be the establishment of an ASEAN human rights mechanism, along with the development of a regional human rights framework. ASEAN is one of the few major regional organizations that has neither. According to the Working Group for an ASEAN Human Rights Mechanism, such a body could “help member-states address human rights violations in their respective areas of authority; ensure that international human rights laws are observed and implemented by countries who have acceded to them; make the constituents of the region have a common understanding of human rights issues; and universalize the human rights perspectives of ASEAN countries.”³⁴

In 1993, ASEAN foreign ministers agreed to consider the establishment of such a mechanism. Some thirteen years later, however, while a process for establishing the mechanism exists, and five workshops on the subject have taken place, there is still no mechanism. Before one can be established, all ten member countries must form their own national human rights commissions. Only half of ASEAN's ten members have done so: Cambodia, Indonesia, Malaysia, the Philippines and Thailand. The prognosis of establishing a regional mechanism is not good, according some experts, with ASEAN members continuing to sidetrack the idea of instituting a mechanism that would establish a set of common standards for all ASEAN members.³⁵

While the establishment of an ASEAN human rights mechanism and the adoption of an ASEAN human rights framework are likely to be longer-term projects, ASEAN could take a number of steps in the short-term to help promote this section of the Strategy. For example, by adopting the Strategy all ASEAN members agreed to support the role of the Special Rapporteur, and agreed that he should “continue to support the efforts of states and offer concrete advice by corresponding with Governments [and] making country visits . . . on these issues.”³⁶ ASEAN therefore should seek to facilitate the cooperation between the Special Rapporteur and its members, particularly where the Special Rapporteur has requested to make a visit to one of its members. ASEAN might consider inviting the Special Rapporteur to conduct a regional visit. In addition, to signal the commitment of its members to respecting human rights while countering terrorism, ASEAN should co-host a regional workshop with the Special Rapporteur and the UN Office of the High Commissioner for Human Rights (OHCHR).

3.3 The ASEAN Regional Forum (ARF)

The ARF was conceived of as a process rather than an institution and, as such, has a limited permanent presence beyond a small staff unit within the ASEAN secretariat. One of the key rationales for establishing the ARF, from the perspective of its ASEAN participants, was to engage China and the U.S. in a regional security dialogue and in confidence building.³⁷ As the broadest-based multilateral body in the Asia-Pacific focusing mainly on security issues, the ARF is perhaps the most natural forum through which to pursue cooperative counter-terrorism efforts in the region.

ASEAN is the “primary driving force of the ARF” and the foundation on which it stands.³⁸ The ARF’s core participants are the ten ASEAN member states, with most of the ARF’s extra-regional participants linked either through observer status or in some other fashion to ASEAN. Its institutional development was designed to be incremental, proceeding from the promotion of confidence-building measures, to the development of preventive diplomacy mechanisms, and ultimately to conflict-resolution.³⁹ According to Barry Desker, the Director of the Institute of Defence and Strategic Studies in Singapore, the ARF has helped build comfort levels and created an atmosphere conducive to discussing issues of cooperative security in Southeast Asia, a region not accustomed to cooperation on security matters. Yet, with its focus on confidence building and due to a lack of progress on preventive diplomacy, it has often been viewed as a talk shop.⁴⁰

In contrast to ASEAN, however, the ARF has managed to make some concrete contributions to regional counter-terrorism efforts, particularly in the realm of sharing best practices and encouraging implementation of international counter-terrorism standards.⁴¹ As a forum that includes both core ASEAN members as well as major donor countries both from within and outside the region, the ARF also presents a potentially attractive conduit for more robust counter-terrorism capacity-building efforts. To avoid duplication, such efforts would need to be coordinated with related programs already under way by other multilateral bodies active in the Asia-Pacific region. A critical short-term goal for the ARF should be to improve cooperation and coordination with other regional and international bodies. Its contribution to counter-terrorism efforts in the region could be further improved if its institutional capacity and capacity for autonomous action were enhanced.

ARF participants have reiterated that a “holistic and comprehensive approach is needed . . . [to] address both the symptoms and root causes”⁴² of terrorism, but the ARF has not focused on developing and implementing measures or programs aimed at addressing conditions conducive to the spread of terrorism. Given both its emphasis on promoting dialogue on political and security issues and the broad-based participation of countries from both the global north and global south, the ARF may be well placed to assume a more substantial role in promoting dialogue among civilizations and promoting region-wide implementation of the recent recommendations of the AOC high-level panel report.⁴³

Perhaps the most important but as yet unrealized contribution the ARF could make to help address conditions conducive to the spread of terrorism is in the realm of preventive diplomacy. As the Strategy notes, “successful prevention and peaceful resolution of prolonged unresolved conflicts . . . would contribute to strengthening the global fight against terrorism.”⁴⁴ In certain areas regional organizations have demonstrated great potential in this regard. The Organization for Security and Cooperation in Europe (OSCE), for example, through its monitoring missions and other mechanisms, has played a very constructive role in defusing ethno-nationalist, separatist, and religious conflicts in South Eastern Europe and Central Asia. The 1995 Concept Paper for the ARF identified preventive diplomacy and conflict resolution as primary functions the organization could address. While certain participants such as the U.S., Australia, and Japan have pushed for the ARF to develop more robust preventive diplomacy mechanisms, many of the ASEAN countries and China prefer to focus on more informal dialogue and nonbinding confidence-building measures.⁴⁵ Yet, if it were to assume a more active role in preventive diplomacy, perhaps it could contribute to this element of the strategy by playing a constructive role in helping to defuse local insurgencies that fuel terrorism in parts of the region. According to Oxford University’s Rosemary Foot, movement toward preventative diplomacy “could serve to break down adherence to the concept of non-interference in domestic affairs and allow the body to play a more prominent role in reducing conflict within states.”⁴⁶ Initial efforts to liaise with the OSCE hold out the prospect of the exchange of practices between the two bodies, but given the ARF’s diverse membership, inherent institutional weaknesses, and norm of noninterference, some observers are not sanguine about the prospects of the ARF assuming a comparable role in preventive diplomacy in the Asia-Pacific.⁴⁷

In addition to the official dialogue process, the ARF also includes a “Track II” process which seeks to incorporate contributions from nongovernmental experts primarily from the ASEAN Institutes of Strategic and International Studies and the Council on Security Cooperation in the Asia-Pacific (CSCAP), two networks of regional think tanks which hold periodic workshops and conferences.⁴⁸ Though perhaps underutilized, the “Track II” mechanism provides a useful function as a testing ground for politically difficult proposals, a forum where progress can be made on issues outside the official dialogue, and a way to depoliticize proposals before they are fed back into the official Track I dialogue.⁴⁹ It could also provide an informal forum to assess the impact of the Strategy in the region, as well as encourage and monitor states’ implementation efforts.

As the primary multilateral body dealing with security issues in the region and with such broad participation, the ARF could play a critical role in promoting the implementation of many elements of the Strategy in the region. To date, however, its limited institutional capacity and strict adherence to ASEAN principles of non-interference have limited its counter-terrorism contributions. Unless these limitations can be overcome, the ARF will have difficulty making significant contributions to Strategy implementation. Proposals under discussion in the “Track II” process could help to overcome these limitations. They include: “enhancing the role of the ARF Chair,

reexamining the leadership structure, creating a Secretariat, and strengthening relations with other multilateral and regional organizations, specifically the United Nations . . . and moving towards preventive diplomacy and conflict resolution.”⁵⁰

3.4 The Pacific Islands Forum (PIF)

The PIF was established as an informal consultative arrangement. Its members have come to recognize that security is a precondition for economic growth and sustainable development. According to the PIF secretariat’s Law Enforcement Advisor, the PIF experience of dealing with political unrest in a number of its member states has demonstrated the close links between security and domestic failures of governance. PIF officials recognize the need for regional and national security initiatives “to be grounded in an appreciation of the comprehensive nature of the things which threaten us and by extension, of the need for comprehensive responses.”⁵¹ Over time, this experience has led to a change in attitudes among PIF members and an increase in political will to work as a group, including by formulating region-wide responses to address serious problems facing their members.

Largely as a result of the political and financial support of its two largest members, Australia and New Zealand, since September 2001, a concerted effort has been made to transform the PIF’s many declarations, commitments, pledges, and agreements into action on the ground. PIF members have recognized “that to have any real effect, a regional approach must have a strong link to national priorities—the initiative must also be practical, affordable to an island economy, and allow for a strong sense of ownership in the design, implementation and outcomes.”⁵²

3.5 The Asia/Pacific Group on Money Laundering (APG)

The APG, as the Financial Action Task Force (FATF)-Style Regional Body (FSRB) in the Asia-Pacific, has a critical role to play in implementing the anti-money laundering (AML) and counter-terrorism financing (CTF) provisions of the Strategy which give priority attention to the adoption and implementation of the FATF standards.⁵³ Some aspects of the APG’s approach could serve as a model for the effective treatment of counter-terrorism issues at the regional level beyond the financing area. For example, the APG, with its thirty-two members and ten observers, brings together countries from a broad geographic area that cuts across the sub-regional demarcations of other multilateral bodies in the region. In addition, as the regional arm of a global standard-setting body, the FATF, the APG has succeeded in placing the FATF standards in the appropriate regional and cultural context and therefore helped enhance APG members’ political support for the global standards. Efforts could be made to replicate this approach with the Strategy in its entirety.

3.6 The Asian Development Bank (ADB)

The ADB, particularly through the assistance provided via its Cooperation Fund for Regional Trade and Financial Security Initiative (FRTFSI), continues to deliver or

fund valuable counter-terrorism technical assistance programs in the region. Promoting the sort of inter-organizational cooperation that is essential to effective implementation of the Strategy in the region, the ADB has sought to develop the FRTSFI projects in close cooperation with international standard-setting bodies.⁵⁴ These collaborative efforts have created or strengthened bonds between the ADB and these organizations to ensure sustainable, coordinated interaction in the future.⁵⁵

Given its track record in attracting and leveraging bilateral and multilateral donor support and in delivering assistance, the confidence the donor community appears to have in its work, and its broad-based membership which cuts across many of the other bodies in the Asia-Pacific, the ADB may be the ideal home for a trust fund dedicated to projects aimed at promoting Strategy implementation in the Asia-Pacific.

3.7 The Asia-Europe Economic Meeting (ASEM)

As an informal dialogue process between the European Union (EU), the European Commission, and the ASEAN+3 participants,⁵⁶ ASEM provides a forum for discussions on a broad array of policy issues. ASEM has made statements of common principles and other declarations on counter-terrorism and hosted annual conferences on the subject, but, given its composition, it has a comparative advantage in Strategy implementation related to “encouraging dialogue among civilizations” and in promoting inter-regional sharing of Strategy implementation-related best practices. Under its “Social, Cultural, and Intellectual” pillar, ASEM has contributed to strengthening cultural and “people-to-people contacts” between the two regions. It could play an important role in implementing the recommendations of the AOC Report, and as a forum for information sharing related to implementing relevant elements of the Strategy, such as best practices and donor coordination.

3.8 Regional Training and Information Centers

Regional training and information centers, including in Bangkok, Kuala Lumpur, and Jakarta, dedicated to law enforcement, maritime security and other counter-terrorism-related issues, are examples of informal, practical counter-terrorism cooperation taking place in the region that have produced positive results. These centers have instrumental roles to play in Strategy implementation, particularly with regard to measures to prevent terrorism, capacity-building, and ensuring respect for human rights and the rule of law. The information and training provided by these centers not only improve the capacities of law enforcement and other officials to conduct effective counter-terrorism, criminal, and financial investigations, but, through the contacts they forge, also help to improve regional and international law enforcement cooperation. While these separate centers enable their main funders to pursue discrete priorities, care should be taken to avoid unnecessary duplication of efforts and to ensure the careful use of scarce resources by coordinating the curricula of the different centers.

In addition, greater effort needs to be made to ensure that the training centers are made available to law enforcement and other relevant officials from all countries in the region which have been identified by the UN’s CTC/CTED as needing training. This will

require a deepening of the relationship and more regular exchange of information between the CTC/CTED and the training centers.

Whereas regional organizations in the Asia-Pacific have proven reluctant to deal explicitly with human rights issues, the regional training centers could play a role in ensuring “respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism” and “raising awareness of international human rights law among national law enforcement agencies” as recommended in the Strategy.⁵⁷ For example, the U.S. maintains that “[a]ll ILEA [International Law Enforcement Academy in Bangkok] curricula address support for democratic institutions, the importance of impartiality and integrity in criminal law enforcement, and the protection of human rights and fundamental freedoms.”⁵⁸ Not only should international human rights law underlie all aspects of the centers’ curricula, the centers should also serve as mechanisms for the sharing of regional best practices for protecting human rights while combating terrorism. Consideration might be given to courses dedicated specifically to the subject, in cooperation with OHCHR and/or UNODC. All of the regional centers could further improve their contributions in this regard by improving coordination with UNODC and reaching out to OHCHR and their regional offices when designing their curricula to ensure respect for human rights and the rule of law.

3.9 The Bali Counter-Terrorism Process (BCTP)

The BCTP includes representatives from twenty-five countries, including a number from outside of the Asia-Pacific region (for example, France and the U.S.), and from the UN and relevant regional organizations.⁵⁹ It has sought to identify new practical ways of enhancing counter-terrorism collaboration, particularly in the areas of law enforcement, information sharing, and strengthening legal frameworks. With its pragmatic approach to improving counter-terrorism cooperation and capacities in the region and its membership, which cuts across those of the formal regional bodies in the Asia-Pacific and includes a number of key countries from outside the region, the BCTP may provide an ideal forum for stimulating practical cooperation among practitioners and building capacity in other areas of the Strategy.

4. The Role of the Security Council’s Counter-Terrorism Committee and its Executive Directorate

The SC’s CTC has sought to assume a central role in the global counter-terrorism campaign and in the coordination of counter-terrorism capacity-building efforts. Since it was created in the fall of 2001, its mandate has been expanded by the SC beyond simply monitoring states’ efforts to implement Resolution 1373.⁶⁰ The mission of the CTC also includes helping to develop and coordinate the counter-terrorism work of regional, sub-regional, and functional bodies. With the adoption of Resolution 1624 following the July 2005 London train bombings, the CTC’s mandate was further expanded to include the prevention of terrorist incitement and recruitment.⁶¹

Recognizing the breadth and long-term nature of the CTC's mandate, the SC in March 2004 provided the committee with a larger, more permanent and more professional expert group—the CTED—to help move the CTC beyond the paper-processing mill that it had become and enable it to focus on concrete implementation efforts.⁶² In addition, the SC expanded the CTC's mandate to authorize it to send its group of experts, together with experts from relevant international, regional, and sub-regional organizations, on site visits. The purpose of these visits is to assess states' on-the-ground efforts to implement Resolution 1373 (and now Resolution 1624 as well) and to begin to determine more effectively the areas in which they need the most assistance.

In March 2006, the CTC approved the CTED's use of a new analytical tool, the “preliminary implementation assessment” (PIA), to assess each state's implementation efforts. This new tool was designed to give the CTC a more accurate picture of the situation in, and specific needs of, particular countries. It also allows the CTED to work more directly with states to identify their technical assistance needs and to facilitate delivery in cooperation with donors. According to the CTED, this tool is now being used to help identify technical assistance priorities for ninety-six states and to refer assistance requests to assistance providers such as the UNODC's Terrorism Prevention Branch (TPB) and Global Programme against Money Laundering (GPML).⁶³ In addition, the CTED has prepared a lengthy directory of international best practices, standards, and codes aimed at helping states maximize their efforts to implement the resolution.⁶⁴

With the help of the CTED's enhanced tool kit, the CTC has deepened its cooperation with a number of regional and sub-regional organizations. Most of its focus in this area, however, has been in Africa. It has had few meaningful interactions with bodies in the Asia-Pacific, despite the region's recognized capacity needs. Given the clear threat emanating from parts of the region, its vast size, and the lack of a coherent regional architecture, increased CTC/CTED involvement is needed.⁶⁵

The CTC chair attended a meeting of the PIF in April 2006 to identify technical assistance needs and link donors with potential recipients, but the CTED has not yet had significant engagement with APEC, ASEAN, or the ARF.⁶⁶ Although the number of states the CTED has referred to assistance providers has steadily risen, relatively few states from the Asia-Pacific region have been referred.⁶⁷ The reasons for this relative lack of engagement with the Asia-Pacific region include China's reluctance to see the CTED cooperate with APEC, given Taiwan's membership in the latter. Other factors include the small size and restricted mandates of the ASEAN and ARF secretariats, the reluctance of these bodies to share information with the CTED, and misgivings in the region about the involvement of a SC body in issues that touch on core domestic security interests.

4.1 Site Visits

The CTED has visited fifteen countries thus far, including three in the Asia-Pacific region.⁶⁸ Yet it is hard to tell whether they are leading to concrete results in the form of either increased action by the relevant national government or the delivery of technical assistance to address priority needs.

The visits have been weighed down by an overly formal process for preparing and conducting them.⁶⁹ Post-visit interaction with states is often hampered by formalities, which can delay, or sometimes completely block, channels of communication between the CTED and the most relevant officials on the ground.⁷⁰ In addition, the CTED is encumbered by the requirement that it must seek the state's approval of both the team's preliminary conclusions and the trip report before they are forwarded to the CTC, which then must approve the documents before they are finalized. According to some CTED experts, knowing in advance that the visited states must approve every word in the draft report inhibits their ability to ask direct questions, freely explore certain issues during the visit, and report frankly on potential deficiencies for fear of offending the visited state.⁷¹

Interaction with states is also impeded because the CTED is a SC body operating under Chapter VII of the UN Charter. Some visited states may fear or object to the possibility of coercive measures, which affects the level of cooperation and openness of government officials. The willingness of states to cooperate is also hindered by the lack of transparent and objective criteria to measure states' implementation efforts, and by a lack of openness regarding which countries are to be visited. As a result, some visited states may feel that they are being singled out unfairly by the CTC/CTED. To help remedy this, the CTC should refrain from second-guessing the CTED's recommendations for countries to be visited and rely on the CTED's use of objective and transparent criteria for making them.

The CTED has sought to tailor its site visits to the particular issues that need to be addressed in each country. In the end, however, because no visited state wants to be treated differently from other states in its region, even where different treatment may be warranted, the CTED has largely adopted the same approach to all visits in a particular region.

The lack of an effective and interested regional body in the Asia-Pacific to participate in the CTED visits has reduced the productiveness of the site visits. Regional bodies can play an important role in working with the CTED and the state concerned to build the cooperative relationship necessary to make the visit a success. While the African Union (AU), EU, and OSCE have each participated in CTED visits to countries in their regions, regional organizations in the Asia-Pacific have not yet done so.⁷²

To address some of the problems related to site visits, the CTC should revise its guidelines to make preparation less cumbersome and the visits themselves less formal. It could also give the CTED greater independence by doing away with the requirement that everything be shared with and approved by the visited state and the CTC. Additionally, in lieu of the more formal site visits, the returns on which do not seem to match the CTED's heavy investment of time and resources involved in planning and conducting them, the CTC/CTED should make more use of less formalized visits, without being encumbered by the structures of official CTED site visits. For example, the CTC chair and/or executive director could visit a country or set of countries in a region to convey to national authorities the urgency of fully implementing the resolution. This approach proved to be useful in July 2006, when the CTED executive director visited Paraguay to

interact with key government and parliamentary leaders and civil society representatives to help break the impasse in parliament that had stalled the adoption of necessary counter-terrorism legislation.⁷³

Instead of spending a full week in each country as is currently the practice for site visits, the CTED should consider conducting regional or sub-regional visits, visiting a handful of states at a time to focus on a specific issue or set of issues in each country rather than trying to cover the broad range covered by Resolutions 1373 and 1624. Thus, the CTED might spend one or two days in a country but travel to a group of countries during a two-week tour.

4.2 The Need for a More Permanent Counter-Terrorism Executive Directorate Presence in the Asia-Pacific Region

The lack of a dedicated point of contact or entity in the region to liaise among the CTED, the states that it visits, and other stakeholders, is an impediment to the follow-up process that is essential to make such site visits worthwhile. Appropriate follow-up could help sustain and build upon the relationships developed between CTED and national government experts during the visits. Follow-up can also help to ensure that necessary action is taken by both parties, as well as other relevant entities, such as specialized organizations and other potential assistance providers. Having a field presence of its own to perform this function could allow the CTED to improve its follow-up and enable it to establish itself as a field-based organization more effectively able to interact with other UN country and regional team representatives. It could also allow the CTED to take regional and cultural perspectives more fully into account and to be seen as less imposing, which could help build relationships and strengthen an ongoing dialogue with stakeholders that is local rather than from a distance in New York.

