

# Ryan International School, India

## INDIAN MODEL UNITED NATIONS 2019



## Background Guide – General Assembly 1

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## **Letter from the Executive Board**

Greetings, delegates! It is my greatest honour to welcome you all to the 18th edition of the Indian Model United Nations in extension the simulation of the United Nations General Assembly-1 with the overreaching agenda of : Addressing the question of usage of Lethal Autonomous Weapon Systems, Drones and Killer Robots in an armed conflict with an emphasis on Artificial Intelligence and its implications; Devising a framework to combat terrorist financing with special emphasis on illicit arms trade and state sponsorship of terrorism. The background guide is a mere tool for you as a headstart to your research and feel free to go beyond the scope of this guide. The guide by no means is the end of research and we would appreciate if you try and think out of the box and bring forth new realms in the committee about the agenda. We, as the Executive Board expect certain things from you. Kindly note that as a delegate representing a particular nation, you are supposed to accumulate all the basic knowledge about your country's stance on the issue at hand. Also note that every country has a certain foreign policy and large emphasis needs to be laid on the same. We expect mannerism and diplomatic rules of conduct towards your fellow delegates, teachers and everyone at the conference. Do remember that you are stepping in the shoes of diplomats and hence you have to fulfil certain areas so as to maintain discipline and not as well hamper the flow of debate. Delegates, as you all may have understood by now that we do not expect you to talk about already established facts but to present something new based on well-baked information and opinions. Finally, we as the moderation panel are at your disposal if you have any doubts regarding the agenda or the presented guide. If you have any constraints regarding the agenda feel free to contact me at sakshamgadia@rediffmail.com. Looking forward to meeting you all and an enriching and exhilarating three day debate.

**AGENDA 1: Addressing the question of usage of Lethal Autonomous Weapon Systems, Drones and Killer Robots in an armed conflict with an emphasis on Artificial Intelligence and its implications.**

## **INTRODUCTION**

Autonomous Systems are already, and will increasingly, be shaping the world we live in to an extent that only few are aware of and nobody can sufficiently predict. This

development has increasingly found its way into political discussion very recently; Today, algorithms play a huge part in the content we see and consume when using the internet. How this influences our political decision making and the democratic process as a whole has dominated news and research in the past year. In the near future, autonomous machines in industrial production and mobility may endanger millions of jobs worldwide. The topic of Lethal Autonomous Weapons Systems (LAWS), where autonomous systems make decisions over life and death, has a comparatively long history of discussion within the international community, because its ethical and legal implications are more overt, though it still only stretches back around five years. There are, as of yet, no binding agreements specifically targeting LAWS. International and regional frameworks regarding International Humanitarian Law (IHL) and international human rights law, such as the Geneva Conventions and their Additional Protocols, are currently the only institutions relevant to the use and development of LAWS. However, in the past five years, regular meetings by experts have been held under the framework of treaty bodies such as the Convention on Certain Conventional Weapons (CCW) regarding discussions on pre-emptive moves to address LAWS. Numerous Civil Society Organizations (CSOs) have begun working even longer to promote awareness of the potential impact of LAWS and to facilitate definitive action in prohibiting their manufacture and implementation.

Currently perhaps the most difficult issue regarding international measures on LAWS (also known as Lethal Autonomous Robotics (LARs), Fully Autonomous Weapons Systems (FAWS), remotely piloted aerial systems, or even "Killer Robots"), is a definitional one. No internationally accepted definition of what constitutes LAWS exists today. Many definitions are in use by governments and CSOs around the world, but they differ significantly. Each of them attending to a particular set of concerns and omitting others.

The conversation around LAWS has significantly deepened and become more nuanced in the past two years. While some more general concerns, such as technical, ethical and legal ones, have been present since the beginning of the international discussion and only deepened since then, others, such as risk, safety and bias, have emerged as recently as the past year.

