



Strengthening the International Convention for the Suppression of the Financing of Terrorism

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Introduction: The problem of terrorist financing

Behind the scenes of terrorist violence lies organizations and capabilities. Intercepting those is a major goal of international counterterrorism. But with 193 UN Member States, financing and working with the routes international terrorism requires cooperation. Dealing with finances is especially important for preventing large-scale, organized terrorist attacks. At the core of the problem is the need of illicit actors—not just terrorists—to fund their operations, and the desire of states to retain sovereign control over their financial systems. This makes it possible for illicit actors to search out the weakest links in global financial regulation and work covertly through the states with the weakest regulations.

And the problems are, in some ways, getting worse. Much has been learned since September 11. The accomplishments anticipating organized terrorism probably have contributed greatly to preventing comparable attacks. But at terrorism becomes smaller in scale, as individual attackers replace well-organized campaigns, the job is getting harder and harder. The amounts of money involved often are relatively small—hundreds of thousands instead of hundreds of thousands of dollars—and get especially small when individual, lone-wolf attackers are involved.

Financial controls also must anticipate the ways terrorist attacks might adapt in the future.

Among the most obvious risk is the possibility they could take advantage of opportunities created by the rise of crypto currencies like Bitcoin to mask their operations and move money without being tracked or intercepted.

Adapting also means dealing with indirect terrorist finance by *sponsoring organizations*. Sometimes these are *charitable organizations*, typically with ethnic or religious roots, often with legitimate operations much larger than any illicit activity, collecting money abroad, some of which is diverted. Whether this diversion is happening with the knowledge of organizational sponsors is a crucial and difficult question. Islamic State, for example, benefited in 2012-14 from support from private individuals, often in wealthy Gulf Araba countries like Qatar and Saudi Arabia. Whether they knew exactly where their gifts were going is difficult to know.

Increasingly *state sponsorship* also plays a major role. In the Cold War, states routinely supported terrorist organizations to attack their enemies. Famous examples include East German and Libyan financial support for the Irish Republican Army, or support by the United States for Contra rebels in Nicaragua. Today comparable sponsorship is associated with large originations branded sponsors of terrorism like Hamas in Gaza or Hezbollah in Lebanon and Houthi rebels fighting in Yemen. All appear to benefit from support from Iran, but evidence is hard to find and opportunities for coordinated action are few.¹

¹ Mark Landler, 'White House Threatens Iran With Retaliation Over Militant Attacks', *New York Times*, 12 September,

<https://www.nytimes.com/2018/09/12/us/politics/trump-iran-militants-iraq.html>. The administration has compiled a list of statistics to show Iran's continued



Background

There is no universally accepted term for terrorism; it was attempted to be defined by the then Secretary General Kofi Annan as “any act intended to cause death or serious bodily harm to civilians or non-combatants with the purpose of intimidating a population or compelling a government or an international organization to do or abstain from doing any act”.²

TERRORISM: SOURCES OF REVENUE



Source: IllicitTrade.com by ProVeros Foundation, 2016

To understand how terrorist activities are funded, we must first understand some finance terms and processes. *Finance* is a term that essentially describes the art and science of money management. It is used to describe the allocation of assets (things of value such as money, bonds, stocks, real estate, etc.) and liabilities (things that creditors own such loans, debts, etc.) over space and time. Money and financing activities occur in something called “cash flow,” a term that implies and describes

funding of extremist groups throughout the Middle East: \$700 million to Hezbollah in Lebanon; more than \$100 million a year to Hamas and Palestinian Islamic Jihad; at least \$16 billion to allies and proxies in Syria, Lebanon and Iraq. David Adesnik, ‘Iran Spends \$16 Billion Annually to Support Terrorists and Rogue Regimes’, *Foundation for Defense of Democracies*, 10 January 2018, [http://www.defenddemocracy.org/media-hit/david-](http://www.defenddemocracy.org/media-hit/david-adesnik-iran-spends-16-billion-annually-to-support-terrorists-and-rogue-regimes/)

the movement of money and other assets in a manner that is constantly moving.