A regional presence would also allow the CTED to 1) take a more tailored approach to its visits, which it is supposed to be doing anyway, 2) work with the regional bodies to develop counter-terrorism programs that are aimed at further implementing the global counter-terrorism framework, and 3) work with standard-setting entities, regional organizations, and states to adapt and implement what are often lengthy and complicated global best practices so that they are more manageable and targeted to address regional priorities. Such an approach will maximize the utility of the encyclopedic length set of international best practices, codes, and standards the CTED has identified and presented to the CTC aimed at helping states improve their efforts to implement Resolution 1373.

In addition to establishing a regional presence in the Asia-Pacific and other underserved regions, the CTED should convene regional workshops in those regions on specific issues related to the implementation of Resolution 1373 and 1624, bringing together national experts and representatives from the relevant multilateral bodies in the region, as well as potential donors. This would allow not only the exchange of best practices on the implementation of the SC counter-terrorism resolutions, but also help the CTED establish direct contacts with the national counter-terrorism experts responsible for

their implementation. This might also help the CTC/CTED move beyond the New York-based, largely paper-driven effort that has largely characterized its work to date.

The OSCE, working with other regional bodies in Europe, has convened a number of counter-terrorism meetings on topics related to the implementation of SC counter-terrorism resolutions. An example was its October 2006 meeting on incitement and radicalization funded by the German and Russian governments.⁷⁴ The CTED has participated in these meetings. In regions where similar regional organization capacity is lacking, *e.g.*, the Asia-Pacific, South Asia, and Africa, the CTED could assume the role of organizer, perhaps with funds provided by bilateral or multilateral donors with a particular interest in those regions.

4.3 The Counter-Terrorism Committee and the Strategy

The adoption of the Strategy provides the CTC/CTED with a fresh opportunity to intensify its interaction with countries in the Asia-Pacific region, as the Strategy gives the CTC and its CTED an important role in implementing its capacity-building elements.⁷⁵

The CTC/CTED should use the Strategy to help overcome the above-mentioned hostility that it still encounters in many states. This hostility partly stems from the SC's use of its questionable "legislative" authority to impose global, binding counter-terrorism obligations on all states (including via Resolution 1373), and the growing view among the wider UN membership that a body more representative than the CTC/CTED should be facilitating counter-terrorism capacity-building efforts.⁷⁶ By placing its dialogue with states in the context of the Strategy, the CTC/CTED might find a more receptive audience and have greater success in deepening its relationships with other elements of the UN system, including UNDP, UNESCO, and other UN agencies that focus on some of the "underlying conditions" highlighted in the Strategy, but that are currently reluctant to work more closely with the CTC/CTED for fear that their work might become unduly politicized as a result of closer ties to a SC body.

The main challenges for many countries in the region in implementing Resolution 1373 center on preventing recruitment and training of terrorists, promoting dialogue among civilizations, lack of good governance, and promoting respect for human rights, issues which lie at the heart of the Strategy but which the CTC/CTED has so far had difficulty addressing in its dialogue with states in the region and beyond.⁷⁷ If the CTC/CTED can build stronger ties with those more representative and less threatening parts of the UN architecture that have expertise in these areas, it may have more success in helping states address these challenges.

Finally, a Strategy-based approach may help the CTC/CTED reconcile the often different views within the region, and between the global north and global south more generally, about the nature and comparative urgency of the threat and how best to address it. Many governments and their citizens in the global south are inclined to look at terrorism as a western problem and a less pressing concern than other issues such as poverty reduction, basic healthcare, and education. There is growing frustration in many

of these countries with being asked to allocate limited financial and human resources to address terrorism-related issues. Further, the CTC/CTED's exclusive focus on counter-terrorism prevention and capacity building does not necessarily mesh well with the view among many in the global south, including a number of countries in the Asia-Pacific region, that to be effective, any counter-terrorism strategy must place an emphasis on addressing terrorism's underlying causes. The CTC/CTED needs to identify ways to help bridge the north/south divide within the UN on terrorism-related issues.

There are a number of ways the concerns of the global south can start to be addressed. First, the SC should respond to the calls in the 2004 Report of UN High-level Panel, the SG's *In Larger Freedom* report, the 2005 World Summit Outcome Document, and, most recently the Strategy, by rationalizing the multiple reporting requirements of its different counter-terrorism bodies in order to reduce the reporting burdens on under-resourced bureaucracies. It should require each state to submit a single yearly report on steps taken to implement each of the relevant SC resolutions during the previous year. It could respond to any specific questions its three different counter-terrorism bodies, with somewhat overlapping mandates, may have asked in a single questionnaire. Second, the SC should insist that its counter-terrorism bodies conduct joint visits to states. This would relieve states in the global south of the burden of having to prepare for separate visits by SC expert groups that are addressing a set of related issues. Among other things, consolidated site visits would enhance the effectiveness of the dialogue between the various SC counter-terrorism mechanisms and government officials and improve the information gathering and sharing. Third, in its dialogue with states in the global south, the CTC/CTED should do more to take into account the risk and capacities of each state. It should prioritize the states and regions where additional implementation efforts are most urgently needed. It could then discontinue the practice of sending letters to states asking them to enact and implement the most sophisticated legislation, which can require an expensive and time-consuming process, when the particular country does not currently have a terrorism problem and lacks the resources even to feed and educate its people.

In addition, the CTC/CTED needs to be able to offer countries in the global south something in return for their cooperation. At present, states are being asked to invest considerable time and resources to cooperate with the CTC/CTED without receiving anything tangible in return. To address this recurring complaint, the CTC/CTED should not only recommit to improving donor coordination, but convene meetings in the relevant region or sub-region with potential donors, as already mentioned, and establish a trust fund that would allow donors to provide money for capacity building that could be maintained as a bilateral contribution to individual or shared projects that will better enable recipient states to address needs related to the implementation of Resolution 1373.

5. The Broader United Nations System

The Strategy highlights the role that UN technical agencies and programs can play in facilitating its implementation, particularly in the areas of capacity building. These bodies are indeed critical to both the development and implementation of a seamless, global

counter-terrorism web that cuts across all four core elements of the Strategy. The keys to successful implementation of the Strategy lie not only in enhancing the counter-terrorism contributions of each of these bodies, but improving the coordination and cooperation among them with a view to developing a more holistic UN counter-terrorism program. While more than a dozen such agencies, organizations, and programs have a role to play in Strategy implementation, this report will review only some of them. (See Appendix 4 for a survey of the counter-terrorism-related contributions of these agencies and programs, as they relate to Strategy implementation.)

5.1 ICAO, IMO, WCO

Since September 2001, UN technical agencies such as the International Civil Aviation Organization (ICAO), the World Customs Organizations (WCO), and the International Maritime Organization (IMO) have developed, adopted, and disseminated counter-terrorism-related standards and best practices.⁷⁸ In addition, these bodies have provided training and other forms of implementation assistance and have sought to provide states with a roadmap for steps they need to take to implement effectively the global technical framework which forms a core part of the Strategy. The Strategy recognizes the importance of universal implementation of these standards and best practices and encourages each of these bodies to strengthen their cooperation with states, to identify shortfalls in states' capacities, and to ratchet up their technical assistance programs to help states close the gaps.

Standards are often set at a global level and do not account for local context, however. To tailor implementation assistance being provided to states accordingly, a number of the functional bodies have established regional training programs, offices, and/or centers, including in the Asia-Pacific region.

The geography of the Asia-Pacific region, which includes thousands of islands often great distances from each other as well as the maritime safe haven area composed of the Sulawesi/Celebes Sea and Sulu Archipelago, combined with the economic loss that could result from a terrorist attack on transport systems in the Asia-Pacific, makes transport security a priority for countries and multilateral bodies in the region. Thus, the Strategy's call on international, regional, and sub-regional organizations, as well as states, to enhance efforts to improve border and customs controls and take other steps to implement terrorist-travel obligations should be welcomed and heeded. Given the complexity and inter-linkages within the global supply chain and among port, land, and aviation security in different countries within a region, piecemeal national implementation of the measures may result in limited effectiveness or costly duplication of measures. This complexity highlights the need for region-wide implementation strategies, and having regional organizations urge the region-wide adoption of international standards, provide or facilitate assistance, and sustain political will among their members.

Much work remains to be done in the Asia-Pacific to implement UN counter-terrorism-related standards.⁷⁹ Obtaining the political support from relevant bodies in the

region for these international standards would be an important first step. Given the lack of technical, human, and financial capacity of many countries in the region, many states require significant assistance to implement these standards. Many standard-setting bodies have developed capacity-building programs, including region-specific ones. These programs, however, are generally under-funded, lacking the resources to address all of the capacity gaps. Implementation of these often complex standards is an expensive and long-term proposition. The private sector, whether it be shipping, airlines, or cruise companies, or any entity that does business in the Asia-Pacific region, stands to benefit from a secure trading and operating environment. It should thus be encouraged, if not expected, to contribute to the various capacity-building programs being implemented by the UN specialized agencies and other technical bodies in the region.⁸⁰ The regional offices of UN specialized agencies and functional bodies, working in tandem with the relevant regional bodies, should play a leading role in reaching out to the major transnational companies that do business in the region.

5.2 IAEA and OPCW

Addressing the threat of nuclear, biological, and chemical (NBC) terrorism is an obvious and important element of the Strategy. Specialized organizations, such as the Organization for the Prohibition of Chemical Weapons (OPCW) and International Atomic Energy Agency (IAEA) are mentioned specifically in the Strategy as they have an important role to play in implementing this and other elements of the Strategy such as the protection of infrastructure and vulnerable targets.

Both organizations have had extensive interaction with states in the region, but neither has established a regional presence dedicated to issues of implementation and awareness of NBC threats as they relate to terrorism. Working with regional organizations on a more consistent basis to encourage implementation of relevant legal instruments and safeguards could enable those organizations to focus on member states that are lagging behind in the fulfillment of their commitments in this area.

5.3 Interpol

The Strategy highlights the importance of the International Criminal Police Organization (Interpol) as a critical mechanism for information sharing among national law enforcement agencies. Interpol is working to expand access to its databases, which include information on lost/stolen travel documents, fingerprints, wanted persons, illicit weapons, and other critical law enforcement information, but participation is by no means universal. For example, while its database of lost and stolen travel documents has been growing, it still only stores about one-third of the more than 35 million such documents that are estimated to have been lost or stolen worldwide.⁸¹ In addition, only 119 states have reported lost or stolen documents to the database and not all competent authorities have access.⁸² Regional bodies in the Asia-Pacific should urge members to make full use of this Interpol database (as well as Interpol's other relevant databases), in particular by ensuring that the relevant national authorities, including law enforcement officials at border crossings, have access to it and share relevant information with each other.

Interpol also has a number of Asia-Pacific regional or sub-regional initiatives that could help promote Strategy implementation. For example, it has made Southeast Asia a priority target of the efforts of its Fusion Task Force, which identifies organizational hierarchies, methods of training, financing and recruitment of terrorist suspects/groups. It also established an Interpol Liaison Office in Bangkok, which includes eight seconded officers from the region and convenes a biannual regional conference of Interpol members.⁸³

5.4 UNESCO

UNESCO has a pivotal role to play in facilitating the implementation of those elements of the Strategy aimed at addressing the conditions conducive to the spread of terrorism. Its programs are critical to engendering moderation in educational, religious, and cultural institutions, and could help prevent those institutions as well as the Internet from being used as platforms for incitement and recruitment. This mission is particularly important in Southeast Asia, where moderate voices and governments need support in limiting the appeal of radical ideologies.⁸⁴ With four regional offices in the Asia-Pacific, UNESCO has the regional presence needed to help ensure that its programs in these areas take into account the local cultural, historical, and political perspectives when being developed and implemented.

In particular, UNESCO has much to contribute—in close cooperation with the appropriate regional bodies in the Asia-Pacific—in coordinating and promoting the implementation of the recommendations contained in the November 2006 AOC Report of the High-Level Group which is specifically mentioned in the Strategy. The AOC Report was drafted by twenty scholars and leaders from a variety of cultural and religious backgrounds, with a view to trying “to build bridges between societies, to promote dialogue and understanding and to forge the political will to address” issues like Islamist terrorism.⁸⁵ The report offers a series of recommendations concerning the media, education, religion, and migration.

5.5 UNDP

In addition to making the AOC an important element of the Strategy, two of the Strategy’s other major achievements are its explicit recognition—for the first time at the global level—of the connection between development and counter-terrorism and the acknowledgement that poverty eradication and promoting development are essential elements of a comprehensive counter-terrorism strategy.⁸⁶ Although the Strategy is silent on which international body should assume the leading role in promoting and coordinating the implementation of these elements, UNDP is the obvious choice. Its long-term presence in almost all developing countries allows UNDP to play an essential role in facilitating access to development assistance and other forms of support and forming strategic linkages, including, for example with civil society and the private sector.⁸⁷ UNDP also supports member states in constructive engagement with disaffected groups prone to violence, promoting political inclusion as a means of helping address grievances.

It is in the best position to highlight the close relationship between security and development, based on a recognition that development can only be obtained and sustained if institutions and mechanisms of governance ensure the security and safety of citizens. Although it is reluctant to do so, UNDP could assist in linking the increased international commitment to counter-terrorism capacity building to the broader global development agenda. It should encourage assistance providers and development officials to work together in combating terrorism and promoting development. This cooperative relationship is essential if one hopes to make progress in integrating these two issues.

Further, UNDP has an important role to play in implementing one additional element of the Strategy: helping “to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system.”⁸⁸ Twenty-four different parts of the UN system are engaged in some form of counter-terrorism activity. While the institutionalization of the SG’s Counter-Terrorism Implementation Task Force (CTITF) is a first step to enhancing the effectiveness of and synergies among the different parts of the system, this must be followed up with steps to improve coordination and information flow among UN actors at the country level. For example, the UNDP resident representative—who is generally also the UN resident coordinator (RCO) with responsibility for promoting coherence among the various parts of the UN development system operating in any given country—could be given responsibility for coordinating in-country Strategy-related, UN technical assistance programs. This would also help to ensure that UN technical assistance programs related to Strategy implementation are designed and implemented consistent with the UN’s development strategy and overall approach in the particular country. It could also serve as the focal point for Strategy-related issues in the particular country, which could improve the flow of information around the UN system. This would be consistent with the recommendation of the *High-Level Panel on UN System-wide coherence in the area of development, humanitarian assistance and the environment* to establish “One United Nations at the country level, with one leader, one programme, one budget, and, where appropriate, one office.”⁸⁹

5.6 UNODC

UNODC is a key provider of counter-terrorism-related technical assistance in the UN system. Through its TPB and GPML, UNODC has delivered various forms of counter-terrorism-related assistance aimed at helping countries join and implement the universal instruments against terrorism. This assistance has included legislative drafting aid and the training of criminal justice professionals. The Strategy acknowledges the important role that UNODC can play in furthering its implementation by helping states develop and maintain an effective and rule-based criminal justice system that can ensure that terrorists are brought to justice and that terrorist acts are established as serious criminal offenses in domestic law.⁹⁰ A big part of its work will continue to involve helping states implement the universal instruments against terrorism. Further legislative drafting assistance, training of criminal justice officials, and the preparation of model laws and implementation kits for law makers and criminal justice officials all need further resources and support. UNODC’s extensive presence in the Asia-Pacific region,⁹¹

which has allowed it to develop a broad regional network of experts and contacts, will help facilitate its efforts to bring the global Strategy to this region.

Despite the efforts of UNODC to date in the Asia-Pacific region, much more work remains to be done to achieve region-wide ratification and implementation of the universal instruments against terrorism. The poor ratification rate of these instruments in the region negatively impacts the ability of states in the region to cooperate in bringing terrorists to justice. While UNODC/TPB has provided various forms of technical assistance to a number of countries in the region, many have not made sufficient progress in joining, let alone implementing, the instruments. For example, Cambodia, Fiji, Indonesia, Malaysia, and Thailand have all benefited from TPB technical assistance yet have ratified less than six of the treaties.

Recipients of UNODC assistance may attain the technical capacity needed to join the conventions but may nonetheless face political issues that prevent the adoption of necessary legislation. It would be helpful to have a system in place that identifies where technical assistance efforts have run their course and that alerts the relevant UN political bodies of the situation so that appropriate action can then be taken.

5.7 OHCHR

With an entire section devoted to human rights, and with human rights highlighted in the other three sections as well, the Strategy has underscored the importance of ensuring that all counter-terrorism measures ensure respect for human rights and the rule of law. The Strategy encourages OHCHR to continue playing a leading role in this area. OHCHR currently undertakes a number of activities relevant to Strategy implementation in the region. These include providing technical and other assistance to help states draft and implement legislation in line with international human rights standards, and supporting the Special Rapporteur's programs. OHCHR's role will be particularly important in the Asia-Pacific, because of the lack of a regional human rights framework or mechanism, relatively low regional participation in international human rights instruments, and the lack of an effective regional human rights body with which to partner.

There are a number of ways to bolster not only OHCHR's ability to contribute to Strategy implementation, but implementation of the international human rights framework more generally. These include enhancing OHCHR's field presence and operational capacity, creating a regional human rights mechanism, developing a more sustained relationship with CTC/CTED (including participation in all CTC/CTED site visits), and identifying a regional body with which it could effectively partner and which could provide the political and other support in the region to help transport the global human rights framework to the region and down to the local level. In doing so, however, one needs to be mindful of the consequences of imposing human rights on countries in the region from afar without first developing the trust between local populations and governments.

5.8 CTITF

Given the many parts of the UN system that have a role to play in Strategy implementation, which includes a number that have regional offices or presences in the Asia-Pacific, coordination to minimize duplication and overlap and to ensure that synergies are being maximized will be crucial. Improving the coordination and coherence of the UN system on counter-terrorism is a core element of the Strategy. As already noted, the CTITF, whose institutionalization was welcomed by the GA in the Strategy, is a step in the right direction. It consists of a secretariat representative from each UN body or program involved in counter-terrorism and has gotten off to a strong start, publishing an on-line handbook of the various UN counter-terrorism programs and establishing working groups consisting mainly of relevant CTITF representatives on a range of Strategy-related topics.⁹² The working groups are aimed at trying to improve the coordination of the relevant UN bodies, including by producing action-oriented work plans for how the UN system can contribute to Strategy implementation.

It is too early to draw any conclusions regarding the CTITF's long-term ability to improve coordination within the UN and contribute effectively to Strategy implementation efforts. Much of its success, however, will be determined by how much progress it makes in addressing a number of challenges that lie ahead and the extent to which the CTITF will be able to show concrete results when the GA examines progress toward implantation in the autumn of 2008.

For example, the Strategy states that the CTITF must conduct its work within existing resources. Partly this reflects the concern of some of the members of the P5, who want the SC to remain the focus of the UN's counter-terrorism program. As a result the CTITF may not have been provided with the tools necessary to allow it to succeed in the long term. The CTITF, which has the strong support of many countries who are eager to see the locus of the UN counter-terrorism program remain with the GA, will need to continue to be mindful of not encroaching upon the interests of the P5. These differences will need to be managed carefully, including by ensuring the task force's work is as transparent as possible, for example, by providing regular briefings to interested member states, which would also offer states an opportunity to comment on the work of the task force.

In addition, almost every CTITF representative takes its instructions from a different UN body and thus has limited room to maneuver without first receiving approval from the relevant body. Further, the amount of time and energy each CTITF member will be able to devote to the task force will be limited due to their pre-existing full-time job responsibilities. Moreover, the coordinator of the CTITF's work has no authority over the other task force members who are working under the direction of their separate part of the UN system. The Strategy did not provide him with a mandate either to require different members to contribute information or time to the task force, impose a decision on unwilling task force members, or to get the different parts of the system to share information, cooperate, and reduce overlapping mandates.

Finally, although the CTITF does intend to interact with affiliates in the field, most of its work is being done in New York or other UN cities such as Vienna. Thus, it may need to find ways to raise and sustain awareness in the Asia-Pacific and other regions to ensure there is a coherent UN counter-terrorism presence that has support from local stakeholders in the different regions. In the Asia-Pacific, for example, consideration should be given to the establishment a regional task force, which includes representatives from relevant multilateral bodies in the region and the CTITF. Such a task force could coordinate the efforts of the various regional actors to ensure that they maximize synergies and play to the comparative advantages of each body involved in the implementation of the Strategy.

Further, as part of the UN's public diplomacy effort to bring the Strategy to the regional level and ultimately to the people, the SG should consider appointing a special envoy to promote Strategy implementation. Such a high-profile official could travel to different regions to help spread the ideas contained in the Strategy. This would also help the UN present a more unified approach to the efforts of the twenty-four different parts of the UN system involved in implementation.

Conclusion

The Strategy offers the Asia-Pacific region and the sub-regions within it a framework to develop a more coherent and coordinated response to the terrorist threat. It provides a response grounded in international law, which includes not only security-related preventative measures, but also socio-political and economic aspects. The Strategy's holistic approach largely mirrors the collective response that many experts have felt is needed to address the threat effectively in the Asia-Pacific and elsewhere. It offers global legitimization to ongoing nonmilitary counter-terrorism efforts in the region and could help stimulate additional efforts. It could also provide political cover via an alternative rubric for governments in the region that want to take action but may be constrained by domestic political pressures or concerns, which make it difficult for them to join in the U.S.-led "War on Terrorism."