## **INTERNATIONAL AND REGIONAL FRAMEWORK**

Currently, no treaties or resolutions specifically target the development and use of LAWS and international and regional agreements which would concern LAWS, such as the fourth Geneva Convention and Additional Protocols I and II, only deal with the issue indirectly, focusing on the protections afforded to combatants and civilians that LAWS may violate. Of particular interest to this topic is article 36 of the 1977 Additional Protocol I of the Geneva Conventions, that requires to review new weapons, means and methods of warfare with regard to their compatibility with international law. The CCW, part of the conference on Disarmament (CD), focuses among other things on banning weapons that may indiscriminately harm civilians (historically, e.g. napalm and white phosphorus have been classified as such). This could theoretically be applied to LAWS, if scientists and governments cannot demonstrate LAWS ability to distinguish civilians from combatants. The High Contracting Parties to the CCW began regular informal expert meetings regarding LAWS in 2013, and in 2016 mandated the establishment of a Group of Governmental Experts (GGE) to “explore and agree on possible recommendations on options related to emerging technologies in the area of [LAWS]”. Among the outcomes, these meetings emphasized the necessity of achieving universal adherence to the Convention, identifying relevant characteristics of LAWS, elaborating a working definition, and ultimately agreeing on recommendations. The first meeting of the GGE in November 2017 was considered a failure and overshadowed by remarks made by the government of the Russian Federation, that they would ignore any UN ban on LAWS, arguing that such a move was pointless while LAWS don’t yet exist. One Russian defence contractor, Kalashnikov, is reportedly already developing a weapons system where an artificial intelligence system independently chooses and eliminates targets.

## **ROLE OF THE INTERNATIONAL COMMUNITY**

The UN has initiated discussions on the topic of LAWS in the past few years. Because of the abilities granted to the General Assembly (First Committee) by the Charter of the United Nations (1945), LAWS fall under its mandate not only due to their nature as weapons, but also for their potential to threaten international peace and security in certain circumstances. LAWS could affect the decision-making process of whether to enter into conflicts as the

risks of casualties can be reduced, thereby leading to increased violations of international laws on peace and security. Thus, the GA works with the UN Disarmament Commission (UNDC) and the CD in discussing how international disarmament issues relate to LAWS. Additionally, GA resolution 61/55, adopted on 6 December 2006, “[e]ncourages United Nations bodies to contribute, within existing mandates, to promoting the application of science and technology for peaceful purposes,” which is in direct opposition to the development of LAWS. The UN Institute for Disarmament Research (UNIDIR) has published a series of documents alongside and in support of the CCW meetings regarding LAWS, leading up to and including the GGE meeting in 2017. A number of panel discussions on the topic have been held as part of the First Committee Side Event Series for the 72nd Session of the General Assembly in 2017. Although these UN bodies have begun to discuss LAWS within international and regional institutions, CSOs have been far more active in promoting the topic. Civil Society Organizations The majority of work done by CSOs has included calls for action from national governments and regional and international organizations to ban LAWS, as well as publishing material to explain the many complex facets of LAWS and their potential impact. Many organizations active in advocating for the prohibition of LAWS operate in conjunction with other CSOs and alongside UN bodies. Important CSOs working in this field include the International Committee for Robot Arms Control (ICRAC), Article 36, The Campaign to Stop Killer Robots and Human Rights Watch. Especially the first two have been heavily involved in raising awareness for the issue, and have been invited to speak at, give statements to, or even host CCW meetings. Even though debate on LAWS has emerged only recently at the UN in light of evolving technology, it is clear that there are many organizations interested in bringing awareness to LAWS and which have already done much study on the subject.

## **DEFINITIONAL ISSUES AND TECHNICAL ASPECTS**

When establishing the mandate for the GGE, the High Contracting Parties to the CCW gave themselves the task of identifying characteristics of LAWS and elaborating a working definition. The key problem one faces when trying to define LAWS is, that determining the level of autonomy of a weapons system often means considering a spectrum with remote controlled weapons systems on one side and fully autonomous systems that plan, evaluate and execute attacks on their own, on the other. While “operational

autonomy”, the capacity to maneuver autonomously along a path set by a human controller, is widely present today's weapons, “decisional autonomy”, the capability of making decisions about its actions without human input, is currently not being used on any battlefields, but the technological advancements in this area are huge. Another, recently discussed, dimension that makes defining LAWS difficult is the question of autonomy “at rest” and “in motion”: Discussions at the CCW have, for the most part, focused on physical, “in motion” weapon systems; that is, systems that are able to act on and in their environment. However, perhaps even more important and more imminent in potential use are “at rest” systems, such as decision aids. These are not directly coupled to munition, yet are used in support of decisions to use force, such as selecting target sets and evaluating potential attacks. It will soon be seen, that many currently used definitions of LAWS don't consider “at rest” systems at all.