Transactions do not occur as a one-time event; rather they move from one source to another. For instance, let’s say Alice runs a business. She has some inventory on hand but need more money to purchase a new office. Alice sells some of her inventory to Bob, and then proceeds to buy a new office from Charlie. In effect, money had moved from Bob’s bank to Alice’s, then from Alice’s bank to Charlie’s bank. Even for such a simple scenario there was a network of transactions that occurred.

This brings us to money laundering. If Alice provided some illegal inventory, say unprescribed medication for instance, the transfer of money from Alice to Charlie, using ‘dirty’ money, would raise some red flags with banks in accordance with the “know your customer” laws.³ To get around this Alice would “launder” the money, a process used to turn ‘dirty’ money into ‘legitimate’ money. The cash would flow from an illegal source into something legal which would make the illegally obtained money into legally obtained. This can occur through a variety of ways; most common are:⁴

- Cash intensive businesses – this is usually the most common method of laundering that organized crime groups use. It involves putting money into business such as strip clubs, car washes, tanning/nail/hair salons, bars. These businesses have extremely low costs or a large ratio of revenue to costs (this is to hide the influx of cash to avoid

[adesnik-iran-spends-16-billion-annually-to-support-terrorists-and-rogue-regimes/](http://www.un.org/unifeed/script.asp?scriptId=73)

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<https://web.archive.org/web/20070427012107/http://www.un.org/unifeed/script.asp?scriptId=73>

³ <https://www.gpo.gov/fdsys/pkg/PLAW-107publ56/html/PLAW-107publ56.htm>

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https://eurasiangroup.org/WGTYP_2012_10_eng.pdf



suspicion). In addition, these businesses accept cash as a common form of revenue making it ideal to drop off ‘dirty’ money. Once the money is deposited to the business bank account the business pretends the illegitimate cash is revenue and the crime group can take the cash out in any point in time.

- Art and other collectable investments – always a tempting method of laundering due to the small size of the objects involved, and secrecy opportunities for anonymous bidden in auctions. One would purchase a piece of art or another collectible like valuable coins using dirty money and then sell the piece later, receiving ‘legitimate’ or full-documented money.

Money laundering is important to understand because terrorist activities use ‘reverse money laundering’ as a leading method of finance.⁵ Reverse money laundering is the opposite of laundering – taking legitimate money and turning it into the finance of illegal activities.⁶ These sources of legitimate, and sometimes illegitimate, funds are narrowed down to three categories:⁷

- Charities – this remains one of the biggest problems in terrorist financing. Charity giving comes in two forms (1) grassroot efforts to fund these organizations and (2) actual charities and non-governmental organizations (NGOs) that send money. An example is the al-Haramain Foundation, alleging funneling USD 40 to 50 million at its height.⁸ Often this involves support by ethnic supporters who may or may not

appreciate where their charitable contributions are going. Especially for terrorist groups that trace their roots to the Middle East, charitable giving is usually invoked by messages of religious obligation.

- Illicit Drugs – the finance of these terrorist groups can occur with straight laundering too. Illegal activities such as poppy growing funded groups like the Taliban, who protects and taxes fellow Pashtuns in Afghanistan farming opium poppies. Similarly, the Revolutionary Armed Forces of Columbia (FARC) financed its operations by protecting and taxing cocoa leaf production and the cocaine trade, until the peace agreement with the Colombian government in 2016.
- Laundering networks – today, far more sophisticated and complicated methods are used. One example is ISIL – they take over oil and other legitimate companies and funnel the legal revenue and inventory to terrorist control. Inventory is sold on black markets; legal revenue flows to mysterious offshore accounts in terrorist control. To add complexity ISIL builds layers of laundering networks; reverse laundering, or using money earned in taking these companies over, becomes laundered money by continuing to reinvest it into the business.