This report has noted that some bodies in the region have already played a crucial role in building capacity among their members to fight terrorism, yet few have made commensurate contributions to the other elements of the Strategy. Despite some efforts to enhance institutional approaches, many responses have been limited to symbolic statements and declarations. Few states have succeeded in making concrete contributions to strengthen regional responses. Not enough has been done to develop meaningful relationships with the SC's CTC/CTED and with the other relevant parts of the UN system to enhance counter-terrorism activities on the ground. The lack of coordination and cooperation among the various entities in the region has also inhibited implementation of the Strategy among their members. Developing a more coherent and robust response by the regional actors will be necessary to achieve the comprehensive, region-wide response called for by the Strategy.

Recommendations:

A. Regional and sub-regional bodies in the Asia-Pacific

1. **Formally endorse the Strategy.** Each relevant regional/sub-regional body should endorse the Strategy, harmonize existing counter-terrorism programs with the holistic framework it provides, and ensure implementation of programs tied to the Strategy.
2. **Develop organization-specific action plans.** Each relevant regional/sub-regional body should develop a specific action plan for Strategy implementation, which identifies short, medium, and long-term objectives and ensures that the body is adopting a “whole of organization” approach to counter-terrorism, consistent with the approach in the Strategy.
3. **Establish focal points for Strategy implementation** within each relevant regional/sub-regional body. Focal points would liaise with member states, other bodies in the Asia-Pacific region, and the CTITF.
4. **Establish a region-wide task force on Strategy implementation**, which would include the above focal points and representatives from the CTITF. Such a task force could coordinate the efforts of the various regional actors to ensure that they maximize synergies and play to the comparative advantages of each body involved. This could be a first step to developing a region-wide counter-terrorism implementation mechanism.
5. **Enhance and support an expanded role of the ARF to become the central forum for cooperative Strategy implementation efforts in the region**, with functions that could include hosting both the aforementioned implementation mechanism and the region-wide task force.
6. **Enhance and promote “Track II” initiatives** related to Strategy implementation, as a method of engaging the academic and research community in Strategy implementation and to provide an outside forum for assessing the impact of the Strategy in the region, as well as encouraging states’ implementation efforts.
7. **Address structural impediments to implementation within regional and sub-regional entities:**
 - Enhance the capacity of the secretariats of regional and sub-regional entities to enable them to better monitor and assist with implementation of international and regional counter-terrorism commitments by participating states;

- Promote the development of a uniform regional or sub-regional counter-terrorism legal regime to allow for necessary judicial and law enforcement cooperation between countries so that all terrorist suspects are prosecuted or extradited;
 - Develop mechanisms for closer and better integrated cooperation with other Strategy-relevant international, regional, and sub-regional bodies.
8. **Stimulate the development of public/private sector partnerships, in cooperation with regional offices of UN specialized agencies and functional bodies, and regional and sub-regional bodies.** The Strategy recognizes these partnerships as being an essential part of efforts to improve the security and protection of particularly vulnerable targets such as critical infrastructure.
 9. **Take action to ensure that capacity-building/development assistance is being delivered effectively.** Convene periodic region-wide capacity-building meetings involving donors and recipients, perhaps under the auspices of the ADB, with a focus on Strategy implementation. Consider establishing a Strategy implementation capacity-building fund within the ADB.
 10. **Enhance partnerships for implementation with relevant functional organizations.** Convene regional workshops in conjunction with relevant functional organizations, bringing together experts from across the region to focus on implementation of best practices and standards established by functional organizations.
 11. **Participate more actively in the work of UNODC and CTC/CTED and encourage countries in the region to deepen their engagement with these bodies and other relevant parts of the UN system.**
 12. **Develop programs aimed at preventing recruitment, radicalization, and extremism:**
 - Develop an ASEAN forum for sharing experiences and best practices involving national efforts to reach out to religious moderates across different faiths and in building or reforming schools, prisons, and other institutions as part of an effort to tackle radicalization.
 - Create platforms for highlighting the victims of terrorism in order to put a human face on counter-terrorism efforts.
 - Study the recommendations in the recently released AOC Report which aim to promote respect and understanding among peoples, cultures, and

religions; identify ways to promote the Report's implementation among members, in cooperation with UNESCO and/or UNDP.

13. **Urge donor countries and/or functional organizations to second or sponsor assistance experts** to ASEAN and other appropriate regional and sub-regional bodies to help coordinate technical assistance programs (and train others to do so) over a sustained period of time.
14. **Urge members to make full use of Interpol's lost/stolen travel document database tool**, in particular by ensuring that the relevant national authorities have access to the database and that relevant information from the database is shared with law enforcement officials in the field, including at border crossings.

B. UN System

15. **Appoint a special envoy to promote Strategy implementation.** As part of the UN's public diplomacy effort to bring the Strategy to the regional level and ultimately to the people, the SG should consider the appointment of a special envoy for Strategy implementation. Such a high-profile official could travel to different regions to help spread the ideas and approach contained in the Strategy. This would also help the UN present a more unified approach to its Strategy implementation efforts.
16. **Enhance UN presence in the Asia-Pacific region as part of an effort to generate more dialogue and build trust in the region regarding the UN.**
17. **Give UNDP resident coordinators responsibility for coordinating Strategy-related UN technical assistance programs.** Encourage the resident coordinators to serve as the UN focal point for Strategy-related issues in the particular country, which would improve the flow of Strategy implementation information around the UN system. UNDP should also seek to highlight the connections between its emphasis on good governance programs and the Strategy's focus on "conditions conducive to the spread of terrorism."
18. **Establish IAEA and OPCW regional presences dedicated to issues of implementation and awareness of NBC threats as they relate to terrorism.**
19. **Obtain political support from each relevant regional/sub-regional body for ICAO, WCO, and IMO Strategy-related standards and best practices.**
20. **Put a system in place that identifies where technical assistance efforts have run their course and that alerts the relevant UN political bodies of the situation so that appropriate action can be taken.**

CTC/CTED

21. **Appoint a regional CTED representative with resources to visit other countries in the region**, to enhance the CTED's ability to work with regional and sub-regional bodies to develop counter-terrorism programs that are aimed at furthering efforts to implement the UN counter-terrorism framework. The representative could be part of the UN team in a specific country and/or in the region and would allow for more integration between the work of CTED and the broader UN.
22. **Convene regional and sub-regional meetings involving government experts, focusing on specific elements of Resolution 1373** to develop and deepen the CTED expert network and allow experts in the region to interact/exchange best practices on Resolution 1373 implementation. Such meetings could also be convened as part of the proposed "Track II" process.
23. **Revise the CTC's guidelines for and conduct of site visits** to make the preparation less cumbersome and the visits themselves less formal. Rationalize the procedures for selecting countries to be visited. Conduct regional or sub-regional visits and include senior human rights advisors and OHCHR staff on visits.
24. **Reduce the burden on under-resourced States by:** conducting jointing visits to states by the various SC counter-terrorism mechanisms; rationalizing the multiple reporting requirements of the different SC counter-terrorism bodies to reduce the reporting burdens on under-resourced bureaucracies, by requiring each state to submit a single yearly report on steps taken to implement each of the relevant SC resolutions during the previous year; and prioritizing the states and regions where additional implementation efforts are most urgently needed, which could lead to the discontinuation of the expensive and time-consuming process of sending letters to lower-tier threat states that have more pressing priorities.
25. **Place dialogue in the context of the Strategy (vice the more controversial SC Resolution 1373)**, as part of its effort to intensify its interaction with countries in the region and overcome some of the difficulties it has had in receiving cooperation from other parts of the UN system.

C. Human Rights

26. **Establish regional human rights mechanisms** within ASEAN, as a vehicle for promoting the implementation of international human rights standards in the sub-region, and helping ensure that countries strike the appropriate balance between security and liberty, while taking into account issues such as history, culture, traditions, and politics. Also establish an independent human rights mechanism as a parallel monitoring forum, consisting of human rights organizations and other

members of civil society. This should include the development of more opportunities for nongovernmental human rights organizations to liaise with states in regional settings.

27. **Facilitate cooperation with the Special Rapporteur on protecting fundamental freedoms while countering terrorism.** Relevant bodies should consider inviting the Special Rapporteur to conduct a regional visit. In addition, ASEAN should co-host a regional workshop with the Special Rapporteur and the OHCHR, focusing on the human rights section of the Strategy.
28. **Enhance the capacity of OHCHR's two regional offices in the Asia-Pacific region,** to allow each to take on more Strategy-related activities and assume a leading role in promoting Strategy implementation in the region.

NOTES

¹ United Nations General Assembly, *United Nations General Assembly Resolution 60/288*, A/RES/60/288, New York, 8 September 2006.

² There is no single definition of the “Asia-Pacific region.” For the purposes of this study, the terms “Asia-Pacific region” and “the region” refer to Australia, Brunei, Cambodia, China, East Timor, Fiji, Indonesia, Japan, Kiribati, North Korea, South Korea, Laos, Malaysia, Marshall Islands, Micronesia, Mongolia, Myanmar, Nauru, New Zealand, Palau, Papua New Guinea, Philippines, Samoa, Singapore, Solomon Islands, Thailand, Tonga, Tuvalu, Vanuatu, and Vietnam.

³ Kofi Annan, “A Global Strategy for Fighting Terrorism” (Keynote address, Closing Plenary of the International Summit on Democracy, Terrorism and Security, Madrid, 10 March 2005). Available online at: <<http://english.safe-democracy.org/keynotes/a-global-strategy-for-fighting-terrorism.html#transcripcion>> (accessed 15 February 2007).

⁴ United Nations General Assembly, *Uniting against terrorism: recommendations for a global counter-terrorism strategy*, A/60/825, New York, 27 April 2006.

⁵ Remarks by Sir Emyr Jones Parry, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations (Speech to the Centre for Defense Studies at Kings College, London, 10 November 2006). Available online at: <http://www.ukun.org/articles_show.asp?SarticleType=17&Article_ID=1372> (accessed December 20, 2006).

⁶ Many countries, particularly from the global south that were not on the SC when it adopted its counter-terrorism resolutions, questioned that body’s authority to impose general, legal obligations on all states and thus lacked a sense of ownership in the program. Some also resented the SC’s narrow approach, which failed to take into account the underlying socio-economic conditions that may give rise to terrorism. All of this had a negative impact on their willingness to cooperate fully with the SC.

⁷ “Opening Statement by H.E. Sheikha Haya Rashed Al Khalifa, President of the 61st session of the General Assembly to Launch the United Nations Global Counter-Terrorism Strategy,” New York, 19 September 2006. Available online at: <<http://www.un.org/ga/president/61/statements/statement20060919b.shtml>> (accessed 19 February 2007).

⁸ For example, the Strategy encourages regional and sub-regional organizations to create or strengthen existing counter-terrorism mechanisms and centers and calls for deepening the cooperation between regional and sub-regional bodies and the CTC/CTED. In addition, it encourages greater sharing of counter-terrorism capacity-building information among states, the UN, and relevant multilateral bodies. United Nations General Assembly, *United Nations General Assembly Resolution 60/288*, A/RES/60/288, New York, 8 September 2006.

⁹ Some argue that there is a strong linkage, seeing close connections between local and regional groups and al Qaeda and its associates. Others, however, caution against presuming too strong an al Qaeda connection with the local insurgencies. Labeling such insurgencies as “al Qaeda-related” may magnify the profile of smaller unrelated groups or stifle attempts to address the local

grievances that are motivating the insurgencies. Chairman's Report, "Workshops on Implementing the General Assembly's Global Counter-Terrorism Strategy in the Asia-Pacific Region," Center on Global Counter-Terrorism Cooperation, New York, 24-25 January 2007, paragraph 15, (Appendix 1).

¹⁰ Report of an International Conference Organized by the Institute for Defense and Strategic Studies and the Office of the Counterterrorism Coordinator, "Terrorism in Southeast Asia: The Threat and Response," U.S. Department of State, 12-13 April 2006.

¹¹ See for example: Ralf Emmers, "Security Relations and Institutionalization in Southeast Asia," BASC Working Paper Series, 9 November 2005, p. 26. Available online at: <http://basc.berkeley.edu/pdf/Emmers_SecurityInstitutionalismSEA.pdf> (accessed 1 February 2007).

¹² See for example: See Seng Tan and Kumar Ramakishna, "Interstate Dynamics in Southeast Asia's War on Terror," *After Bali: The Threat of Terrorism In Southeast Asia*, eds. Kumar Ramakrishna and See Seng Tan (Singapore: Institute of Defence and Strategic Studies, Nanyang Technological University, 2003), 92.

¹³ See for example: Rosemary Foot, "Human Rights in Conflict," *Survival*, 48, no.3 (Autumn 2006): 109-126; Andrew Tan, "Southeast Asia as the 'Second Front' in the War Against Terrorism: Evaluating the Threat and Responses," *Terrorism and Political Violence* 15, no. 2 (Summer 2003): 112-138; and John Gershman, "Is Southeast Asia the Second Front?," *Foreign Affairs* 81, no. 4 (July/August 2002): 60-74.

¹⁴ Chairman's Report, "Workshops on Implementing the General Assembly's Global Counter-Terrorism Strategy in the Asia-Pacific Region," Center on Global Counter-Terrorism Cooperation, New York, 24-25 January 2007, paragraph 17, (Appendix 1).

¹⁵ Ambassador Benjamin Defensor Jr., Chairman, APEC Counter-Terrorism Task Force (Keynote address at the Fourth Secure Trade in the Asia-Pacific Region Conference, Horizon Hotel, Hanoi, Vietnam, 24 February 2006). Available online at: <http://www.apec.org/apec/documents_reports/counter_terrorism_task_force/2006.html#STAR> (accessed 1 February 2007).

¹⁶ Tanya Ogilvie-White, "Non-proliferation and Counter-Terrorism Cooperation in Southeast Asia," *Contemporary Southeast Asia* 28, no. 1 (April 2006): 1-26.

¹⁷ Tanya Ogilvie-White, "Non-proliferation and Counter-Terrorism Cooperation in Southeast Asia," *Contemporary Southeast Asia* 28, no. 1 (April 2006): 1-26.

¹⁸ Only six of ASEAN's ten members have joined more than half of the instruments. See Appendix 5 for information on the participation of countries in the Asia-Pacific region in the key Strategy-related international conventions and protocols.

¹⁹ Rodolfo C. Severino, "ASEAN's Future: Institutions and Communities," Institute of Southeast Asian Studies, Singapore. Available online at: <<http://www.ips.org.sg/events/pos/papers/Policy%20Brief-%20Rod%20Severino.pdf>> (accessed 19 February 2007).

²⁰ Ralf Emmers, "ASEAN and the Securitization of Transnational Crime," *The Pacific Review* 16, no. 3 (2003): 419-438.

²¹ Rodolfo C. Severino, "ASEAN's Future: Institutions and Communities," Institute of Southeast Asian Studies, Singapore, p. 12. Available online at:

<<http://www.ips.org.sg/events/pos/papers/Policy%20Brief-%20Rod%20Severino.pdf>> (accessed 19 February 2007).

²² United Nations General Assembly, *General Assembly Resolution 61/44*, A/RES/61/44, New York, 4 December 2006.

²³ “ASEAN Seeks Observer Status at the UN,” *Philippines News*, 4 October 2006. Available online at: <http://www.philippinenews.com/news/view_article.html?article_id=99d262e3c0b7e9841ce7da98004386f8> (accessed 14 February 2007)

²⁴ Conference Report, “Making the United Nations Relevant for Asia-Pacific in the 21st Century—A Dialogue Organized by the International Peace Academy and the Institute of Strategic and International Studies of Malaysia,” Kuala Lumpur, 20-21 July 2005.

²⁵ The proposed ASEAN Security Community is a part of a broader integration process moving toward the establishment of an ASEAN Community by 2020, through the implementation of the Vientiane Action Programme (VAP) and based on three pillars: the ASEAN Security Community (ASC), the ASEAN Economic Community (ASEC), and the ASEAN Socio-Cultural Community (ASCC). Enhanced coordination among ASEAN bodies responsible for combating transnational crime, including terrorism, is one of the envisaged outcomes of this effort. Joint Communiqué of the Fifth ASEAN Ministerial Meeting on Transnational Crime (AMMTC), Hanoi, Vietnam, 29 November 2005. Available online at: <www.aseansec.org/17938.htm> (accessed 14 February 2007).

²⁶ As of 1 December 2006, Brunei, Malaysia, Singapore, and Vietnam had ratified the ASEAN Treaty on Mutual Legal Assistance in Criminal Matters. Secretariat for the Treaty on Mutual Legal Assistance in Criminal Matters among like-Minded ASEAN Member Countries, Status. Available online at: <<http://www.agc.gov.my/agc/sec/stat.htm>> (accessed 19 February 2007).

²⁷ ASEAN Treaty on Mutual Legal Assistance in Criminal Matters, Article 30(2), 29 November 2004.

²⁸ ASEAN Treaty on Mutual Legal Assistance in Criminal Matters, Article 23, 29 November 2004.

²⁹ Jonathan Chow, “ASEAN Counterterrorism Cooperation Since 9/11,” *Asian Survey* 45, no. 2 (March/April 2005): 319.

³⁰ The full text of the ASEAN Convention on Counter-Terrorism is available online at: <www.aseansec.org/19250.htm> (accessed 15 February 2007).

³¹ “ASEAN Agrees on Anti-Terror Pact,” *Agence France Presse*, 7 December 2006. See also: Kavi Chongkittavorn, “Anti-Terror Pact a Test for ASEAN Solidarity,” *The Nation* (Bangkok), 30 October 2006.

³² Kavi Chonkittavorn, “Regional Perspective: ASEAN’s Accord on Counter-Terrorism a Major Step Forward,” *The Nation* (Bangkok), 18 February 2007. Available online at: <http://www.nationmultimedia.com/2007/02/19/opinion/opinion_30027193.php> (accessed 19 February 2007). For additional information about rehabilitation programs for terrorists and programs aimed at combating radicalization in prisons see: Chairman’s Report, “Workshops on Implementing the General Assembly’s Global Counter-Terrorism Strategy in the Asia-Pacific Region,” Center on Global Counter-Terrorism Cooperation, New York, 24-25 January 2007, paragraph 13, (Appendix 1) and Karin von Hippel, “Counter Radicalization Development Assistance,” *Danish Institute for International Studies Working Paper no. 2006/9*, Copenhagen,

2006, p. 13. Available online at:

<<http://www.diis.dk/graphics/Publications/WP2006/DIIS%20WP%202006-9.web.pdf>> (accessed 17 February 2007).

³³ United Nations, Alliance of Civilizations, *Alliance of Civilizations: An Action Plan to Improve Cross-Cultural Relations—The Report of the High-Level Group*, 13 November 2006. Available online at: <www.unaoc.org/repository/report.htm> (accessed 17 February 2007).

³⁴ Working Group for an ASEAN Human Rights Mechanism, “Frequently Asked Questions.” Available online at: <www.aseanhrmech.org/faq.html#3> (accessed 14 February 2007).

³⁵ Herman Joseph S. Kraft, “Human Rights in South East Asia: The Search for Regional Norms,” Working Paper, Washington East West Center, No.4, July 2005, p. 21. Available online at: <<http://washington.eastwestcenter.org/Publications/kraft.pdf>> (accessed 14 February 2007).

³⁶ United Nations General Assembly, *United Nations General Assembly Resolution 60/288*, A/RES/60/288, New York, September 8, 2006.

³⁷ ARF’s core objectives are “to foster constructive dialogue and consultation on political and security issues of common interest and concern” and “to make significant contributions to efforts towards confidence-building and preventive diplomacy in the Asia-Pacific region.” Evelyn Goh, “The ASEAN Regional Forum in U.S. East Asian Strategy,” *Pacific Review* 17 (March 2004): 47-69.

³⁸ ASEAN, “The ASEAN Regional Forum: A Concept Paper,” 1995. Available online at: <<http://www.aseansec.org/3635.htm>> (accessed 1 February 2007).

³⁹ ASEAN, “The ASEAN Regional Forum: A Concept Paper,” 1995. Available online at: <<http://www.aseansec.org/3635.htm>> (accessed 1 February 2007).

⁴⁰ Barry Deskar, “Is the ARF Obsolete? Three Steps to Avoid Irrelevance,” Center for Strategic and International Studies Pacific Forum, Honolulu, Hawaii, 27 July 2006. Available online at: <<http://www.csis.org/media/csis/pubs/pac0637a.pdf>> (accessed 14 February 2007).

⁴¹ Dominik Heller, “The Relevance of the ASEAN Regional Forum (ARF) for Regional Security in the Asia-Pacific,” *Contemporary Southeast Asia* (April 2005): 126-127.