In the CCW, three main approaches to the question of a definition have emerged: Firstly technology-centric approach, that describes LAWS as physical objects, similar to how conventional weapons have been described in the past, focusing on technical specifications such as range, payload, and intended operating environment. Secondly, a human-centred approach, trying to define LAWS in relation to a human user. This is the most commonly used approach in laymen's discussions on the topic, with terms like “meaningful human control” being the central distinction between LAWS and conventional weapons. This term, or similar ones, have however been criticized as too broad and unprecise for a meaningful discussion. The question arises, at what stage in a weapon's operation this human control is to be exerted. Thirdly, a task/functions approach tries to tackle the question of what constitutes autonomy by identifying which of its functions are executed autonomously and which aren't. From a list such as “acquisition, tracking identification, grouping, selection, prioritization, or engagement of targets”, some might be performed with human input and some without. When none require human input, a weapon would be classified as “fully autonomous.” An example of this kind is the definition currently in use by the International Committee of the Red Cross (ICRC): “Any weapon system with autonomy in its critical functions. That is, a weapon system that can select (i.e. search for or detect, identify, track, select) and attack (i.e. use force against, neutralize, damage or destroy) targets without human intervention.”. Ultimately, a satisfying definition will have to include aspects of all three of these approaches.

Other examples of currently used definitions include the following; The Government of the Netherlands describe Autonomous Weapon Systems as: “A weapon that, without human intervention, selects and engages targets matching certain predefined criteria, following a human decision to deploy the weapon on the understanding that an attack, once launched, cannot be stopped by human intervention.” This definition is very narrow and doesn't fit modern technological advancements like machine learning. The government of the UK has been praised for its comparatively differentiated definition: “An autonomous system is capable of understanding higher-level intent and direction. From this understanding and its perception of its environment, such a system is able to take appropriate action to bring about a desired state. It is capable of deciding a course of action, from a number of alternatives, without depending on human oversight and control, although these may still be present. Although the overall activity of an autonomous unmanned aircraft will be predictable, individual actions may not be.” Its strengths lie in its consideration of capabilities of the AI at work and how it relates to human intent. However, its threshold for autonomy is quite high and the concept of a machine “understanding” human intent is hard to specify.

## **LEGAL ASPECTS**

In the absence of specific legal documents on LAWS, the most pressing question concerning the legality of LAWS is whether they will violate IHL or Human Rights Law. Critics argue that the use of LAWS would violate IHL, but others suggest existing international laws adequately cover them. Article 36 points out that there is an expectation implicit in international law that humans control when, where, and how weapons are used. However, they advise creating, “an explicit legal requirement that there be meaningful human control over individual attacks.” The “Martens Clause”, introduced in the preamble of the 1899 Hague Convention II, states that in cases not included in law on armed conflict shall still be governed by the principles of international law, the laws of humanity and requirements of the public conscience. This was used by Human Rights Watch, in conjunction with Harvard Law School's International Human Rights Clinic to argue the illegality of LAWS in 2012. However, there exists no widely accepted legal interpretation of the Martens clause and it is subject to widely varying interpretation.

Furthermore, debates on accountability furthermore permeate discussions on the legal implications of LAWS. While it is true that some existing legal structures cover the

use of LAWS, the ICRC claims that if manufacturers cannot guarantee the weapon system will completely comply with IHL it will be unlawful. This statement correlates with the previously mentioned Article 36 of Protocol I Additional to the Geneva Conventions. In addition to the issue of proper judgment, the use of LAWS creates the problem of where to place blame in the case of an accident or technical failure. This aspect of the discussion especially has been aggravated recently by considerations about the nature of machine learning, where the criteria by which LAWS might make their decisions are not clearly decided upon by a programmer, but rather develop themselves by the artificial intelligence analyzing sets of data too big for any human to completely grasp.