The combination of reverse laundering and charity giving is incredibly profitable. In 2016 ISIL’s annual revenue was more than USD\$2 billion.⁹ However, ISIL’s funding was structured such that almost half of its funds came from oil smuggling. Territory losses, along with the death of key leaders, caused the terrorist group’s

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https://works.bepress.com/stefan_cassella/2/download/

⁶ <https://aml-cft.net/library/reverse-money-laundering/>

⁷ <https://www.cfr.org/background/tracking-down-terrorist-financing>

⁸ Camilla Schippa, ‘This is how terrorists finance their attacks’, *World Economic Forum*, 15 November 2017,

<https://www.weforum.org/agenda/2017/11/terror-attacks-are-increasingly-self-funded-how-can-we-stop-them/>

⁹ Ibid



funding to take a nose dive – black market oil revenue went from USD\$5.5 million per day to USD\$1.3 million per day in 2017. Cash, being a physical unit of value, was also obtained in the annex of the territory. This combined with the Iraqi government taking steps to shut down banking systems inside other ISIL-controlled territory has caused ISIL's monthly revenue to shrink to USD\$16 million in 2017.¹⁰

International Action

As is with everything in the world of financial law enforcement, it is a game of cat and mouse.

Since the September 11, 2001 terrorist attacks, terror groups are making a switch to lower cost, lower tech, attacks that require fewer people.¹¹ Terrorist attacks used to require substantial amounts of money; it is estimated that the 9/11 attacks required between USD 400,000 and USD 500,000. Now, while global deaths due to terror-related activities have gone down, so have the costs associated with these plots. The 2007 London bombing attacks were approximately USD 14,000; the failed 2006 commuter train attack in Cologne was estimated cost only USD 500; and the 2016 Nice truck attack was similarly as inexpensive.¹²

Financing terrorism is shifting to become less central making the stopping of these terror activities magnitudes harder. Also complicating the issue for the United Nations is the rise of state sponsorship. Currently most attention

focuses on Iranian support for the political parties Hamas in Gaza, Hezbollah in Southern Lebanon, and the Houthi fighting in Yemen. All appear to receive Iranian support in funding and armaments.

The dominant international response to the challenge of terrorist finance is led by the *Financial Action Task Force* (FATF), an organization of 37 like-minded governments. Formed in 1989, the FATF is not a treaty. It cannot force participating states to do anything. Instead it agrees on standard or norms for action and asks states to match these standards. States they fail to are designated, making it hard or impossible for them to participate in the international banking community.¹³ The FATF also designates countries that are not cooperating with its standards.¹⁴



The FATF has been endorsed by the UN Security Council. It makes recommendations to governments, urging them to coordinate their financial and law enforcement policies. It also designated states that are not complying with

¹⁰ Ibid

¹¹ Michael Jacobson, 'Terrorist Financing and the Internet', *Studies in Conflict & Terrorism*, Volume 33, no. 4 (2010), <http://www.tandfonline.com/doi/full/10.1080/10576101003587184>

¹² Schippa, *op.cit.*

¹³ 'Who we are', Financial Action Task Force, <http://www.fatf-gafi.org/about/>; and 'Financial Action Task Force on Money Laundering', https://en.wikipedia.org/wiki/Financial_Action_Task_Force_on_Money_Laundering

¹⁴ FATF's black list of 'Non-Cooperative Countries or Territories' (NCCTs), has included Ecuador; Ethiopia; Indonesia; Kenya; Myanmar; Nigeria; Pakistan; São Tomé and Príncipe; Syria; Tanzania; Turkey; Vietnam and Yemen. 'FATF Releases Updated List of High-Risk and Non-Cooperative Jurisdictions', *Wiley Rein*, 25February 2013, <https://www.wileyrein.com/newsroom-articles-2634.html> Currently only Iran and North Korea are on the black list of NCCTs.



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FATF monitoring and oversight standards, potentially helping terrorist and other criminal groups. The FATF also creates recommendations for banks and other financial institutions regarding terrorist and criminal finance, including oversight procedures and monitoring techniques to make sure illegal civility cannot take advantage of legalized channels and institutions.