⁴² ASEAN Regional Forum, “Chair’s Summary Report,” Seminar on Enhancing Cooperation in the Field of Non-Traditional Security Issues, 7-8 March 2005, Sanya, China.

⁴³ United Nations, Alliance of Civilizations, *Alliance of Civilizations: An Action Plan to Improve Cross-Cultural Relations—The Report of the High-Level Group*, 13 November 2006.

⁴⁴ United Nations General Assembly, *United Nations General Assembly Resolution 60/288*, A/RES/60/288, New York, 8 September 2006.

⁴⁵ Evelyn Goh, “The ASEAN Regional Forum in U.S. East Asian Strategy,” *Pacific Review* 17 (March 2004): 59.

⁴⁶ Rosemary Foot, “The UN’s System’s Contribution to Asia-Pacific Security Architecture,” *Pacific Review* 16, no. 1 (2003): 225-226.

⁴⁷ See for example: Charles I. Cohen, “The ASEAN Regional Forum,” *McGill International Review* (Spring 2005): 51.

⁴⁸ The ARF also recently established a Register of Experts and Eminent Persons as an outside resource from which the ARF chair and participants can draw.

⁴⁹ Dominik Heller, "The Relevance of the ASEAN Regional Forum (ARF) for Regional Security in the Asia-Pacific," *Contemporary Southeast Asia* (April 2005): 126-127.

⁵⁰ ASEAN Regional Forum, "Co-Chairs' Summary Report of the Inaugural Meeting of the Experts and Eminent Persons," Jeju Island, June 2006, pp. 29-30.

⁵¹ Shaun Evans, PIF Secretariat, Security in Government Conference, "Pacific Regional Perspective on Security," Canberra, Australia, 11 May 2006. Available online at: <[http://www.ag.gov.au/agd/WWW/rwpattach.nsf/VAP/\(A9F94B1DA6FEEBF2B6FCE887A007DC8F\)~Speech+SIG+2006++Shaun+Evans.doc/\\$file/Speech+SIG+2006++Shaun+Evans.doc](http://www.ag.gov.au/agd/WWW/rwpattach.nsf/VAP/(A9F94B1DA6FEEBF2B6FCE887A007DC8F)~Speech+SIG+2006++Shaun+Evans.doc/$file/Speech+SIG+2006++Shaun+Evans.doc)> (accessed on 14 February 2007).

⁵² Shaun Evans, PIF Secretariat, Security in Government Conference, "Pacific Regional Perspective on Security," Canberra, Australia, 11 May 2006. Available online at: <[http://www.ag.gov.au/agd/WWW/rwpattach.nsf/VAP/\(A9F94B1DA6FEEBF2B6FCE887A007DC8F\)~Speech+SIG+2006++Shaun+Evans.doc/\\$file/Speech+SIG+2006++Shaun+Evans.doc](http://www.ag.gov.au/agd/WWW/rwpattach.nsf/VAP/(A9F94B1DA6FEEBF2B6FCE887A007DC8F)~Speech+SIG+2006++Shaun+Evans.doc/$file/Speech+SIG+2006++Shaun+Evans.doc)> (accessed on 14 February 2007).

⁵³ The "FATF standards" consist of forty recommendations on money laundering and nine special recommendations on terrorist financing.

⁵⁴ In developing the FRTSFI, the ADB has sought to work with the FATF, and its FSRB, the APG, ICAO, IMO, WCO, WHO, and UNODC.

⁵⁵ For example, the Pacific Aviation Safety Office (PASO) project will be the first ADB regional aviation sector loan and technical assistance grant. It is also the first ADB loan to an intergovernmental organization (vice country) and is expected to serve as a template for harmonizing the application of the ICAO's Annex 17 security provisions throughout the eight PASO countries.

⁵⁶ The "+3" participants are China, Japan, and the Republic of Korea.

⁵⁷ United Nations General Assembly, *United Nations General Assembly Resolution 60/288*, A/RES/60/288, New York, 8 September 2006.

⁵⁸ Bureau of Democracy, Human Rights and Labor, Thailand, "Supporting Human Rights and Democracy: The U.S. Record 2005 – 2006." Available online at: <<http://bangkok.usembassy.gov/services/docs/reports/supportthr0506.htm>> (accessed 6 December 2006).

⁵⁹ The following countries and organizations were represented at the initial meeting and have participated in the process: Australia, Brunei Darussalam, Cambodia, Canada, the People's Republic of China, Fiji, France, Germany, India, Indonesia, Italy, Japan, Laos, Malaysia, Myanmar, the Netherlands, New Zealand, Papua New Guinea, the Philippines, the Republic of Korea, the Russian Federation, Singapore, Thailand, Timor-Leste, Vietnam, the United Kingdom, the United States of America, the European Union, the United Nations, ASEAN, the Pacific Islands Forum Secretariat, the APEC Secretariat, the APG Secretariat, and Interpol. Australian Department of Foreign Affairs and Trade, "Bali Counter-Terrorism Process," available online at: <www.dfat.gov.au/icat/2004_conference/index.html> (accessed 17 February 2007).

⁶⁰ Adopted shortly after the 11 September 2001 attacks, Resolution 1373 imposed unprecedented obligations upon every UN member state, requiring all states, among other things, to freeze the financial assets of terrorists and their supporters, deny terrorists travel or safe haven, prevent terrorist recruitment and weapons supply, and bring all terrorists to justice.

⁶¹ Adopted in September 2005, Resolution 1624 called on states to adopt a range of counter-terrorism measures, including steps aimed at prohibiting and preventing incitement to commit terrorist acts. It further called on states to report to the CTC, as part of their ongoing dialogue with the committee, on the steps they have taken to implement the resolution. It directed the CTC to report back to the SC in twelve months.

⁶² Partly in response to concerns of the wider UN membership, which were worried that the SC was giving a subsidiary body unprecedented responsibility, the CTED was established for an initial period ending 31 December 2007. Renewal of its mandate will depend on the outcome of the SC's review of the CTED's work.

⁶³ United Nations Security Council, *Report of the Counter-Terrorism Committee to the Security Council for its consideration as part of its comprehensive review of the Counter-Terrorism Committee Executive Directorate*, "Semi-Annual Report of the Counter-Terrorism Committee Executive Directorate 1 July to 31 December 2006," Appendix II, S/2006/989, New York, 18 December 2006, pp. 42-43.

⁶⁴ United Nations, *United Nations Security Council Resolution 1373* (2001), Directory of International Best Practices, Codes and Standards. Available online at: <http://www.un.org/sc/ctc/best_prac.html> (accessed 14 February 2007).

⁶⁵ For a thorough, critical review of the CTED's performance see: United Nations Security Council, *Report of the Counter-Terrorism Committee to the Security Council for its consideration as part of its comprehensive review of the Counter-Terrorism Committee Executive Directorate*, S/2006/989, New York, 18 December 2006.

⁶⁶ As of November 2006, while CTED officials had conducted scores of meetings with representatives from other multilateral bodies, none were with officials from ASEAN, APEC, the ARF or the ADB. United Nations Security Council, *Report of the Counter-Terrorism Committee to the Security Council for its consideration as part of its comprehensive review of the Counter-Terrorism Committee Executive Directorate*, S/2006/989, New York, 18 December 2006.

⁶⁷ For example, of the fifty states the CTED referred to UNODC's TPB, only eleven came from the "Americas, Caribbean, and Pacific and Southern Asia" and of the twenty-five referred to the GPML, all were from Africa. United Nations Security Council, *Report of the Counter-Terrorism Committee to the Security Council for its consideration as part of its comprehensive review of the Counter-Terrorism Committee Executive Directorate*, S/2006/989, New York, 18 December 2006, Annex I, Technical Assistance Action Plan, p. 59.

⁶⁸ The CTED visited Thailand in 2005 and Malaysia and the Philippines in 2006. It is scheduled to visit Indonesia in the first half of 2007 and may also visit Cambodia, Vietnam, and Laos DPR in 2007.

⁶⁹ Pursuant to the CTC's current guidelines, the CTED has to obtain the visited state's consent on most matters before proceeding, including the terms of reference for the visit, the number of experts who and organizations which will participate, and with which government experts it will meet. United Nations, "Framework Document for CTC Visits to States in Order to Enhance the Monitoring of the Implementation of Resolution 1373 (2001)," 8 February 2005.

⁷⁰ For example, rather than following up directly with the experts in capitals, the CTED often continues to work through the relevant UN mission in New York, which must then transmit the message through official channels to its capital. This often leads to a delayed response from capitals.

⁷¹ These restrictions on the CTED site visits contrast sharply with the visits of the Al Qaida/Taliban Sanctions Committee Monitoring Team, which has greater independence from its parent committee than does the CTED.

⁷² The CTED did approach the ASEAN secretariat regarding the possible participation of one of its experts in the CTC/CTED visit to Malaysia. However, the ASEAN secretariat responded that it does not monitor progress on the implementation of Resolution 1373 on a regional basis as this is a direct obligation of member states to the UN. United Nations Security Council, *Report of the Counter-Terrorism Committee to the Security Council for its consideration as part of its comprehensive review of the Counter-Terrorism Committee Executive Directorate*, “Semi-Annual Comprehensive Report on the Work of the Counter-Terrorism Committee Executive Directorate for the Period 1 January to 30 June 2006,” Appendix I, S/2006/989, New York, 18 December 2006, p. 26.

⁷³ United Nations Security Council, *Report of the Counter-Terrorism Committee to the Security Council for its consideration as part of its comprehensive review of the Counter-Terrorism Committee Executive Directorate*, S/2006/989, New York, 18 December 2006, p. 7.

⁷⁴ Additional information on that meeting is available online at: www.coe.int/t/e/legal_affairs/legal_co-operation/fight_against_terrorism/Joint%20OSCE-CoE%20Seminar%20Prevention%20Terrorism%20Vienna%20Agenda.pdf (accessed 17 February 2007).

⁷⁵ The role outlined for the CTC/CTED in the Strategy includes the facilitation of technical assistance, identification of capacity-gaps, exchange of information, identification/dissemination of best practices, and strengthening its relationships with international, regional, and sub-regional bodies. United Nations General Assembly, *United Nations General Assembly Resolution 60/288*, A/RES/60/288, New York, 8 September 2006.

⁷⁶ See, for example, the Security Council Report’s February 2007 review of CTED activity, noting the growing calls by UN member states to have the SC be less the focus of UN counter-terrorism activities. The Security Council Report, “February 2007 Review of the Counter-Terrorism Executive Directorate,” February 2007. Available online at: www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.2461281/k.1E4/February_2007brReview_of_the_CounterTerrorism_Executive_Directorate.htm (accessed 17 February 2007).

⁷⁷ Ellen Loj, CTC Chair and Danish Permanent Representative to the UN, “*Report on the Philippines Meeting First Counter Terrorism Experts Conference*” (statement, Cebu, Philippines, 20-22 April 2006), p. 2. Copy on file with authors.

⁷⁸ For example, the WCO has adopted the Framework of Standards to Secure and Facilitate Global Trade, the IMO has adopted the International Ship and Port Facility Security Code (ISPS) to enhance ship and port security, and the ICAO has adopted a number of aviation security standards, including standards for Machine Readable Travel Documents (MRTD).

⁷⁹ For example, of the thirty countries in the Asia-Pacific region, only fifteen have committed to the implementation of the SAFE FoS and only sixteen have issued MRTDs. Email interview with Christopher Kristensson, WCO Technical Attaché, 21 November 2006, and email interview with Lise Boisvert, Chief, External Relations and Public Information Office, ICAO, 22 November 2006.

⁸⁰ The Strategy encourages the UN to consider reaching out to the private sector for contributions in this area, in particular in the areas of port, maritime, and aviation security. United Nations

General Assembly, *United Nations General Assembly Resolution 60/288*, A/RES/60/288, New York, 8 September 2006.

⁸¹ Gijs de Vries, “Co-operation between the European Union and the United Nations in counter-terrorism,” *The United Nations and the European Union: An Ever Stronger Partnership*, eds. Jan Wouters, Frank Hoffmeister, and Tom Ruys (Cambridge; Cambridge University Press, 2006).

⁸² Interpol’s UN Liaison Office in New York, email communication with the authors, 20 November 2006.

⁸³ Interpol Media Release, “Interpol Asian Conference Calls for Anti-Corruption Measures,” 13 April 2006.

⁸⁴ See for example: U.S. Department of State, Report of an International Conference Organized by the Institute for Defense and Strategic Studies and the Office of the Counterterrorism Coordinator, “Terrorism in Southeast Asia: The Threat and Response,” 12-13 April 2006; and Kumar Ramakrishna, “Delegitimizing Global Jihadi Ideology in Southeast Asia,” *Contemporary Southeast Asia* (1 December 2005).

⁸⁵ United Nations, *Alliance of Civilizations: An Action Plan to Improve Cross-Cultural Relations – The Report of the High-Level Group*, 13 November 2006, paragraph 1.4. Available online at: <www.unaoc.org/repository/report.htm> (accessed February 7, 2007).

⁸⁶ The Strategy picks up on a theme contained in the 2004 Report of the High-level Panel on Threats, Challenges and Change commissioned by the SG. According to the former administrator of UNDP, Mark Malloch-Brown, the High-level Panel argued that “[w]e will only have legitimacy in an international multilateral security system if it is one that addresses the needs of the poor as well as the rich . . . Rich people’s security may be about protection against terrorism and weapons of mass destruction, but poor people’s security priorities are often about something very different. It is about poverty. It is about HIV/AIDS. It is about a lack of access for families to healthcare, or fathers and mothers to job and decent employment.” Mark Malloch-Brown, UNDP Administrator, Launch of the Millennium Project Report, “Investing in Development: A Practical Plan to Achieve the Millennium Development Goals” (statement, Brussels, 18 January 2005). Available online at: <<http://content.undp.org/go/newsroom/january-2005/mmb-millennium-project-report.en?sessionid=axbWzt8vXD9?categoryID=593045&lang=en>> (accessed 17 February 2007).

⁸⁷ United Nations Development Programme, 2006 Annual Report, “The UN’s Global Development Network.” Available online at: <<http://www.undp.org/publications/annualreport2006/index.shtml>> (accessed 17 February 2007).

⁸⁸ United Nations General Assembly, *United Nations General Assembly Resolution 60/288*, A/RES/60/288, New York, 8 September 2006.

⁸⁹ United Nations General Assembly, Report of the High-Level Panel on United Nations System-wide Coherence in the Areas of Development, “Humanitarian Assistance and the Environment,” A/61/583, New York, 20 November 2006, p. 11.

⁹⁰ Among other things, the Strategy encourages UNODC to enhance its provision of technical assistance to states to facilitate the implementation of the universal instruments against terrorism and relevant UN resolutions. In addition, it encourages member states to resort to the technical assistance being offered by the UNODC in order to strengthen their criminal justice systems. UNODC also has a central role to play in strengthening the coordination and cooperation among states in combating crimes that might be connected to terrorism, e.g., drug trafficking, illicit arms

trade, and money laundering. Further, its GPML will provide assistance to help states implement the FATF 40+9 Special Recommendations on Money Laundering and Terrorist Financing.

⁹¹ See Appendix 4 for information on UNODC's regional activities and presence in the Asia-Pacific.

⁹² "CTITF Work Plan (6-12 months): Priority Deliverables on UN Global Counter-Terrorism Strategy," December 2006 (copy on file with authors).

Appendix 1

24-25 January 2007, New York Workshops on Implementing the General Assembly's Global Counter-Terrorism Strategy in the Asia-Pacific Region

At the two workshops, meeting participants highlighted the value of using the Strategy as a platform for deeper regional engagement on a wide variety of important issues related to a holistic approach to counter-terrorism. They identified a number of discrete parts of the Strategy where programs to promote its implementation could be developed at the regional or sub-regional levels, including in areas related to the media, education, rehabilitation, and inter- and intra- cultural and religious dialogue. They also emphasized the important role that civil society has to play in exporting the Strategy's message from New York to the regional and local levels.

The Chairman's Report on the workshop's proceedings reflects an attempt to highlight some of the themes of and recommendations put forth during the event, which was convened under the Chatham House Rule. It does not therefore reflect the official views of any of the participants.

Chairman's Report

I. The Strategy

1. The participants voiced broad support for the Strategy as a tool for deepening the Asia-Pacific region's engagement in, and cooperation on, implementing UN and related counter-terrorism mandates. With the inclusion of both the socio-economic conditions that may be conducive to the spread of terrorism and preventive measures, the Strategy is consistent with the notion of "comprehensive security" in the Asia-Pacific region, particularly in Southeast Asia. Thus, it reflects the concerns of countries in the region and is likely to be embraced by them.
2. Although the Strategy intentionally avoids dealing directly with the political dimensions of terrorism, it was recognized that addressing the political grievances will need to be given urgent and careful attention in order to prevent them from fueling/morphing into extremism.
3. The point was made that although the Strategy, because of the general nature of its provisions, is more of a platform or a menu of options for States and regions to implement, it nevertheless must be implemented in its entirety and all of its aspects are relevant to regional efforts. Participants cautioned against "picking and choosing," which could undermine the holistic nature of the Strategy.
4. There is a certain degree of ambiguity in the Strategy, which it was agreed was necessary to achieve consensus adoption by the General Assembly (GA). The general nature of many of the Strategy's provisions, however, allows regions a certain degree of latitude as they seek to develop implementation plans and programs.
5. Participants identified a number of discrete parts of the Strategy where it might be

easier to achieve consensus on specific implementation programs at the regional or sub-regional level than in the GA. These include areas related to the media, education, maritime security, victims, rehabilitation, and inter- and intra- faith dialogue.

6. They also emphasized the important role that nongovernmental organizations can play in exporting the Strategy's message from New York to the region and down to the local level. In this regard, there was support for having the Council for Security Cooperation in the Asia-Pacific (CSCAP)—a nongovernmental (second track) process for dialogue on security issues in Asia Pacific— play a leading role in assessing the role and impact of the Strategy in the region, as well as encouraging and monitoring states' implementation efforts.

7. The Strategy offers global legitimization to ongoing nonmilitary counter-terrorism efforts in the region and could help stimulate additional efforts. It could provide political cover for governments in the region that want to take action but are constrained by domestic political pressures and concerns.

8. With its holistic approach, the Strategy has the potential to promote a “whole of government” approach to combating terrorism. As such, it could help address one of the weaknesses in many countries in the region: the lack of inter-agency cooperation and coordination within national governments.

9. By shifting the focus of the UN effort from the fifteen-member Security Council (SC) to the more representative GA, the Strategy should provide more scope for cooperation between the various parts of the UN and the regional bodies in the Asia-Pacific.

10. As part of the UN's public diplomacy effort to bring the Strategy to the regional level and ultimately to the people, the Secretary-General (SG) should consider appointing a special envoy to promote Strategy implementation. Such a high-profile official could travel to different regions to help spread the ideas and approach contained in the Strategy. This would also help the UN present a more unified approach to its Strategy implementation efforts.

11. As part of the effort to engage civil society in the region and sub-regions, it was suggested that the ASEAN Peoples Assembly, which is open to non-ASEAN members, could play an important role as well.

II. The Threat

12. There are a variety of perceptions in the region regarding the nature and extent of the terrorist threat, with the real threat emanating out of a few countries in the region (e.g., Indonesia, the Philippines, and Thailand). While the operational threat in the region has been reduced since 2001, in the view of some of the participants, the threat of growing ideological extremism is now the central challenge.

13. The threat is not just targeted against U.S. or western interests in the region, but local governments and interests as well. The participants agreed, however, that the threat is manageable. Some of the keys to addressing it effectively include: community engagement, including via the Internet and other media, with moderate Muslims, educators, religious leaders, and institutions and rehabilitation programs in prisons.

14. Given the vastness and complexity of and diversity in the region, it might be more appropriate to look at the region as three sub-regions: Northeast Asia, Southeast Asia, and the Pacific islands. It was noted that differing threat perceptions, treasured norms of noninterference, and the perception of terrorism as a national security problem has limited counter-terrorism cooperation in the region largely to bilateral channels.

15. The extent to which the threat in the region is linked to other regions, including the Middle East and South Asia, was discussed. Some participants were of the view that there was a strong linkage, seeing strong connections between local/regional terrorist groups and al Qaeda. Others, however, cautioned against presuming too strong an al Qaeda connection with the local insurgencies in southern Thailand, eastern Indonesia, and the southern Philippines, which are fixated on local concerns. Labeling such insurgencies as “al Qaeda-related” may magnify the profile of smaller unrelated groups or stifle attempts to address the local grievances that are motivating the insurgencies.

16. Concern was expressed about the polarization of discourse between groups employing terrorist tactics and the rubric of counter-terrorism in the region. This has led to a highly ideological exchange, with each side talking past the other, leaving little room for negotiation and little space for civil society.

17. Concern was also voiced regarding the negative consequences of having countries from outside the region push their counter-terrorism agendas in the region. For example, participants from the region noted the growing resentment among local populations in parts of the region towards the U.S.-led “Global War on Terrorism,” which sees Southeast Asia as the second front in the war against al Qaeda and which is viewed in some circles as targeting Islam. This perception is making it more and more politically difficult for some countries in the region to cooperate with the U.S. The Strategy, however, with its holistic approach and emphasis on the socio-economic aspects of counter-terrorism, may offer countries in the region an alternative approach to embrace.

III. The Regional Security Architecture

18. Although the region has a series of overlapping fora and arrangements that include dialogue partners and other countries from around the globe, many of them suffer from a lack of institutional capacity. Despite the lack of such capacity, the institutions could nevertheless contribute to promoting Strategy implementation among their members, even beyond just acting as a conveyor belt for international norms.

19. Regional bodies have different comparative advantages in working with their members that might make them well-suited to facilitate the implementation of certain

parts of the Strategy. They can offer an ideal forum for building trust and political will, information sharing, developing approaches that can take into account cultural and other contextual issues, and undertaking region-specific initiatives or other actions that complement and build upon global counter-terrorism objectives.

20. A number of existing institutional shortcomings of ASEAN were discussed. Experts from the region voiced cautious optimism regarding what the January 2007 adoption of the ASEAN counter-terrorism treaty and the progress being made on the adoption of an ASEAN Charter portend for the organization.

21. The newly-adopted ASEAN counter-terrorism treaty is closely linked with the existing international counter-terrorism instruments and includes language from the Strategy. It also requires states parties to enact legislation and take steps at the national level to further counter-terrorism cooperation in the region. As such, it offers a good example of how the regional (or in this case sub-regional) effort can connect global norms with the national effort.

22. Although the counter-terrorism contributions of Asia-Pacific regional and sub-regional bodies have been relatively limited, there have been numerous examples of more informal counter-terrorism cooperation in the region resulting in important, practical contributions. In addition to extensive practical cooperation at the bilateral level, the regional training centers in Jakarta, Bangkok, and Thailand, as well as the Bali Counter-Terrorism Process were cited as examples.

23. The lack of both a significant UN presence on the ground and effective multilateral institutional partners in the region has hindered efforts to transport the existing UN counter-terrorism framework to the region.

24. More dialogue needs to be generated between the UN and regional bodies such as ASEAN to build more trust in the region regarding the UN. Each side needs to be more proactive in initiating interaction with the other. The granting of ASEAN “observer status” in the GA should help in this regard.

25. In order to help ensure proper coordination among the different regional bodies with respect to Strategy promotion and implementation, consideration could be given to identifying a regional focal point for the Strategy. Discussion focused on the comparative advantages of the three primary regional bodies: APEC, ASEAN, and the ARF.

a. With respect to APEC, it was asserted that many Southeast Asian countries currently oppose its deepening involvement in counter-terrorism and thus would be unlikely to support giving APEC a leading role surrounding Strategy implementation. In addition, Taiwan’s participation in APEC would make it politically difficult to get support for involving APEC in promoting this UN initiative, which foresees deepened cooperation among regional bodies and the relevant UN organizations, bodies, and programs.

b. With respect to ASEAN, it was noted that the recently-adopted regional counter-terrorism convention includes a number of references to the Strategy (including in areas related to “conditions conducive to the spread of terrorism” and human rights) and thus might be a useful tool to help promote the Strategy among ASEAN countries. Given ASEAN’s limited membership and lack of donor countries among its members, however, it was argued that ASEAN would not be the most appropriate regional (vice sub-regional) focal point.

c. With respect to the ARF, it was felt that given its broad participation, which includes the major powers within and outside of the region, and that ASEAN is the driver of this body, it might be the best suited to play the leading role in Strategy implementation in the Asia-Pacific. Giving the ARF such a role might help it convince all of its members to move the organization through its second and third phases of development from (1) promoting of confidence-building measures; to (2) developing preventive diplomacy mechanisms; and ultimately toward its self-stated goal of (3) developing conflict resolution mechanisms.

IV. Capacity Building in the Asia-Pacific and the Role of the UN

26. Despite the recognized capacity needs in and threat emanating from parts of the Asia-Pacific, it was felt that the UN has not sufficiently engaged in counter-terrorism capacity building in the region. For a variety of reasons attributed to limitations and issues at the international, regional, and state levels, neither UNODC nor the Security Council’s Counter-Terrorism Committee (CTC) and its Executive Directorate (CTED) has been as active in the region as they would have liked to be.

27. Both the formal and informal regional bodies should more actively participate in the work of UNODC and CTED and encourage countries in the region to work with these bodies and the other relevant parts of the UN system.

28. The CTC/CTED needs to improve on its efforts to facilitate the delivery of concrete assistance in the region. Its cooperation with donor and recipient countries and organizations in the region is likely to be more effective when the regional and sub-regional organizations themselves have developed counter-terrorism capacity.

29. As part of its effort to intensify its interaction with countries in the region and overcome some of the difficulties it has had receiving cooperation from other parts of the UN system, the CTC/CTED should place its dialogue with states in the context of the GA Strategy (vice the more controversial Security Council Resolution 1373).

30. Given the many parts of the UN system that have a role to play in Strategy implementation, which includes a number that have regional offices or presences in the Asia-Pacific, coordination to minimize duplication and overlap and ensure that synergies are being maximized will be crucial. Some participants pointed to the need for a more coherent UN presence in the region generally. While the SG’s Counter-Terrorism Implementation Task Force will be coordinating things from the UN in New York, it will

be important to ensure that the GA Strategy-related activities in the field are properly coordinated as well.

V. Human Rights

31. The GA Strategy's emphasis on human rights and the rule of law was welcomed. The point was made that these issues must be understood in a regional and local context.

32. Most countries in the region are taking steps in the right direction toward addressing security issues while protecting liberty that is consistent with international human rights norms.

33. While the references to human rights in the ASEAN counter-terrorism convention are welcomed and positive, human rights experts expressed concern about some of the operational language from a human rights perspective.

34. Some possible keys to further progress in this area include:

- a. Strengthening state capacity and progressing with security sector reform at the national level.
- b. Identifying a regional body to liaise with the Office of the High Commissioner for Human Rights could enhance the UN's ability to contribute to implementation of this part of the Strategy.
- c. The establishment of both a regional inter-governmental and an independent human rights mechanism to promote and monitor progress in this area.

35. The conduct of key states in other regions undermines efforts to promote respect for human rights when fighting terrorism in parts of the Asia-Pacific.

36. One should be mindful of the consequences of imposing human rights on countries in the region from afar without first developing trust between the local population and governments. To this end, regional confidence-building mechanisms to intensify the dialogue in this area are needed.

Appendix 2



General Assembly

Distr.: General 20 September 2006

Sixtieth session
Agenda items 46 and 120

Resolution adopted by the General Assembly

[without reference to a Main Committee (A/60/L. 62)]

60/288. The United Nations Global Counter-Terrorism Strategy

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and reaffirming its role under the Charter, including on questions related to international peace and security,

Reiterating its strong condemnation of terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security,

Reaffirming the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60 of 9 December 1994, the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 51/210 of 17 December 1996, and the 2005 World Summit Outcome,¹ in particular its section on terrorism,

Recalling all General Assembly resolutions on measures to eliminate international terrorism, including resolution 46/51 of 9 December 1991, and Security Council resolutions on threats to international peace and security caused by terrorist acts, as well as relevant resolutions of the General Assembly on the protection of human rights and fundamental freedoms while countering terrorism,

Recalling also that, in the 2005 World Summit Outcome, world leaders rededicated themselves to support all efforts to uphold the sovereign equality of all States, respect their territorial integrity and political independence, to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes and principles of the United Nations, to uphold the resolution of disputes by peaceful means and in conformity with the principles of justice and international law, the right to self-determination of peoples which remain under colonial domination or foreign occupation, non-interference in the internal affairs of States, respect for human rights and fundamental freedoms, respect for the equal rights of all without distinction as to race, sex, language or religion, international cooperation in solving international problems of an economic, social, cultural or

¹See resolution 60/1.

humanitarian character, and the fulfilment in good faith of the obligations assumed in accordance with the Charter,

Recalling further the mandate contained in the 2005 World Summit Outcome that the General Assembly should develop without delay the elements identified by the Secretary-General for a counter-terrorism strategy, with a view to adopting and implementing a strategy to promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter terrorism, which also takes into account the conditions conducive to the spread of terrorism,

Reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity, security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,

Reaffirming also that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Reaffirming further Member States' determination to make every effort to reach an agreement on and conclude a comprehensive convention on international terrorism, including by resolving the outstanding issues related to the legal definition and scope of the acts covered by the convention, so that it can serve as an effective instrument to counter terrorism,

Continuing to acknowledge that the question of convening a high-level conference under the auspices of the United Nations to formulate an international response to terrorism in all its forms and manifestations could be considered,

Recognizing that development, peace and security, and human rights are interlinked and mutually reinforcing,

Bearing in mind the need to address the conditions conducive to the spread of terrorism,

Afirming Member States' determination to continue to do all they can to resolve conflict, end foreign occupation, confront oppression, eradicate poverty, promote sustained economic growth, sustainable development, global prosperity, good governance, human rights for all and rule of law, improve intercultural understanding and ensure respect for all religions, religious values, beliefs or cultures,

1. *Expresses its appreciation* for the report entitled "Uniting against terrorism: recommendations for a global counter-terrorism strategy" submitted by the Secretary-General to the General Assembly;²

2. *Adopts* the present resolution and its annex as the United Nations Global Counter-Terrorism Strategy ("the Strategy");

3. *Decides*, without prejudice to the continuation of the discussion in its relevant committees of all their agenda items related to terrorism and counter-terrorism, to undertake the following steps for the effective follow-up of the Strategy:

²A/60/825.

- (a) To launch the Strategy at a high-level segment of its sixty-first session;
 - (b) To examine in two years progress made in the implementation of the Strategy, and to consider updating it to respond to changes, recognizing that many of the measures contained in the Strategy can be achieved immediately, some will require sustained work through the coming few years and some should be treated as long-term objectives;
 - (c) To invite the Secretary-General to contribute to the future deliberations of the General Assembly on the review of the implementation and updating of the Strategy;
 - (d) To encourage Member States, the United Nations and other appropriate international, regional and subregional organizations to support the implementation of the Strategy, including through mobilizing resources and expertise;
 - (e) To further encourage non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement the Strategy;
4. *Decides* to include in the provisional agenda of its sixty-second session an item entitled "The United Nations Global Counter-Terrorism Strategy".

99th plenary meeting 8 September 2006

Annex

Plan of action

We, the States Members of the United Nations, resolve:

1. To consistently, unequivocally and strongly condemn terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security;
2. To take urgent action to prevent and combat terrorism in all its forms and manifestations and, in particular:
 - (a) To consider becoming parties without delay to the existing international conventions and protocols against terrorism, and implementing them, and to make every effort to reach an agreement on and conclude a comprehensive convention on international terrorism;
 - (b) To implement all General Assembly resolutions on measures to eliminate international terrorism and relevant General Assembly resolutions on the protection of human rights and fundamental freedoms while countering terrorism;
 - (c) To implement all Security Council resolutions related to international terrorism and to cooperate fully with the counter-terrorism subsidiary bodies of the Security Council in the fulfilment of their tasks, recognizing that many States continue to require assistance in implementing these resolutions;
3. To recognize that international cooperation and any measures that we undertake to prevent and combat terrorism must comply with our obligations under international law, including the Charter of the United Nations and relevant international conventions and protocols, in particular human rights law, refugee law and international humanitarian law.

I. Measures to address the conditions conducive to the spread of terrorism

We resolve to undertake the following measures aimed at addressing the conditions conducive to the spread of terrorism, including but not limited to prolonged unresolved conflicts, dehumanization of victims of terrorism in all its forms and manifestations, lack of the rule of law and violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance, while recognizing that none of these conditions can excuse or justify acts of terrorism:

1. To continue to strengthen and make best possible use of the capacities of the United Nations in areas such as conflict prevention, negotiation, mediation, conciliation, judicial settlement, rule of law, peacekeeping and peacebuilding, in order to contribute to the successful prevention and peaceful resolution of prolonged unresolved conflicts. We recognize that the peaceful resolution of such conflicts would contribute to strengthening the global fight against terrorism;

2. To continue to arrange under the auspices of the United Nations initiatives and programmes to promote dialogue, tolerance and understanding among civilizations, cultures, peoples and religions, and to promote mutual respect for and prevent the defamation of religions, religious values, beliefs and cultures. In this regard, we welcome the launching by the Secretary-General of the initiative on the Alliance of Civilizations. We also welcome similar initiatives that have been taken in other parts of the world;

3. To promote a culture of peace, justice and human development, ethnic, national and religious tolerance and respect for all religions, religious values, beliefs or cultures by establishing and encouraging, as appropriate, education and public awareness programmes involving all sectors of society. In this regard, we encourage the United Nations Educational, Scientific and Cultural Organization to play a key role, including through inter-faith and intra-faith dialogue and dialogue among civilizations;

4. To continue to work to adopt such measures as may be necessary and appropriate and in accordance with our respective obligations under international law to prohibit by law incitement to commit a terrorist act or acts and prevent such conduct;

5. To reiterate our determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including the Millennium Development Goals. We reaffirm our commitment to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all;

6. To pursue and reinforce development and social inclusion agendas at every level as goals in themselves, recognizing that success in this area, especially on youth unemployment, could reduce marginalization and the subsequent sense of victimization that propels extremism and the recruitment of terrorists;

7. To encourage the United Nations system as a whole to scale up the cooperation and assistance it is already conducting in the fields of rule of law, human rights and good governance to support sustained economic and social development;

8. To consider putting in place, on a voluntary basis, national systems of assistance that would promote the needs of victims of terrorism and their families and facilitate the normalization of their lives. In this regard, we encourage States to request the relevant United Nations entities to help them to develop such national

systems. We will also strive to promote international solidarity in support of victims and foster the involvement of civil society in a global campaign against terrorism and for its condemnation. This could include exploring at the General Assembly the possibility of developing practical mechanisms to provide assistance to victims.

II. Measures to prevent and combat terrorism

We resolve to undertake the following measures to prevent and combat terrorism, in particular by denying terrorists access to the means to carry out their attacks, to their targets and to the desired impact of their attacks:

1. To refrain from organizing, instigating, facilitating, participating in, financing, encouraging or tolerating terrorist activities and to take appropriate practical measures to ensure that our respective territories are not used for terrorist installations or training camps, or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens;

2. To cooperate fully in the fight against terrorism, in accordance with our obligations under international law, in order to find, deny safe haven and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or perpetration of terrorist acts or provides safe havens;

3. To ensure the apprehension and prosecution or extradition of perpetrators of terrorist acts, in accordance with the relevant provisions of national and international law, in particular human rights law, refugee law and international humanitarian law. We will endeavour to conclude and implement to that effect mutual judicial assistance and extradition agreements and to strengthen cooperation between law enforcement agencies;

4. To intensify cooperation, as appropriate, in exchanging timely and accurate information concerning the prevention and combating of terrorism;

5. To strengthen coordination and cooperation among States in combating crimes that might be connected with terrorism, including drug trafficking in all its aspects, illicit arms trade, in particular of small arms and light weapons, including man-portable air defence systems, money-laundering and smuggling of nuclear, chemical, biological, radiological and other potentially deadly materials;

6. To consider becoming parties without delay to the United Nations Convention against Transnational Organized Crime³ and to the three protocols supplementing it,⁴ and implementing them;

7. To take appropriate measures, before granting asylum, for the purpose of ensuring that the asylum-seeker has not engaged in terrorist activities and, after granting asylum, for the purpose of ensuring that the refugee status is not used in a manner contrary to the provisions set out in section II, paragraph 1, above;

8. To encourage relevant regional and subregional organizations to create or strengthen counter-terrorism mechanisms or centres. Should they require cooperation and assistance to this end, we encourage the Counter-Terrorism Committee and its Executive Directorate and, where consistent with their existing

³ Resolution 55/25, annex I.

⁴ Resolution 55/25, annexes II and III; and resolution 55/255, annex.

mandates, the United Nations Office on Drugs and Crime and the International Criminal Police Organization, to facilitate its provision;

9. To acknowledge that the question of creating an international centre to fight terrorism could be considered, as part of international efforts to enhance the fight against terrorism;

10. To encourage States to implement the comprehensive international standards embodied in the Forty Recommendations on Money-Laundering and Nine Special Recommendations on Terrorist Financing of the Financial Action Task Force, recognizing that States may require assistance in implementing them;

11. To invite the United Nations system to develop, together with Member States, a single comprehensive database on biological incidents, ensuring that it is complementary to the biocrimes database contemplated by the International Criminal Police Organization. We also encourage the Secretary-General to update the roster of experts and laboratories, as well as the technical guidelines and procedures, available to him for the timely and efficient investigation of alleged use. In addition, we note the importance of the proposal of the Secretary-General to bring together, within the framework of the United Nations, the major biotechnology stakeholders, including industry, the scientific community, civil society and Governments, into a common programme aimed at ensuring that biotechnology advances are not used for terrorist or other criminal purposes but for the public good, with due respect for the basic international norms on intellectual property rights;

12. To work with the United Nations with due regard to confidentiality, respecting human rights and in compliance with other obligations under international law, to explore ways and means to:

(a) Coordinate efforts at the international and regional levels to counter terrorism in all its forms and manifestations on the Internet;

(b) Use the Internet as a tool for countering the spread of terrorism, while recognizing that States may require assistance in this regard;

13. To step up national efforts and bilateral, subregional, regional and international cooperation, as appropriate, to improve border and customs controls in order to prevent and detect the movement of terrorists and prevent and detect the illicit traffic in, inter alia, small arms and light weapons, conventional ammunition and explosives, and nuclear, chemical, biological or radiological weapons and materials, while recognizing that States may require assistance to that effect;

14. To encourage the Counter-Terrorism Committee and its Executive Directorate to continue to work with States, at their request, to facilitate the adoption of legislation and administrative measures to implement the terrorist travel-related obligations and to identify best practices in this area, drawing whenever possible on those developed by technical international organizations, such as the International Civil Aviation Organization, the World Customs Organization and the International Criminal Police Organization;

15. To encourage the Committee established pursuant to Security Council resolution 1267 (1999) to continue to work to strengthen the effectiveness of the travel ban under the United Nations sanctions regime against Al-Qaida and the Taliban and associated individuals and entities, as well as to ensure, as a matter of priority, that fair and transparent procedures exist for placing individuals and entities on its lists, for removing them and for granting humanitarian exceptions. In

this regard, we encourage States to share information, including by widely distributing the International Criminal Police Organization/United Nations special notices concerning people subject to this sanctions regime;

16. To step up efforts and cooperation at every level, as appropriate, to improve the security of manufacturing and issuing identity and travel documents and to prevent and detect their alteration or fraudulent use, while recognizing that States may require assistance in doing so. In this regard, we invite the International Criminal Police Organization to enhance its database on stolen and lost travel documents, and we will endeavour to make full use of this tool, as appropriate, in particular by sharing relevant information;

17. To invite the United Nations to improve coordination in planning a response to a terrorist attack using nuclear, chemical, biological or radiological weapons or materials, in particular by reviewing and improving the effectiveness of the existing inter-agency coordination mechanisms for assistance delivery, relief operations and victim support, so that all States can receive adequate assistance. In this regard, we invite the General Assembly and the Security Council to develop guidelines for the necessary cooperation and assistance in the event of a terrorist attack using weapons of mass destruction;

18. To step up all efforts to improve the security and protection of particularly vulnerable targets, such as infrastructure and public places, as well as the response to terrorist attacks and other disasters, in particular in the area of civil protection, while recognizing that States may require assistance to this effect.