The FATF was created outside the UN system, it has been completely integrated into the UN system through a series of UN Security Council resolutions. The UN entered the picture with the *Terrorist Financing Convention*, a 1999 UN treaty designed to criminalize acts of financing terrorism.¹⁵ Additionally, it promotes police and judicial cooperation to crack down on it. As of February 2018, 187 Member States had ratified the treaty, making it one of the most successful international anti-terrorism measures in international law.

Other measures agreed by the Member States of the UN include UN Security Council resolution 1617 (2005) which established a mandate—since renewed many times—for sanctions against Al-Qaeda and the Taliban. This created a mandate for action against specific non-state groups. No less important is *The United Nations Global Counter-Terrorism Strategy* established under General Assembly resolution 60/288 (2006).¹⁶ Both resolutions stress the importance of the implementation of the FATF 40 *Recommendations* and the 9 *Special Recommendations* on terrorist financing.

¹⁵Terrorist Financing Convention, <http://www.un.org/law/cod/finterr.htm> and https://en.wikipedia.org/wiki/Terrorist_Financing_Convention

¹⁶ UN General Assembly resolution A/RES/60/288 – Adopting the Global Counter-Terrorism Strategy, United Nations, 20 September 2006, <https://www.un.org/sc/ctc/news/document/ares60288-adopting-the-global-counter-terrorism-strategy/>

In 2006, the UN also adopted the *United Nations Global Counter-Terrorism Strategy* (General Assembly resolution 60/288). Acting on the consensus by all UN Member States on 8 September 2006, the General Assembly highlighted the importance of addressing the financing of terrorism and the need for member states to implement measures that meet all international standards.¹⁷ This strategy assembled a United Nations Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system. The strategy sets out a plan of action for the international community based on four pillars:

- Measures to address the conditions that spread terrorism;
- Measures to prevent and combat terrorism;
- Measures to build states' capacity to prevent and combat terrorism and to strengthen the role of the United Nations in this regard;
- Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism.

More recently, both Security Council resolutions 2178 (2014) *Condemning Violent Extremism, Underscoring Need to Prevent Travel, Support for Foreign Terrorist Fighters*, and resolution 2249 (2015), which calls upon all UN Member States to redouble and coordinate their efforts to prevent and suppress terrorist acts committed specifically by the Islamic States and al Nursa

¹⁷ *United Nations Global Counter-Terrorism Strategy* (General Assembly resolution 60/288), 2006, <https://www.un.org/counterterrorism/ctitf/en/ares60288> In recognition of its importance, the Strategy resolution is attached at the end of this brief.



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Front in Syria.¹⁸ Both resolutions emphasize the need for new measures to address the financial aspects of terrorism, and Resolution 2178 seeks to go into more depth about stemming the finance related activities. Both are thin on specifics. They are more concerned with general mandate setting than the specifics of implementation. The shift in terrorism plot execution from large plans to much smaller ones is not explicitly mentioned.

Although the FATF remains legally independent of the UN, in practice they two now cooperate extensively. Today it is the UN that plays the primary role in the fight against terrorist financing by establishing a framework of binding international legal obligations. It was the UN that established the *International Convention for the Suppression of the Financing of Terrorism* (1999) and the Terrorist Financing Convention created under Security Council Resolution 1373. The normal approach today is for the UN to set standards which are implemented through the FATF.



Plenary (general) meeting of the Financial Action Task Force (FATF)

In relation to those instruments, the FATF complements and reinforces the work of the United Nations through adopting a comprehensive set of measures (called the FATF Recommendations. These help countries to combat terrorist financing and, hopefully, effectively implement the UN Recommendations in this area. For example, Recommendation 5 of the FATF requires countries to “criminalize terrorist financing on the basis of the terrorist financing convention” and sets out some specific measures aimed at ensuring that those requirements are implemented effectively.¹⁹

A recent example

A recent example of how the FATF works concerns Iran. In October 2018 Iran’s parliament has voted narrowly (143 to 120) to ratify compliance with global rules on tackling terrorist financing and money-laundering despite fierce opposition from hardliners who fear it will increase western control over the Islamic Republic’s financial system.