III. Measures to build States' capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard

We recognize that capacity-building in all States is a core element of the global counter-terrorism effort, and resolve to undertake the following measures to develop State capacity to prevent and combat terrorism and enhance coordination and coherence within the United Nations system in promoting international cooperation in countering terrorism:

1. To encourage Member States to consider making voluntary contributions to United Nations counter-terrorism cooperation and technical assistance projects, and to explore additional sources of funding in this regard. We also encourage the United Nations to consider reaching out to the private sector for contributions to capacity-building programmes, in particular in the areas of port, maritime and civil aviation security;

2. To take advantage of the framework provided by relevant international, regional and subregional organizations to share best practices in counter-terrorism capacity-building, and to facilitate their contributions to the international community's efforts in this area;

3. To consider establishing appropriate mechanisms to rationalize States' reporting requirements in the field of counter-terrorism and eliminate duplication of reporting requests, taking into account and respecting the different mandates of the General Assembly, the Security Council and its subsidiary bodies that deal with counter-terrorism;

4. To encourage measures, including regular informal meetings, to enhance, as appropriate, more frequent exchanges of information on cooperation and technical assistance among Member States, United Nations bodies dealing with counter-terrorism, relevant specialized agencies, relevant international, regional and

subregional organizations and the donor community, to develop States' capacities to implement relevant United Nations resolutions;

5. To welcome the intention of the Secretary-General to institutionalize, within existing resources, 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;

6. To encourage the Counter-Terrorism Committee and its Executive Directorate to continue to improve the coherence and efficiency of technical assistance delivery in the field of counter-terrorism, in particular by strengthening its dialogue with States and relevant international, regional and subregional organizations and working closely, including by sharing information, with all bilateral and multilateral technical assistance providers;

7. To encourage the United Nations Office on Drugs and Crime, including its Terrorism Prevention Branch, to enhance, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, its provision of technical assistance to States, upon request, to facilitate the implementation of the international conventions and protocols related to the prevention and suppression of terrorism and relevant United Nations resolutions;

8. To encourage the International Monetary Fund, the World Bank, the United Nations Office on Drugs and Crime and the International Criminal Police Organization 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;

9. To encourage the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons to continue their efforts, within their respective mandates, in helping States to build capacity to prevent terrorists from accessing nuclear, chemical or radiological materials, to ensure security at related facilities and to respond effectively in the event of an attack using such materials;

10. To encourage the World Health Organization to step up its technical assistance to help States to improve their public health systems to prevent and prepare for biological attacks by terrorists;

11. To continue to work within the United Nations system to support the reform and modernization of border management systems, facilities and institutions at the national, regional and international levels;

12. To encourage the International Maritime Organization, the World Customs Organization and the International Civil Aviation Organization to strengthen their cooperation, work with States to identify any national shortfalls in areas of transport security and provide assistance, upon request, to address them;

13. To encourage the United Nations to work with Member States and relevant international, regional and subregional organizations to identify and share best practices to prevent terrorist attacks on particularly vulnerable targets. We invite the International Criminal Police Organization to work with the Secretary-General so that he can submit proposals to this effect. We also recognize the importance of developing public-private partnerships in this area.

IV. Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism

We resolve to undertake the following measures, reaffirming that the promotion and protection of human rights for all and the rule of law is essential to all components of the Strategy, recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing, and stressing the need to promote and protect the rights of victims of terrorism:

1. To reaffirm that General Assembly resolution 60/158 of 16 December 2005 provides the fundamental framework for the “Protection of human rights and fundamental freedoms while countering terrorism”;

2. To reaffirm that States must ensure that any measures taken to combat terrorism comply with their obligations under international law, in particular human rights law, refugee law and international humanitarian law;

3. To consider becoming parties without delay to the core international instruments on human rights law, refugee law and international humanitarian law, and implementing them, as well as to consider accepting the competence of international and relevant regional human rights monitoring bodies;

4. To make every effort to develop and maintain an effective and rule of law-based national criminal justice system that can ensure, in accordance with our obligations under international law, 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, with due respect for human rights and fundamental freedoms, and that such terrorist acts are established as serious criminal offences in domestic laws and regulations. We recognize that States may require assistance in developing and maintaining such effective and rule of law-based criminal justice systems, and we encourage them to resort to the technical assistance delivered, inter alia, by the United Nations Office on Drugs and Crime;

5. To reaffirm the important role of the United Nations system in strengthening the international legal architecture by promoting the rule of law, respect for human rights and effective criminal justice systems, which constitute the fundamental basis of our common fight against terrorism;

6. To support the Human Rights Council and to contribute, as it takes shape, to its work on the question of the promotion and protection of human rights for all in the fight against terrorism;

7. To support the strengthening of the operational capacity of the Office of the United Nations High Commissioner for Human Rights, with a particular emphasis on increasing field operations and presences. The Office should continue to play a lead role in examining the question of protecting human rights while countering terrorism, by making general recommendations on the human rights obligations of States and providing them with assistance and advice, in particular in the area of raising awareness of international human rights law among national law-enforcement agencies, at the request of States;

8. To support the role of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. The Special Rapporteur should continue to support the efforts of States and offer concrete advice by corresponding with Governments, making country visits, liaising with the United Nations and regional organizations and reporting on these issues.

Appendix 3

Survey of Strategy-Related Counter-Terrorism Efforts of Regional and Sub-Regional Bodies in the Asia-Pacific

Asian Development Bank (ADB)

Much of what the ADB does in terms of poverty reduction and development, although not designed or labeled as counter-terrorism programs, helps contribute generally to implementation of the Strategy. The ADB also plays an important role in regional counter-terrorism capacity-building efforts through its Cooperation Fund for Regional Trade and Financial Security Initiative (FRTFSI), which it developed and is implementing in close cooperation with functional organizations and bilateral donors. Established in June 2004 in cooperation with APEC, for an initial three-year period, the FRTFSI focuses on regional AML/CFT capacity-building activities and supporting border security enhancements (including airports, cargo ports, and containers) and customs modernization efforts of its developing member countries. The initial contributions for the fund came from Australia (U.S.\$1.5 million), Japan (U.S.\$1 million) and the U.S. (U.S.\$1 million).¹ As of May 2006, seven projects had been approved and were at various stages of implementation in Indonesia, the Philippines, Thailand, BIMP-EAGA, and the Pacific Region. They include evaluating and developing border controls, and fraud and anti-money laundering systems, hosting coordination meetings and workshops, building action plans, providing legal analysis and technical assistance, and partnering with the U.S. for training meetings.

Asia-Europe Meeting (ASEM)

In addition to statements of common principles and other general declarations on counter-terrorism, the European and Asia-Pacific countries that comprise ASEM participate in what have become annual conferences on counter-terrorism. In those contexts, ASEM, among other things, has committed to improving counter-terrorism cooperation at the UN level, organizing seminars, and increasing cooperation on customs, air, and maritime security and money laundering.² Under its “Social, Cultural, and Intellectual Pillar,” ASEM has also been working to strengthen cultural and “people-to-people contacts” between Europe and Asia.³

Asia-Pacific Economic Cooperation Forum (APEC)

Since 2002, recognizing that terrorism poses a potentially serious threat to those main goals, APEC has developed a series of concrete counter-terrorism programs, all of which relate to the Strategy.

APEC’s intergovernmental Counter-Terrorism Task Force (CTTF), with the help of a small unit within the APEC secretariat, coordinates APEC’s counter-terrorism program. In 2002, APEC leaders laid out an ambitious counter-terrorism agenda, which included political commitments on securing trade, halting terrorist financing, promoting cyber security, and providing capacity-building assistance to improve the collective

ability of APEC member economies to combat terrorism.⁴ In the following year they expanded this mandate to include the broader notion of “enhancing human security” and committed to dismantling transnational terrorist groups and confronting the growing danger of WMD proliferation and “other direct threats to the security of our region.”⁵ Subsequent declarations have reiterated these commitments and led to a growing list of counter-terrorism political commitments for APEC members that have entrenched CTTF’s role in coordinating nonmilitary counter-terrorism efforts in the region.

APEC’s counter-terrorism efforts have been focused primarily on capacity-building and other more technical efforts to prevent terrorism, with an emphasis on securing international trade. The focal point for those efforts has been the Secure Trade in the Asia Pacific Region (STAR) initiative, which includes many different measures designed to protect commerce and travel in the Asia-Pacific region by improving ship, cargo, port, aviation, and immigration/border security. In addition, APEC’s counter-terrorism program also includes initiatives aimed at 1) implementing the FATF’s AML/CTF standards; 2) combating misuse of the Internet by terrorists; 3) protecting infrastructure and other vulnerable targets, including cyberspace; 5) implementing terrorist travel-related obligations and identifying relevant best practices; 6) strengthening of export control systems, and 7) preventing the illicit transportation and possession of weapons of mass destruction.⁶

APEC members maintain and update action plans, which describe past, current, and future efforts to implement their APEC counter-terrorism commitments and identify areas in which they may lack capacity. The CTTF, which is given a role in monitoring implementation of these commitments, periodically reviews progress on the action plans of individual member economies and facilitates the exchange of best practices. In 2005, the CTTF concluded a cross analysis of the actions plans of APEC member economies, which identified capacity-building needs and developed a list of potential donor assistance items for future capacity-building efforts to share with international donor organizations.⁷

Asia/Pacific Group on Money Laundering (APG)

The APG has done significant work in promoting adoption and implementation of the FATF AML/CTF standards and best practices which are a focus of the Strategy. Working closely with technical assistance providers including the IMF and the Commonwealth Secretariat, the APG has had some measure of success in encouraging its members to adopt, and assisting with the adoption, of appropriate AML/CTF legislation, standards, and best practices.⁸ The APG’s role includes assisting its jurisdictions to enact relevant laws on mutual legal assistance, confiscation, forfeiture, and extradition; undertaking region-specific studies of methods and trends in money laundering and the financing of terrorism; providing guidance in setting up systems for reporting and investigating suspicious transactions, and helping in the establishment of financial intelligence units.⁹ The APG also provides for peer review by means of voluntary mutual evaluations, setting for itself a goal of conducting at least five on-site mutual evaluation visits per year to different jurisdictions in the region. Finally, it works closely with many other

organizations operating in the region and has improved the coordination of AML/CTF technical assistance and training between the APG Secretariat and relevant regional organizations.¹⁰

Association of Southeast Asian Nations (ASEAN)

Despite numerous statements and declarations about its intentions to prevent and combat terrorism, implementation has lagged among Southeast Asian countries¹¹ and ASEAN, as an organization, has made few practical on-the-ground contributions to furthering implementation of those commitments among its members.

The two primary counter-terrorism mechanisms in ASEAN are the ASEAN Ministers Meeting on Transnational Crime (AMMTC), an annual meeting of ministers of the interior or home affairs, and the Senior Officials Meeting on Transnational Crime (SOMTC), which meets a few times each year. These meetings serve as fora for the exchange of ideas and information among national officials on best practices in combating terrorism-related crimes, such as drug trafficking, sea piracy, arms smuggling, and money laundering.¹²

ASEAN does support a permanent secretariat but is constrained in its capacity by its size, structure, expertise, and funding which limits the financial and staff resources devoted to sustaining counter-terrorism efforts. ASEAN member countries are now said to be compiling a regional database for sharing information on respective national laws, regulations, and bilateral and multilateral treaties or agreements of respective countries. ASEANPOL serves as another forum for cooperation allowing regional law enforcement agencies to meet annually to discuss police matters. ASEAN contributes to implementation of broader elements of the Strategy by supporting ongoing efforts in the region to achieve the Millennium Development Goals, through collaboration on education among its members and efforts to promote understanding among civilizations and cultures.

ASEAN, as an organization, however, is doing little to facilitate the delivery of much needed capacity-building assistance given its traditionally weak institutional ties with the UN system, as well as the lack of a major donor country among its membership. Instead ASEAN encourages its members “to seek technical assistance from ASEAN Dialogue Partners and relevant specialized agencies of the United Nations and other international organizations.”¹³ The recent granting of ASEAN with “observer” status at the GA, however, should help deepen its cooperation with the UN.

Given the ASEAN norm of non-interference and its reluctance to stand in judgment of its members, ASEAN has had difficulty furthering respect for human rights and the rule of law in the region. Until recently most ASEAN statements on counter-terrorism and major bilateral agreements with dialogue partners made no reference to human rights principles in the fight against terrorism. While more recent agreements such as the January 2007 ASEAN Convention on Counter-Terrorism reaffirm respect for human rights and the rule of law generally, no guidance is given as to what those

standards are. This problem is further compounded by the fact that, despite ongoing discussions, ASEAN is one of the few major regional organizations that has neither a human rights mechanism nor a regional human rights framework.¹⁴

Initiatives aimed at encouraging more formal forms of intra-regional cooperation against terrorism within ASEAN include the proposed establishment of an ASEAN centre for combating terrorism;¹⁵ a December 2004 treaty on mutual legal assistance in criminal matters; and the recently adopted ASEAN Convention on Counter-Terrorism.¹⁶

ASEAN Regional Forum (ARF)

Despite a limited permanent presence beyond a small staff unit within the ASEAN secretariat, the ARF has nevertheless managed to make some modest contributions to regional counter-terrorism efforts, particularly in the realm of sharing best practices and encouraging implementation of international counter-terrorism standards.

ARF leaders have issued nonbinding statements since 2001 related to counter-terrorism on a range of issues, including financing of terrorism; border security; piracy and maritime security; transportation security; nonproliferation; and information sharing, intelligence exchange, and document security. All of these nonbinding statements provide a broad counter-terrorism framework consistent with the GA Strategy. Apart from discussions at regular ARF inter-sessional and the annual ARF summit meetings, however, no established mechanism exists to monitor implementation of those voluntary commitments.

The majority of the ARF's regular work on counter-terrorism takes place under the auspices of the Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime (ISMCTTC) and the Inter-Sessional Group on Confidence Building Measures (ISGCBM) during their regular meetings and at topic specific seminars and workshops in which ARF participants meet, share best practices, discuss cooperative counter-terrorism efforts, and provide recommendations for the meetings of senior officials and foreign ministers. Reflecting concerns over threats to shipping in the region, many have dealt with maritime security, but such expert meetings have also included seminars on nonproliferation, export licensing, small arms and light weapons, cyber-terrorism, and best practices for the protection of large public events. In some cases, these have also included the establishment of registries of contact persons and desktop exercises on cooperatively managing the effects of an attack. The ISMCTTC is expected to broaden its dialogue to also consider the subject of interfaith dialogue.

Given the ARF's minimal institutional capacity, its capacity-building contributions, beyond the exchange of best practices mentioned above, have been limited. Although many ARF counter-terrorism-related statements also contain pledges to strengthen cooperation on capacity building, most assign no role to the organization itself and those that do, simply "encourage" the ARF Chair and/or ASEAN Secretariat to consider "whether it would be willing" to log requests for assistance.¹⁷

Abiding as it does by ASEAN's norm of noninterference and the "need to proceed at a pace comfortable to all," and always chaired by an ASEAN country, the ARF has proven reluctant to tackle human rights issues in the course of its dialogue on security matters beyond the most general statements regarding the need to respect international humanitarian and human rights laws while countering-terrorism.¹⁸

Bali Counter-Terrorism Process (BCTP)

An Australian-Indonesian initiative, the Bali Counter-Terrorism Process (BCTP) was started in February 2004. It brings together an ad hoc group of states and relevant organizations from within and without the region to look at ways to improve cooperation in law enforcement, information sharing, and strengthening legal frameworks. It consists of two practitioners working groups: the Legal Issues Working Group, which focuses on international cooperation and criminalization; and the Law Enforcement Working Group, which focuses on enabling law enforcement agencies to share operational experiences, formulate best practice models for fighting terrorism, developing a more effective information base, and improving the flow of criminal intelligence among countries in Southeast Asia.¹⁹

International Law Enforcement Academy (ILEA) Bangkok

The ILEA Bangkok was established in 1999 at the initiative of the U.S. and Thailand as part of a broader effort by the U.S. to establish a network of regional law enforcement academies to improve international cooperation in combating transnational crime and terrorism. The ILEA Bangkok provides training for police, immigration, customs, and other law enforcement officials on issues including combating terrorism, financial investigations, leadership development, and crime scene investigation. Participants have included China and all ASEAN members (except Myanmar). While most of the financial support for the ILEA Bangkok comes from the U.S. Department of State, Thailand and other regional partners contribute human and other resources.

Jakarta Centre for Law Enforcement Cooperation (JCLEC)

A joint Indonesian-Australian initiative, established in 2004, the JCLEC focuses mainly on educating law enforcement officers, conducting research and analysis, and providing operational support in the event of terrorist threats or attacks. Although Australia provides the bulk of the funding for the JCLEC, a broad range of states from within and without the region contribute to and participate in the center.

Pacific Islands Forum (PIF)

The Pacific Plan, first endorsed in October 2005 by PIF leaders, focuses on practical steps to achieve the Forum's four key goals of economic growth, sustainable development, good governance and security, which all further general aspects of Strategy implementation.²⁰ More specifically, the PIF's Counter-Terrorism Working Group, which meets annually and provides its sixteen member countries, as well as non-self governing

territories and regional organizations, a platform to exchange information and experiences. It has helped bring focus and resources to buoy lagging efforts by states in the region that lack capacity to report on their efforts to implement the UN counter-terrorism framework, in particular SC Resolution 1373, let alone implement it.²¹ Representatives from the CTED, as well as representatives from the 1267 and 1540 Committees participated in the Forum's Counter-Terrorism Working Group Meeting, held in New Zealand in April 2006.²² Additional counter-terrorism-related initiatives are underway, including a Pacific Anti-Money Laundering Project (PALP), a joint initiative between the PIF, UNODC, and the U.S., which plans to provide targeted regional training for law enforcement officials, prosecutors, members of the judiciary, and relevant financial institutions in PIF member countries.²³ The PIF Secretariat has established a Law Enforcement Unit and a Regional Maritime Programme to assist with the coordination and implementation of regional priorities in these areas. PIF member law enforcement agencies have established a working group to look at border management issues and have sought Forum endorsement for a number of initiatives such as the establishment of the Expert Working Group to Review and Develop a Regional Legislative Model on Counter-Terrorism and Transnational Organised Crime.

Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) Information Sharing Center, Singapore

The ReCAAP is an anti-piracy arrangement aimed at enhancing multilateral cooperation, information sharing, and capacity building in South and Southeast Asia on combating piracy and other crimes against ships at sea.²⁴ The information sharing center's tasks primarily include collecting, analyzing, and transmitting relevant information, such as alerts and incidents of piracy and armed robbery, to the member countries. The center is also responsible for preparing nonclassified reports and disseminating them to the shipping community and along with the IMO will "endeavor to cooperate" in providing capacity-building assistance, such as technical assistance, educational, and training programs.²⁵

Southeast Asia Regional Center for Counterterrorism (SEARCCT), Kuala Lumpur

Established by the Malaysian government in 2003, the SEARCCT provides training for regional authorities in law enforcement and criminal, financial, and other investigative techniques, but also deals with counter-terrorism issues more generally. According to the ASEAN Secretary-General, Ong Keng Yong, "[s]ince it opened in 2003, [the SEARCCT] has organized dozens of courses for many hundreds of participants from more than 16 countries in the region on preventing, investigating, and prosecuting terrorist acts and financing. By its very nature, the Center promotes international co-operation in the fight against terrorism."²⁶

NOTES

- ¹ FRTFSI Fact Sheet, January 2007. Available online at: <<http://www.adb.org/documents/Others/OGC-Toolkits/Anti-Money-Laundering/Documents/FRTFSI-Status-Report-1-Jan-06.pdf>> (accessed 19 February 2007).
- ² See for example: Chair's Summary of Fourth ASEM Conference on Counter-Terrorism, Copenhagen, 26-27 June 2006. Available online at: <www.um.dk/NR/rdonlyres/C895DACE-5605-4A1F-B6AF-16871012E17C/0/ASEMChairsummary.pdf> (accessed 17 February 2007).
- ³ For a summary of the issues discussed under this pillar, see <www.ec.europa.eu/comm/external_relations/asem/asem_process/key_issues.htm#Social> (accessed 17 February 2007).
- ⁴ APEC Statement on Fighting Terrorism and Promoting Growth, Los Cabos Mexico, 26 October 2002.
- ⁵ APEC 2003 Leaders Declaration, "Bangkok Declaration on Partnership for the Future," Bangkok, Thailand, 21 October 2003. Available online at: <www.apecsec.org.sg/apec/leaders__declarations/2003.html> (accessed 15 February 2007).
- ⁶ APEC leaders committed in 2003 to strengthen international nonproliferation regimes, adopt and enforce export controls, and take legitimate and appropriate measures against WMD. The following year APEC leaders announced their commitment to concluding an additional protocol with the IAEA by the end of 2005 which significantly enhances the inspection powers of the IAEA. Although progress was made with the addition of the signatures of Singapore and Thailand to the protocol and board approval of the protocol with Malaysia, the goal has not yet been met. The IAEA Status Report, updated 13 September 2006, notes that seven countries (Malaysia, Mexico, the Philippines, Russia, Singapore, Thailand, and the United States) have signed, but not entered the Additional Protocol into force. Papua New Guinea and Brunei Darussalam have not yet received the minimum standard, before the signatory stage, of receiving IAEA board approval. See: The International Atomic Energy Agency, "Strengthened Safeguards System: Status of Additional Protocols," 13 September 2006. Available online at: <http://www.iaea.org/OurWork/SV/Safeguards/sg_protocol.html> (accessed 19 October 2006).
- ⁷ "Statement of the Chair" (meeting of APEC Ministers Responsible for Trade, Ho Chi Minh City, Viet Nam, 1-2 June 2006). Available online at: <http://www.apec.org/content/apec/ministerial_statements/sectoral_ministerial/trade/2006_trade.html> (accessed 15 February 2007).
- ⁸ The IMF provides the preferred means of measuring/encouraging implementation of FATF standards in the region. Since July 2002 the Commonwealth Secretariat has assigned a technical assistance consultant to the APG. This position was initially funded for two years from the Commonwealth Fund for Technical Co-operation and has been of considerable benefit to APG members and the APG Secretariat. It is jointly funded by the Commonwealth Secretariat and the UK Government's Global Opportunity Fund and will conclude in July 2006. The APG Secretariat, email communication with the authors, 18 January 2007.
- ⁹ The APG Secretariat, email communication with the authors, 18 January 2007.
- ¹⁰ The APG Secretariat, email communication with the authors, 18 January 2007.
- ¹¹ For example, they do not have a strong track record when it comes to implementing the existing UN counter-terrorism legal framework consisting largely of the international conventions

and protocols related to terrorism. Since September 2001, various UN bodies—including ones in which ASEAN members participate, such as the GA—have repeatedly called on all states to become parties to these instruments. While ASEAN members have supported these calls, and have reinforced them at the ASEAN level, they have not followed through with concrete action. The ratification rate of these conventions among ASEAN members is among the lowest of any region in the world, with only sub-Saharan Africa trailing. Only six of ASEAN's ten members have joined more than half of the instruments. According to UNODC's TPB, Cambodia, Indonesia, Malaysia, and Thailand have not become parties to more than half of these instruments. UN Office on Drugs and Crime, Short Ratification Status, 24 January 2007. Provided by UNODC.