The decision was highly controversial in Iran, where there is widespread suspicion that international institutions will undermine national sovereignty and freedom of action. This was overcome by appeals to the advantages of Iran remaining part of the global banking system.

European states argued that it is vital for Iran to ratify the UN treaty if it is to maintain

¹⁸ UN Security Council Resolution Condemning Violent Extremism, Underscoring Need to Prevent Travel, Support for Foreign Terrorist Fighters, *United Nations*, 24 September 2014, <https://www.un.org/press/en/2014/sc11580.doc.htm> and https://en.wikipedia.org/wiki/United_Nations_Security_Council_Resolution_2249 The text of UN Security Council resolution 2249 is at

https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2249.pdf

¹⁹ Rick McDonell, ‘Tackling terrorism financing: the revised FATF standards’, *Financial Action Task Force*, 20 November 2012, <http://www.fatf-gafi.org/documents/documents/tacklingterrorismfinancingtherevisedfatfstandards.html>



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connections to the global financial system in the face of the crippling sanctions that the United States has re-imposed when it withdrew from the 2015 nuclear deal. The centrist government of Hassan Rouhani lobbied hard within the regime to the same end. Ratifying the treaty was a crucial step for Iran to show its compliance with recommendations from the Financial Action Task Force, a Paris-based body that sets global standards.

The FATF suspended Iran from a blacklist of rogue countries in June 2016 with the proviso that the Islamic Republic had to fall in line with international norms on money-laundering and counter-terrorist financing. It gave Iran until October, when FATF next meets, to take measures, including ratifying some UN treaties, or face being put back on the blacklist.²⁰

Issues Facing the Body

- Charities and illicit black-market activities are two of the most popular means of financing terrorism. Can their work be effectively regulated without being suppressed?
- Is “Terrorism finance” more than simply cash moving hands; includes complex network of laundering
- Since the recent switch in terrorism tactics, states now face the issue of decentralized means of funding terrorism. How can Member States, with centralized law enforcement and financial governance, deal with increasing complexity of the problem?

²⁰ Najmeh Bozorgmehr, 'Iran's parliament votes to ratify UN anti-terror funding treaty', *Financial Times*, 7 October 2018, <https://www.ft.com/content/1aa2a208-ca20-11e8-9fe5-24ad351828ab>

- The rise of Bitcoin and other anonymous currencies make transactions impossible to trace – prime for raising capital for terrorism. How can the huge investment in cryptocurrencies and the right to privacy be protected without undermining the credibility of counterterror regulation?
- The shift from larger terrorist organizations and transfers to small conspiracies, illustrated by the Paris attacks of 2015-16.²¹ This greatly complicates the problem of regulation. Is it possible to monitor huge numbers of tiny transactions?²²
- Can specific groups or UN Member States be isolated for special treatment, or should UN action focus on universal standards applicable to all members of the global community?

Essential Questions

As the UN General Assembly deliberates show how best to improve global financial regulation to deal with the requirements of counterterrorism and suppression of all illicit financial activity, several basic issues should be considered:

- How do we cut off resources to terror groups? How to stop the flow of money—often in small amounts—to terror groups and individuals, without harming the legitimate global economy?
- Can counterterror finance goals be accomplished without crippling the economies of UN Member States?

²¹ 'Paris attacks showed role of small transactions in terror finance; UN meeting hears', Security Council Counter-Terrorism Committee, 15 April 2016; <https://www.un.org/sc/ctc/news/document/paris-attacks-showed-role-of-small-transactions-in-terror-finance;-un-meeting-hears/>

²² Ibid.