¹² See Seng Tang and Kumar Ramakrishna "Interstate and Intrastate Dynamics in Southeast Asia's War on Terror" *SAIS Review* 24, no. 1 (Winter 2004).

¹³ These "Partnerships with Dialogue Partners" have in fact led to capacity-building initiatives including support for law enforcement training and assistance for transport security from Japan, Australia, and other donors.

¹⁴ The prospects of establishing a regional human rights mechanism, according to some experts, is not good, with ASEAN members continuing to sidetrack the idea. Herman Joseph S. Kraft, "Human Rights in South East Asia: The Search for Regional Norms," Working Paper, Washington East West Center, No.4, July 2005. Available online at: <<http://washington.eastwestcenter.org/Publications/kraft.pdf>> (accessed 14 February 2007).

¹⁵ This is a part of a broader integration process moving toward the establishment of an ASEAN Community by 2020, through the implementation of the Vientiane Action Programme and based on three pillars, the ASEAN Security Community, the ASEAN Economic Community, and the ASEAN Socio-Cultural Community. Enhanced coordination among ASEAN bodies responsible for combating transnational crime, including terrorism, is one of the envisaged outcomes of this effort. ASEAN, "Joint Communique of the Fifth ASEAN Ministerial Meeting on Transnational Crime (AMMTC)," Hanoi, Vietnam, 29 November 2005. Available online at: <www.aseansec.org/17938.htm> (accessed 14 February 2007).

¹⁶ The ASEAN Treaty on Mutual Legal Assistance in Criminal Matters, November 2004, is available online at: <<http://www.aseansec.org/17363.pdf>> (accessed 17 February 2007). The full text of the ASEAN Convention on Counter-Terrorism is available online at: <www.aseansec.org/19250.htm> (accessed 15 February 2007).

¹⁷ See for example: "ASEAN Regional Forum Statement on Cooperation against Piracy and Other Threats to Security," 17 June 2003, and "ASEAN Regional Forum Statement on Non-Proliferation," Jakarta, 2 July 2004.

¹⁸ For example, the ARF's 2003 statement on border security noted that, "[t]he challenge for ARF and its participants is to implement border security and documentation practices that confront the terrorist threat without undermining these basic principles that promote our common security, including respect for human rights and the rule of law." ASEAN Regional Forum Statement on Cooperative Counter-Terrorism Action on Border Security, June 2003. Available online at: <<http://www.aseansec.org/14835.htm>> (accessed at 17 February 2007).

¹⁹ The Ministry of Foreign Affairs of Japan, "Bali Counter-Terrorism Process," Report of the Australian and Indonesian Co-Chairs, August 2006. Available online at: <<http://www.mofa.go.jp/policy/terrorism/report0608.html>> (accessed 14 February 2007).

²⁰ Pacific Islands Forum, “Pacific Plan 2006.” Available online at: <<http://www.pacificplan.org/tiki-page.php?pageName=HomePage>> (accessed 14 February 2007).

²¹ New Zealand provided the Forum Secretariat with a consultant to work with Forum members to prepare their reports to the various Security Council counter-terrorism bodies.

²² United Nations Security Council, *Report of the Counter-Terrorism Committee to the Security Council for its consideration as part of its comprehensive review of the Counter-Terrorism Committee Executive Directorate*, S/2006/989, New York, 18 December 2006.

²³ PALP was established in September 2006. It is funded by the U.S. Department of State and expected to run for four years. PALP is a regional technical assistance and training program to assist PIF member countries in establishing and/or enhancing their AML/CTF capacities. It is planning future workshops aimed at developing and enhancing the skills of law enforcement officials and prosecutors in AML/CTF cases in Forum member countries. PIF Secretariat. Available online at: <<http://www.forumsec.org/pages.cfm/security/palp/>> (accessed 14 February 2007).

²⁴ Participants in ReCAAP include ASEAN countries, plus Bangladesh, People's Republic of China, India, Japan, South Korea, and Sri Lanka.

²⁵ Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) Charter. Available online at: <www.recaap.org/publish/recaap/index.html> (accessed 17 February 2007).

²⁶ H.E. Ong Keng Yong, Secretary-General of ASEAN, “The ASEAN-UNESCO Concept Workshop on Human Security in Southeast Asia” (welcome remarks, Jakarta, 26-27 October 2006). Available online at: <www.aseansec.org/18885.htm> (accessed 17 February 2007).

Appendix 4

Survey of Strategy-Related Counter-Terrorism Efforts of UN Functional Bodies and Programs in the Asia-Pacific

International Atomic Energy Agency (IAEA)

The IAEA has established standards, databases, and other mechanisms that are instrumental in monitoring, encouraging, and assisting states' implementation of export controls, safeguards agreements, resolutions, and conventions that are relevant to addressing the threat of radiological and nuclear terrorism.¹ It has developed programs to help states improve their capability to protect nuclear materials and installations against theft or sabotage and to detect nuclear smuggling at their borders, thus beefing up its efforts related to preventing terrorists from getting their hands on nuclear and radiological materials. At its general conference in September 2006, the IAEA recognized the Strategy and called upon its member states "to provide political, financial and technical support, including in-kind contributions, to improve nuclear and radiological security and prevent nuclear and radiological terrorism."² The IAEA has implemented a Plan of Activities to Protect against Nuclear Terrorism (2002-2005) and its Board of Directors has adopted a Nuclear Security Plan to be implemented over four years (2006-2009), which is supported by a trust fund.

At a regional level, the IAEA has worked with states in the Asia-Pacific to hold workshops, training sessions, and conferences that address nuclear issues and counter-terrorism.³ The IAEA is engaged in technical cooperation with many countries in the region as well. The Asia-Pacific Regional Co-operative Agreement and Regional office, under the aegis of the IAEA, also facilitate regional technical cooperation on research, development, and training related to nuclear science and technology.

International Civil Aviation Organization (ICAO)

ICAO adopted many new aviation standards in the months following September 2001, including ones related to improved security on the ground and around the cockpit area of the aircraft. Since then it developed a global, harmonized blueprint for the integration of biometric identification information into passports and other machine readable travel documents (MRTDs) and has established the standard of having only machine-readable passports in issuance by 2010. Progress towards implementing those standards, though promising, has been uneven. As of early 2006, over 110 states had issued or planned to issue MRTD's, while seventy-nine had not.⁴ Only fifteen states in the Asia-Pacific region currently issue MRTDs,⁵ although all APEC economies have agreed to issue MRTDs by 2008. ICAO has also called for 100 percent screening of baggage carried in the cargo hold of aircraft and developed standards for protecting aircraft against attacks by man-portable air defense systems.

ICAO has worked to assess the level of implementation of these and other security standards by its 184 member states through audits and works to help identify and correct deficiencies in their implementation.⁶ It conducts training programs and provides other technical assistance, including through its regional office in Bangkok, and seminars

in the Asia-Pacific region funded by national civil aviation authorities, and under the auspices of the Cooperative Development of Operational Safety and Continuing Airworthiness Programme of Southeast Asia (COSCAP-SEA). COSCAP-SEA is an air safety project of eleven countries in Southeast Asia, sponsored by ICAO. It is seeking to establish a Southeast Asia Regional Safety Team to join the global community in a coordinated approach to reducing air accidents. The team conducts internal audits of regulatory processes in certification and surveillance programmes, and ensures continued compliance with ICAO Standard and Recommended Practices. In addition, ICAO has developed a Global Aviation Security Initiative as one of its development tools to promote sustainable development and aviation security. It focuses on the enhancement of national and human resources in the development of national aviation security infrastructures of ICAO's contracting states, especially in the developing world. It seeks to bring together ICAO and partners in the aviation security community, both in the private and public sectors, in cooperation with donor states and other regional and international bodies.

In addition to training and technical assistance through its regional office, ICAO currently has a major regional project with APEC, where several aviation security training and assistance projects are being carried out. In April 2007, ICAO will convene a regional seminar in Bhutan dedicated to aviation security capacity building in the Asia-Pacific sponsored by APEC. Although ICAO intends to invite more regional bodies to participate in its capacity-building programs, neither ASEAN nor the ARF, the two other main regional bodies dealing with security issues in the Asia-Pacific, currently participate in the ICAO programs.⁷

International Maritime Organization (IMO)

The IMO reacted to perceived threats to ships and port facilities in the wake of the 11 September 2001 attacks by adopting the International Ship and Port Facility Security Code (ISPS Code) in 2002, which provides a comprehensive set of measures to enhance the security of ships and port facilities. The ISPS Code is binding on all 148 parties to the International Convention on the Safety of Life at Sea—twenty-three of the thirty countries in the Asia-Pacific region are parties.⁸ The IMO created a technical cooperation program to help developing countries implement its global standards. The program has focused on enhancing understanding of the ISPS Code requirements, building up a cadre of instructors to train ship security officers, company security officers, and port facility security officers, and organizing regional meetings to promote regional and/or sub-regional collaboration on ISPS Code implementation.⁹

Protecting shipping lanes of strategic importance has been a focus of the IMO's work in the Asia-Pacific region. IMO has organized regular meetings to discuss enhancing the safety of navigation, environmental protection, and security in the Straits of Malacca and Singapore. In 2003, IMO opened a regional office in Manila for the East-Asian sub-region¹⁰ to facilitate the implementation of IMO instruments, including those related to maritime security and the development of regional partnerships. It has provided an opportunity for the IMO to become more actively involved in providing assistance to

the maritime administrations of the countries in this region. IMO has also established technical cooperation partnership arrangements with a number of states, including the Republic of Korea, Australia, Singapore, the United Kingdom, the United States, and Canada, which extend funding support and maritime security experts to the IMO program in the Asia-Pacific region. The IMO has developed relationships with a number of multilateral bodies in the Asia-Pacific region. For example, it is engaged in continuing discussions with the Asian Development Bank (ADB) for the purpose of identifying projects where the IMO and the ADB can collaborate in the field of maritime security. With the ADB, the IMO is looking at what assistance can be given to Brunei Darussalam, Indonesia, Malaysia, the Philippines—East ASEAN Growth Area (BIMP-EAGA) members—to implement IMO security instruments effectively. It has participated in the APEC Transport Working Group’s Maritime Security Experts Group Meeting and the first APEC assessment visit to the Philippines, which identified needs for further assistance for certain APEC member economies. There are also ongoing discussions regarding the possibility of executing an IMO-APEC memorandum of understanding (MOU) on maritime security. The IMO has executed an MOU with ASEAN and the regional coordinator participates in the bi-annual ASEAN Maritime Transport Working Group Meeting.

International Monetary Fund (IMF) and World Bank

The IMF and World Bank contribute generally to Strategy implementation through their poverty reduction and development efforts, but also by helping to ensure stability of the financial sector and minimizing its potential vulnerability to money laundering and terrorist financing. Since 2002, they have worked together to conduct voluntary joint assessments of their member countries, to monitor their compliance with the FATF 40+9 Recommendations as part of the Financial Sector Assessment Program (FSAP) and the Offshore Financial Centers (OFCs) Program. The FSAP provides for a comprehensive review of financial sector strengths and vulnerabilities in key economic and financial areas. The OFCs Program, launched in 2000, is designed to assess offshore financial centers’ compliance with international standards on banking, insurance and securities supervision, transparency, and information-sharing. The IMF/World Bank use a common assessment methodology developed with FATF and FSRBs and their work is fed into the AML/CFT as part of the IMF/World Bank’s assessments. In return, IMF and World Bank reports are used as part of the FATF/FSRB mutual evaluation reports. Ten of the thirty countries in the Asia-Pacific region have participated in either the IMF/World Bank’s Financial Sector or Offshore Financial Centers Assessment programs.¹¹

The IMF maintains a regional office for Asia and the Pacific that contributes to regional surveillance, spearheads IMF cooperation with regional and sub-regional organizations including APEC and ASEAN, and conducts capacity building within developing country governments through facilitating the training of officials. The World Bank also has an extensive Asia-Pacific presence through regional and country offices. In addition to its joint assessment work with the IMF in the region, in fiscal year 2006, the World Bank dispensed \$3.4 billion in loans and grants in East Asia and the Pacific aimed at spurring economic growth, reducing poverty, enhancing social stability, increasing

intraregional integration, reducing corruption, and improving governance¹²—all of which are essential elements of the Strategy, though not counter-terrorism per se.

International Criminal Police Organization (Interpol)

Among other things, Interpol, whose mandate is to assist its 186 member countries to prevent and combat transnational crime as effectively and efficiently as possible, provides worldwide secure communication tools to the nationally established National Contact Bureau in each of its member countries through a global communications system, known as the I-24/7 system. This communications system allows real time, secure transmission of relevant information about suspected individuals and crimes.¹³ Interpol has also developed and maintains a range of global databases, which contain many millions of records including names of criminals and suspected individuals, fingerprints, photographs, DNA profiles, stolen vehicles, and illicit weapons. Most relevant to the Strategy is Interpol's lost and stolen travel documents database, which enables National Central Bureaus and other law enforcement entities, such as immigration and border control officers in countries which have expanded access to front-line units, to ascertain the validity of a suspect's travel document in seconds.¹⁴ Although it is an important tool and participation is growing, it is by no means universal. As of November 2006, 119 countries were contributing to the database which included some 13 million total records,¹⁵ while it is estimated that there are a total of 35 million such documents worldwide.¹⁶

Regionally, Interpol has created a regional Fusion Task Force for Southeast Asia which identifies organizational hierarchies and methods of training, financing, and recruiting terrorist suspects/groups. Interpol is focused on increasing the number of officers in this and its other regional task forces in order to develop region-specific initiatives and, more generally, to enhance the effectiveness of the task forces in these areas. In addition it has established an Interpol Liaison Office in Bangkok, which includes eight seconded officers from the region and convenes a biannual regional conference of Interpol members. Recommendations from the 2006 meeting in Jakarta included enhancing regional and international cooperation in fugitive investigations, encouraging countries which have not yet established specialized structures to fight terrorism to do so as soon as possible, and expanding access to Interpol's databases beyond the National Central Bureaus to frontline law enforcement, including border checkpoints and airports.¹⁷

Organization for the Prohibition of Chemical Weapons (OPCW)

Although the OPCW's mandate is not specific in relation to terrorism involving chemical weapons, since a December 2001 OPCW executive council decision on the subject, the OPCW has sought to contribute to the UN system's overall response to terrorism, focusing on the role that the Chemical Weapons Convention (CWC) can play in preventing chemical weapons from getting into the hands of terrorists. OPCW evaluates the implementation of the CWC and provides technical assistance, such as training, to

states parties, related to CWC implementation, much of which is relevant to aspects of the Strategy and Resolutions 1373 and 1540.¹⁸

At the regional level the OPCW conducts workshops on issues of technical assistance to prevent and respond to chemical weapons incidents. In May 2005, it convened its first Asia-Pacific regional seminar in cooperation with the government of Malaysia in Kuala Lumpur.¹⁹ In 2007, it is planning to organize a meeting of customs officials of ASEAN member countries to focus on strengthening their export controls on dual use chemicals. ASEAN, as an organization, will not participate in the meeting and has shown little interest in helping promote implementation of the CWC among its members, despite the fact that all except Myanmar and the Democratic Peoples Republic of Korea are states parties.²⁰ The organization also has a number of national-focused capacity-building projects for the region, including long-term projects with states such as Indonesia and Malaysia.

United Nations Development Programme (UNDP)

UNDP, though not mentioned explicitly in the Strategy, has a critical role to play in addressing conditions conducive to the spread of terrorism discussed in the Strategy. It has offices in 166 countries, including many in the Asia-Pacific region, and has various region and country-specific programs aimed at furthering implementation of the Millennium Development Goals, which are explicitly mentioned in the Strategy, and include promoting poverty reduction, education, maternal health, gender equality; and aim at combating child mortality, AIDS, and other diseases. With its long-term presence in almost all developing countries, it plays an essential role in helping those countries access development assistance and other forms of support, and forming strategic linkages with civil society and the private sector.²¹ It promotes democratic governance, conflict prevention, and reconstruction and has undertaken significant institution-building and institutional reform efforts. This includes assistance designed to strengthen developing countries in areas such as legislation against money laundering, border control, judicial reform, and implementation of rule of law principles. It also plays an active role in political reconciliation processes and in the disarmament, demobilization, and reintegration of ex-combatants.

United Nations Educational, Scientific, and Cultural Organization (UNESCO)

Among other things relevant to implementation of the Strategy, UNESCO promotes dialogue among civilizations, cultures, and peoples; supports inter-religious and inter-faith dialogue; and fosters quality education through strengthening cooperation and training in science. Through its Culture of Peace programme, UNESCO continues to assist civil society organizations in denouncing terrorist acts as inexcusable. Further, it provides learning materials and curricula to promote inclusive pedagogies and diversified content, and has promoted inter-university solidarity and dialogue. UNESCO's Programme for Inter-Faith Dialogue, launched in 1995, seeks to promote dialogue between different religions and spiritual traditions with a view to increasing mutual knowledge about spiritual traditions and their underlying values, thus enhancing the

understanding among wider cultural communities.²² Recently, UNESCO has brought together on a regular basis eminent religious figures from different faiths and scholars from different spiritual and humanistic traditions. UNESCO has regional offices in the Asia-Pacific in Beijing, Jakarta, Bangkok, and Hanoi, and a history of collaboration on various activities with ASEAN.

UN Office of Drugs and Crime (UNODC)

UNODC, through its Vienna-based Terrorism Prevention Branch (TPB) and Global Programme against Money Laundering (GPML), has delivered various forms of counter-terrorism-related assistance aimed at helping countries join and implement the universal instruments against terrorism, including legislative drafting aid and the training of criminal justice professionals. The TPB, for example, has delivered country-specific assistance to more than sixty countries, conducted regional and sub-regional workshops for scores more, and trained more than six hundred lawmakers and other criminal justice officials on ratification and implementation requirements of the universal instruments against terrorism.²³ These two offices have some two-dozen staff and consultants. The vast majority of their combined \$6.7 million budget for 2005 came from voluntary contributions from a handful of Member States.²⁴

UNODC has an extensive presence in the Asia-Pacific region, including a regional office in Bangkok, and country offices in Laos People's Democratic Republic, Myanmar, and Vietnam. The TPB also has a regional expert in the UNODC office in Bangkok and ad hoc consultants working from their home bases in Singapore and Australia. The GPML has two field mentors in the region as part of a program that provides long-term in-country assistance to states in the field of AML/CTF. Currently, the GPML has two field-based mentors in the Asia-Pacific region.²⁵ The TPB has so far provided assistance to ten countries in the Asia-Pacific region and plans to deliver it to an eleventh, Brunei Darussalam, in May 2007.²⁶ New Zealand recently committed an additional \$200,000 to UNODC to improve ratification and implementation of the universal instruments against terrorism among Pacific Island countries.

UN Office of the High Commissioner for Human Rights (OHCHR)

OHCHR undertakes a number of activities that are related to Strategy implementation. For example, it: 1) provides technical assistance to states in developing human-rights compliant counter-terrorism legislation; 2) convenes expert meetings and seminars to help clarify and better define member states' human rights obligations in relation to counter-terrorism; 3) develops tools to assist states in promoting human rights while countering terrorism through the adoption and implementation of national legislation; 4) trains judges, lawyers, and law enforcement in counter-terrorism and human rights; and 5) provides substantive support to the Special Rapporteur on the promotion and protection of human rights while countering terrorism and other parts of the UN human rights system.