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- How can the UN get states' participation, on diplomatic, political, and economic levels, to assure and participate in the stopping of money laundering and reverse laundering? This despite the likelihood that some Member States will suffer as a result.
- How can we stop the finance of decentralized means of financing these activities? Can greater control be achieved without harming the privacy and liberties of legal actors and their financial needs?
- How do we prevent Bitcoin from becoming an asset used in laundering and financing of terror activities? Where to draw the line between the privacy of individuals and the need for global openness?
- *Increase resources* available for oversight and investigation of suspected financial crimes. Even the best laws do not mean much without investment in enforcement. As terrorist activity becomes smaller in scale, often involving tiny groups or even just individuals, the problems of tracking financial support rise. Identifying and tracking suspected financial crimes becomes much more difficult and requires greater number of personnel and more support. Getting resources where they are needed is difficult, especially when resources often must be taken from other law enforcement priorities.
- *Set international standards in the UN itself:* One possibility for the UN is to mandate a general expectation for Member States to invest more in counterterror financial law enforcement. Instead of leaving standard setting to an elite group of 37 states, maybe it is time for the 193 Member States of the UN to take actual leadership. Without providing actual resources, though, such standards can only be guidelines. They still may be valuable, as benchmarks for Member States to judge their preparedness.

Proposals for Action

As the UN debates the best way to improve standards for financial transactions, to impede terrorism and other illicit actors, several basic questions must be resolved. Major questions to faced concern the role of the UN versus the FATF, and the universal problem of UN action, the problem of how to pay for any innovations. Major proposals to be considered include:

- *Higher standards:* Urge the Financial Action Task Force to encourage higher standards for its 37 members. One way to achieve this is to standardize the most rigorous standards of any members, creating a highest-common denominator standard. If one country raises the requirements for reporting financial transfers, all would be expected to meet that standard. This would make it much harder for terrorists and other illicit actors to shop for the loosest standards. The FATF also could be encouraged to bring all possible pressure on the other 160 UN Member States and other states and autonomous territories to meet those standards.
- *Tighten restrictions* on all financial affairs under a mandate from the UN General Assembly, making all financial transactions public and fully accountable. It also would aid other financial issues such as taxation and tax payment, other forms of money laundering and financial crime. This would greatly aid law enforcement, but at the expense of suppressing much legal financial activity, including legal but speculative investments. It would require transforming banking laws in most countries, where discretion and privacy remain important principles. And it would require eroding privacy rights in many countries. Such reforms would be most effective, but also extremely controversial everywhere.



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- *Finance greater counterterror financial law enforcement:* More ambitiously, the UN may agree to provide resources, especially for smaller Member States likely to be sued for third-party banking and financial services. Where the money would come from would have to be specified, and could arouse opposition from Member States asked to give more or sacrifice support for other activity.
- *Act against specific terrorist threats.* Based on the precedent of UN Security Council resolution 1617 (2005), which called for action against al Qaeda and the Taliban, the UN could specific other groups for similar treatment. The difficulty is most groups have important protectors in the UN. Palestinian groups, for example, will be

defended by Arab and other sympathetic countries. Similarly, countries suspected of supporting or tolerating terrorist groups, like Iran, North Korea and Pakistan also can count on important protectors, in those two cases, Russia and China, respectively.²³

Other countries and autonomous territories often spotlighted for special attention are colonial territories like the British Virgin Islands or Netherlands Caribbean islands of Aruba, Curaçao and St Maarten, and Gulf States and countries like Panama. All are autonomous territories, responsible for their own domestic law, including banking and finance law. And all are economically dependent on secretive financial systems to encourage global investment, but also making them targets for misuse.

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OLD DOMINION
UNIVERSITY

United Nations

A/RES/60/288



General Assembly

Distr.: General
20 September 2006

Sixtieth session

Resolution adopted by the General Assembly on 8 September 2006

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,²⁴ 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-

²⁴ See resolution 60/1.



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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 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,

Affirming 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;²⁵

²⁵ A/60/825.



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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:

(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;



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(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



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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;



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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 Crime²⁶ and to the three protocols supplementing it,²⁷ 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 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;

²⁶ Resolution 55/25, annex I.

²⁷ Resolution 55/25, annexes II and III; and resolution 55/255, annex.



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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;



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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;



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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:



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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.