Since the Strategy's adoption, OHCHR has already engaged in a number of specific activities in different regions related to its implementation. For example, it convened an expert workshop, jointly with the OSCE, on human rights and international cooperation in the context of counter-terrorism for OSCE participating states in November 2006. OHCHR plans to organize similar workshops in the Asia-Pacific, but, unlike in Europe and other regions, the Asia-Pacific lacks a regional body with which OHCHR can easily partner. Although OHCHR has worked on an ad hoc basis with ASEAN, the work did not relate to counter-terrorism issues. Lacking the regional institutional partners it has in some other regions, most OHCHR counter-terrorism-related (and other) activities in the Asia-Pacific have been through its regional offices,²⁷ participation in meetings hosted by individual countries in the region.²⁸

World Customs Organizations (WCO)

WCO's Strategy-relevant efforts center on enhancing the security of international trade. In 2005, it unanimously adopted the Framework of Standards to Secure and Facilitate Global Trade (SAFE FoS), which builds on national best practices in supply chain security, including the advance electronic transmission of information, targeting of high-risk containers at the port of origin, use of non-intrusive inspection equipment and tangible benefits for business that meet minimum security criteria.²⁹ One-hundred forty WCO members have now committed to the implementation of the SAFE FoS, including 15 countries from the Asia-Pacific.³⁰ In January 2006, the WCO launched a global customs capacity-building initiative called the Columbus Programme, which has the primary focus of assisting the WCO membership with implementation of the SAFE FoS and building sustainable capacity in customs administrations. The Programme consists of three phases: on-site diagnostic missions (funded by, among others, the WCO and bilateral donors such as Japan, the U.S., UK, and the Netherlands); implementation projects; and monitoring of implementation. One-hundred WCO members have indicated a need for capacity-building assistance through the Columbus Programme. More than 100 diagnostic missions are expected to be completed at the end of June 2007. In the Asia-Pacific region, eighteen countries have asked for assistance and seven have so far received it.³¹

Reflecting its "regionalization" approach to capacity building, the WCO has established a regional coordination office in Bangkok and five regional training centers in the Asia-Pacific region, each in cooperation with national customs authorities.³² The aims are to identify more accurate capacity-building needs and possible solutions to: enhance the coordination of capacity-building activities with regional members and the WCO Secretariat, monitor projects, improve networking with donor agencies and relevant organizations, use resources more cost-effectively, and coordinate the use and implementation of WCO tools and practices in the region. In the summer of 2006, the ADB hosted a BIMP-EAGA Customs, Immigration, Quarantine and Security Task Force Meeting in Manila. Some forty government officials and representatives from the UN and other international organizations attended and a number of useful recommendations were agreed to that will contribute to the implementation of Phase II (implementation projects) of the Columbus Programme.³³

NOTES

¹ International instruments of relevance for nuclear and radiological security include the Convention on the Physical Protection of Nuclear Material, the Convention on the Suppression of Acts of Nuclear Terrorism, SC Resolutions 1540 and 1373, the IAEA's Safeguards Agreements and Additional Protocols and its non-binding Code of Conduct on the Safety and Security of Radioactive Sources. In terms of technical assistance, the IAEA has held training and education activities reaching 1,500 participants to enhance member states' capacity to address nuclear security issues, and has been working on assisting states in establishing an effective regulatory infrastructure, improving physical protection at facilities with nuclear and other radioactive materials, strengthening capabilities at borders to detect and respond to illicit nuclear trafficking, and establishing preparedness to respond to acts of nuclear or radiological terrorism. United Nations, Report of the Secretary General, "Uniting Against Terrorism," Appendix 1, April 2006. Available online at: <<http://www.un.org/unitingagainstterrorism/annex1.htm>> (accessed 14 February 2007).

² IAEA, General Conference, "Nuclear and Radiological Security," GC(47/21)/RES/8, 19 September 2006.

³ For example, on 8-10 November 2006 the Japanese Ministry of Foreign Affairs and the IAEA organized a "Seminar on Strengthening Nuclear Security in Asian Countries" in Tokyo that included participants from nineteen countries. See: The Ministry of Foreign Affairs of Japan, Chairman's Conclusions. Available online at: <<http://www.mofa.go.jp/policy/energy/iaea/seminar0611.pdf>> (accessed 14 February 2007).

⁴ See for example: ICAO, MRTD Overview <<http://www.icao.int/mrtd/overview/overview.cfm>> (accessed 13 December 2006); and "The Changing Nature of Secure Documents: New Documents Alter the Technology and Vendor Landscape," *Authentication News* 12, no. 2 (February 2006). Available online at: <<http://www.authenticationnews.info/files/uploadedfiles/745/AN%20Feb06%20pp5-6.pdf>> (accessed 13 December 2006).

⁵ Email interview with Lise Boisvert, Chief, External Relations and Public Information Office, ICAO, 22 November 2006. According to ICAO, as of 18 January 2006, the following states in the Asia-Pacific region issue MRTDs: Australia, Brunei Darussalam, Fiji, Japan, Lao Peoples Democratic Republic, Marshall Islands, New Zealand, Papua New Guinea, the Republic of Korea, Samoa, Singapore, Thailand, Tonga, and Vietnam.

⁶ One hundred and thirty-five states had been audited as of September 2006. International Civil Aviation Organization, News Release, "Five Years After 11 September 2001: Tighter Standards and Increased Security," PIO 13/06, 6 September 2006. Available online at: <http://www.icao.int/cgi/goto_m.pl?icao/en/nr/2006/pio200613_e.pdf> (accessed 14 February 2007).

⁷ Email interview with Lise Boisvert, Chief, External Relations and Public Information Office, ICAO, 22 November 2006.

⁸ The following countries in the Asia-Pacific region are parties to the SOLAS Convention: Australia, Brunei Darussalam, Cambodia, China, Democratic People's Republic of Korea, Fiji, Indonesia, Japan, Malaysia, Marshall Islands, Myanmar, New Zealand, Papua New Guinea, Philippines, Republic of Korea, Samoa, Singapore, Solomon Islands, Thailand, Tonga, Tuvalu, Vanuatu, Vietnam. IMO Status of Conventions by Country. Available online at: <http://www.imo.org/Conventions/mainframe.asp?topic_id=248>, (accessed 21 November 2006).

⁹ International Maritime Organization, FAQ on ISPS Code and Maritime Security. Available online at: <http://www.imo.org/Safety/mainframe.asp?topic_id=897> (accessed 14 February 2007).

¹⁰ The regional office covers the following countries: Brunei, Democratic Peoples Republic of Korea, Lao Peoples Democratic Republic, Mongolia, Singapore, Cambodia, Indonesia, Malaysia, Philippines, Thailand, China, Japan, Myanmar, Republic of Korea and Vietnam.

¹¹ The following countries in the Asia-Pacific region have participated in the IMF/World Bank Financial Sector Assessment Program: Australia, Japan, South Korea, New Zealand, the Philippines, and Singapore. IMF, "Financial Sector Assessment Program," 5 February 2007. Available online at: <<http://www.imf.org/external/np/fsap/fsap.asp>> (accessed 14 February 2007). The following countries in the Asia-Pacific region have participated in the IMF/World Bank Offshore Financial Sector Program: Malaysia, Palua, Samoa, and Vanuatu. IMF, "Offshore Financial Centers (OFCs): IMF Staff Assessments," 24 October 2006. Available online at: <<http://www.imf.org/external/np/ofca/ofca.asp>> (accessed 14 February 2007).

¹² World Bank, "World Bank Lending to East Asia & Pacific." Available online at: <<http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/EASTASIAPACIFICEXT/0,,contentMDK:21026821~pagePK:146736~piPK:146830~theSitePK:226301,00.html>> (accessed 15 February 2007).

¹³ All forty-eight Interpol Asian region members are connected to I-24/7 system.

¹⁴ Interpol Databases Fact Sheet. Available online at: <<http://www.interpol.int/Public/ICPO/FactSheets/GI04.pdf>> (accessed February 14, 2007).

¹⁵ Interpol's UN Liaison Office in New York, email communication with the authors, 20 November 2006.

¹⁶ Gijs de Vries, "Co-operation between the European Union and the United Nations in counter-terrorism," *The United Nations and the European Union: An Ever Stronger Partnership*, eds. Jan Wouters, Frank Hoffmeister, and Tom Ruys (Cambridge: Cambridge University Press, 2006).

¹⁷ Interpol Media Release, "Interpol Asian conference calls for anti-corruption measures," 13 April 2006, Available online at: <<http://www.interpol.int/Public/ICPO/PressReleases/PR2006/PR200613.asp>> (accessed 14 February 2007).

¹⁸ Adopted on 28 April 2004, Resolution 1540 requires all states to take the necessary legislative or regulatory measures to prevent weapons of mass destruction, including chemical weapons, and their means of delivery, from getting into the hands of terrorists.

¹⁹ OPCW, Press Release, "First Asian Regional Workshop on Assistance and Protection against Chemical Weapons Held in Malaysia," 18 May 2005. Available online at: <http://www.opcw.org/html/global/press_releases/2005/PR18_2005.html> (accessed 14 February 2007).

²⁰ Interview with OPCW Secretariat officials in The Hague, 14 December 2006.

²¹ United Nations Development Programme 2006 Annual Report, "The UN's Global Development Network." Available at: <http://www.undp.org/publications/annualreport2006/un_global_dev_network.shtml> (accessed 14 February 2007).

²² UNESCO's Programme for Inter-Faith Dialogue's main concern is to bring together different religions and spiritual traditions to raise awareness of how close their values are and with a view to engaging them in dialogue, preferably in a regional setting, "since it is in a common geographical and historical space that the memory of experiences of conflict or community is forged." Rosa Guerreiro, "Appendix II UNESCO Programme for Inter-faith Dialogue," *Diogenes* 52, no. 1 (2005): 147-150. Available online at: <<http://dio.sagepub.com/cgi/reprint/52/1/147.pdf>> (accessed 15 February 2007).

²³ United Nations Office on Drugs and Crime, Terrorism Prevention Branch, "Delivering Counter-terrorism Assistance," April 2006. Available at: <http://www.unodc.org/pdf/crime/terrorism/Brochure_GPT_April2006.pdf> (accessed 8 December 2006).

²⁴ TPB's budget for 2005 was \$3.5 million, with only \$1 million coming out of the UN regular budget and the rest coming from voluntary contributions. The GPML's budget for 2005 was approximately \$3.2 million in voluntary contributions plus regular budget funding for one post.

²⁵ A GPML/World Bank mentor is responsible for Vietnam, Cambodia, and Laos People's Democratic Republic, based in the UNODC Country Office Hanoi. In addition, a GPML mentor based in Fiji is responsible for the Marshall Islands, Fiji, Samoa, the Cook Islands, Vanuatu, and Nauru. In addition, GPML's mentor for the Philippines recently finished his assignment. As a result of the assistance delivered, the Philippines were removed from the FATF's Non-Cooperative Countries and Territories List.

²⁶ The TPB has provided assistance to the following countries in the Asia-Pacific region: Cambodia, China, Fiji, Indonesia, Laos Democratic People's Republic, Malaysia, Myanmar, Philippines, Thailand, and Timor-Leste. "TPB Matrix as of 1 November 2006," on file with authors.

²⁷ OHCHR currently has two regional offices in the Asia-Pacific (one in Fiji for the Pacific and one in Thailand for Southeast Asia), both of which seek to bring a regional perspective to OHCHR's work and encourage and support the integration of human rights approaches into UN programs at the regional level.

²⁸ For example, the OHCHR provided financial and technical support to the Republic of Korea for the Seventh International Conference of National Human Rights Institutions on "Upholding Human Rights During Conflict and While Countering-Terrorism," (14-17 September 2004). It also participated in the National Expert Workshop on "International Legal Cooperation against Terrorism," which took place in Manila and was organized by the Philippines, the U.S., and UNODC, the purpose of which was to provide a forum for senior national experts to review progress made towards the ratification and legislative implementation of the universal conventions and protocols related to terrorism and conduct a focused review of international cooperation on counter-terrorism and to formulate future actions at the national level (8-9 May 2006). Finally, the OHCHR participated in a Regional Seminar for Parliaments from Southeast Asia hosted by the National Assembly of Thailand, and discussed the importance of human rights training for police, security, and army personnel (1-2 September 2006). Email interview with Lisa Goldring, Rule of Law and Democracy Unit Research and Right to Development Branch, OHCHR, 4 December 2006.

²⁹ IMO, FAQ on ISPS Code and Maritime Security. Available online at: <http://www.imo.org/Safety/mainframe.asp?topic_id=897> (accessed on 14 February 2007).

³⁰ According to a senior WCO official, the following countries in the Asia-Pacific region have expressed their intention to implement the SAFE FoS: Australia, Bhutan, Cambodia, China

(including Hong Kong and Macau), Indonesia, Japan, the Republic of Korea, Malaysia, Myanmar, New Zealand, Papua New Guinea, Philippines, Singapore, Thailand, and Vietnam. Email interview with Christopher Kristensson, WCO Technical Attaché, 21 November 2006.

³¹ Email interview with Christopher Kristensson, WCO Technical Attaché, 21 November 2006.

³² World Customs Organization, Press Release, “WCO Celebrates Official Opening of the Asia Pacific Regional Office for Capacity Building,” 28 September 2004. Available online at: <<http://www.wcoomd.org/ie/En/Press/press.html>> (accessed 19 February 2007).

³³ Email interview with Christopher Kristensson, WCO Technical Attaché, 21 November 2006.

Appendix 5

Participation in the Key Strategy-Related International Conventions and Protocols in the Asia-Pacific Region

| | Counter-Terrorism Conventions ¹ | | | | | | | | | | | | | | | |
|--------------------|--|--|--|---|--|--|-------------------------------|----------------------------------|---------------------------------------|---|---|--|--|--|---|---|
| | Aircraft Convention ² | Unlawful Seizure Convention ³ | Civil Aviation Convention ⁴ | Diplomatic Agents Convention ⁵ | Hostage Taking Convention ⁶ | Nuclear Material Convention ⁷ | Airport Protocol ⁸ | Maritime Convention ⁹ | Fixed Platform Protocol ¹⁰ | Plastic Explosives Convention ¹¹ | Terrorist Bombings Convention ¹² | Terrorist Financing Convention ¹³ | Nuclear Terrorism Convention ¹⁴ | Amendment to Nuclear Material Convention ¹⁵ | Protocol to Maritime Convention ¹⁶ | Protocol to Fixed Platform Convention ¹⁷ |
| Australia | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Brunei Darussalam | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Cambodia | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| China | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Fiji | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Indonesia | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Japan | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Kiribati | | | | | | | | | | | | | | | | |
| Korea, DPRK | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Korea, Republic of | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Laos | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Malaysia | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Marshall Islands | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Micronesia | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Mongolia | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Myanmar | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Nauru | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| New Zealand | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Palau | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Papua New Guinea | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Philippines | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Samoa | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Singapore | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Solomon Islands | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Thailand | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Timor-Leste | | | | | | | | | | | | | | | | |
| Tonga | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Tuvalu | | | | | | | | | | | | | | | | |
| Vanuatu | P | P | P | P | P | P | P | P | P | P | P | P | | | | |
| Viet Nam | P | P | P | P | P | P | P | P | P | P | P | P | | | | |

¹ UN Office on Drugs and Crime, Vienna, Short Ratification Status, 24 January 2007. Provided by UNODC.

² 1963 Convention on Offences and Certain Other Acts Committed on Board Aircraft – 182 Parties.

³ 1970 Convention for the Suppression of Unlawful Seizure of Aircraft – 182 Parties.

⁴ 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation – 185 Parties.

⁵ 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, Including Diplomatic Agents – 164 Parties.

⁶ 1979 Convention against the Taking of Hostages – 159 Parties.

⁷ 1980 Convention on the Physical Protection of Nuclear Material – 120 Parties.

⁸ 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation – 161 Parties.

⁹ 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation – 143 Parties.

¹⁰ 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf – 130 Parties.

¹¹ 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection – 130 Parties.

¹² 1997 Convention on the Suppression of Terrorist Bombings – 150 Parties.

¹³ 1999 Convention for the Suppression of Terrorist Financing – 156 Parties.

¹⁴ 2005 Convention for the Suppression of Acts of Nuclear Terrorism – 11 Parties.

¹⁵ 2005 Amendment to the Convention on the Physical Protection of Nuclear Material – 6 Parties.

¹⁶ 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation – 0 Parties.

¹⁷ 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Fixed Platforms on the Continental Shelf – 0 Parties.

Participation in the Key Strategy-Related International Conventions and Protocols in the Asia-Pacific Region

| | Convention Against Transnational Organized Crime ¹⁸ | Protocol to Prevent Suppress and Punish Trafficking in Persons, especially Women and Children ¹⁹ | Organized Crime Conventions ¹⁸ | Protocol Against the Smuggling of Migrants by Land, Sea and Air ²¹ | Protocol Against the Illicit Manufacturing of Trafficking in Firearms, Their Parts and Components and Ammunition ²² |
|--------------------|--|---|---|---|--|
| Australia | P | P | | P | |
| Brunei Darussalam | | | | | |
| Cambodia | P | | | P | P |
| China | P | | | | |
| Fiji | | | | | |
| Indonesia | | | | | |
| Japan | | | | | |
| Kiribati | | | | | |
| Korea, DPRK | P | P | | P | |
| Korea, Republic of | | | | | |
| Laos | P | P | | P | P |
| Malaysia | P | | | | |
| Marshall Islands | | | | | |
| Micronesia | P | | | | |
| Mongolia | | | | | |
| Myanmar | P | P | | P | |
| Nauru | | | | | |
| New Zealand | P | P | | P | |
| Palau | | | | | |
| Papua New Guinea | | | | | |
| Philippines | P | P | | P | |
| Samoa | | | | | |
| Singapore | | | | | |
| Salomon Islands | | | | | |
| Thailand | | | | | |
| Timor-Leste | | | | | |
| Tonga | | | | | |
| Tuvalu | | | | | |
| Vanuatu | | | | | |
| Viet Nam | P | | | | |

¹⁸ Parties to the UN Convention against Transnational Crime and its Protocols, "UN Office on Drugs and Crime. Available online at: <www.unodc.org/unodc/en/crime_cicp_signatures.html> (accessed 19 February 2007).

¹⁹ 2000 United Nations Convention against Transnational Organized Crime – 131 Parties.

²⁰ 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime – 111 Parties.

²¹ 2000 Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime – 105 Parties.

²² 2001 Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime – 61 Parties.

Participation in the Key Strategy-Related International Conventions and Protocols in the Asia-Pacific Region

| | Human Rights Conventions ²³ | | | | | | |
|--------------------|--|---|--|--|--|---|--|
| | International Covenant on Economic, Social and Cultural Rights (CESCR) ²⁴ | International Covenant on Civil and Political Rights (CCPR) ²⁵ | International Convention on the Elimination of All Forms of Racial Discrimination (CERD) ²⁶ | Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) ²⁷ | Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) ²⁸ | Convention on the Rights of the Child (CRC) ²⁹ | |
| Australia | p | p | p | p | p | p | |
| Brunei Darussalam | | | | | | | |
| Cambodia | p | p | p | p | p | p | |
| China | p | p | p | p | p | p | |
| Fiji | p | p | p | p | p | p | |
| Indonesia | p | p | p | p | p | p | |
| Japan | p | p | p | p | p | p | |
| Kiribati | p | p | p | p | p | p | |
| Korea, DPRK | p | p | p | p | p | p | |
| Korea, Republic of | p | p | p | p | p | p | |
| Laos | p | p | p | p | p | p | |
| Malaysia | p | p | p | p | p | p | |
| Marshall Islands | | | | | | | |
| Micronesia | | | | | | | |
| Mongolia | p | p | p | p | p | p | |
| Myanmar | | | | | | | |
| Nauru | p | p | p | p | p | p | |
| New Zealand | p | p | p | p | p | p | |
| Palau | p | p | p | p | p | p | |
| Papua New Guinea | p | p | p | p | p | p | |
| Philippines | p | p | p | p | p | p | |
| Samoa | | | | | | | |
| Singapore | | | | | | | |
| Solomon Islands | p | p | p | p | p | p | |
| Thailand | p | p | p | p | p | p | |
| Timor-Leste | p | p | p | p | p | p | |
| Tonga | | | | | | | |
| Tuvalu | | | | | | | |
| Vanuatu | p | p | p | p | p | p | |
| Viet Nam | p | p | p | p | p | p | |

²³ Office of the United Nations High Commissioner for Human Rights, "Treaty Body Database," Available online at: <<http://www.unhcr.ch/tbs/doc.nsf/Statusfiset?OpenFrameSet>> (accessed 19 February 2007).

²⁴ 1966 International Covenant on Economic, Social and Cultural Rights – 155 Parties.

²⁵ 1966 International Covenant on Civil and Political Rights – 160 Parties.

²⁶ 1965 International Convention on the Elimination of All Forms of Racial Discrimination – 173 Parties.

²⁷ 1979 International Convention on the Elimination of All Forms of Discrimination against Women – 183 Parties.

²⁸ 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment – 142 Parties.

²⁹ 1989 Convention on the Rights of the Child – 192 Parties.

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