As illustrated, there is a clear cleavage between the two sides of the legal argument on LAWS. Special Rapporteur Cristof Heyns suggests the introduction of LAWS could create international division, weaken the role of international law, and undermine international security. In this regard, the General Assembly offers a forum for Member States to devise the necessary framework to prevent this, including making recommendations for a complete ban on LAWS should they see fit to do so.

### **ETHICAL AND HUMANITARIAN ASPECTS**

The debate on LAWS also considers ethical and humanitarian concerns alongside the existing legal framework as illustrated by a remark from the Women's International League for Peace and Freedom to the CCW: "[b]eyond the law, giving machines power to target and kill human beings crosses a moral line." Bernard adds, "[h]aving machines commit programmed acts of violence means delegating our capacity for judgment, the key element in the attribution of responsibility." In addition to the issue of proper judgment, the use of LAWS creates the problem of where to place blame in the case of an accident or technical failure an issue that is relevant in many areas where autonomous systems play a role, for example self-driving cars.

Another concern in the debate on ethics is that while unmanned weapons open the possibility to attack an enemy who cannot fight back, the enemy will often compensate their inability to attack appropriate targets by attacking innocent people as has been seen with drone attacks, which many scholars claim to be a leading cause for the radicalization of civil populations, ultimately leading to terrorism. Additionally, the possibility of terrorist organizations obtaining the technology poses a threat

to international peace and security, thus highlighting humanitarian aspect of LAWS. Because legislation most often develops in response to new technology, it is important to create an ethical structure on which to base the legal framework now, while the use of unmanned robots is still nascent and their implications are uncertain. The International Covenant on Civil and Political Rights states, "[e]very human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life." Allowing robots to make the decision to kill makes those deaths arbitrary because robots lack the capacity to judge and interpret their targets the way humans can interpret and review subjects in consideration of existing laws.

In a panel discussion on LAWS as part of the First Committee Side Event Series for the 72nd session of the General Assembly in 2017, the issue of "bias" was addressed: As machine learning algorithms learn from giant amounts of data generated by human behaviour, they often attribute discriminatory policies based on gender, race etc. This is evident in areas where algorithms already evaluate humans, with regards for example to their financial responsibility. Similar discriminatory decisions when a machine decides whether to kill a human is considered ethically unacceptable.

### **CHALLENGES TO PROHIBITION**

Proponents of LAWS proclaim the beneficial nature of LAWS, suggesting they will protect civilians from the harmful effects of war. Some experts argue that proper design and use of LAWS could potentially prevent loss of life to civilians, questioning the assumption that a human's decision in violent situations are necessarily better than a machine's. However, the CSO PAX counters the argument, reiterating that the same was said of smart bombs in the past, and the reality now is that locations and targets of smart bombs have become closer to civilians, leading to a possible increase in civilian casualties.

Official statements from governments with the capability to manufacture LAWS indicate their implementation is not currently envisioned and rather the choice to apply lethal force through unmanned weapons will remain with humans. The United States Department of Defense has stated that "public opinion demands that soldiers avoid dangerous situations (...) Allowing robots to do the most dangerous work helps keep Western soldiers out of harm's way." Some experts propose alternatives to a complete ban on LAWS, such as proposing a moratorium on LAWS,



suggesting, “a ban ignores the moral imperative to use technology to reduce the persistent atrocities and mistakes that human warfighters make.”

Another source of opposition is the nature of robotics as a dual-use technology, useful in both peaceful and warring endeavours. Some governments have already articulated their concern that regulation of LAWS means that they will be denied technologies and locked out of extremely important high-tech sectors, or that development of civilian applications of increasing autonomy will be harmed. Together these factors make traditional responses, such as control regimes, less likely to succeed. United Nations General Assembly.

## **CONCLUSION**

While the discussion on LAWS is no longer in complete infancy, with many complexities and different cleavages having by now emerged, solutions are still not present at any level. With the current rate of technological progress in robotics, it is only a matter of time until some form of LAWS makes its appearance on a battlefield. If, by then, no specific language regarding LAWS has appeared in international treaties and agreements, the current framework considering humanitarian law and human rights will hardly be sufficient to address the new challenges. It must now be the goal of the international community to take the many points of discussion and research to establish a working definition of LAWS and, based on that, establish measures to at least, if not outright ban them, control and clear up the legality of LAWS.

## **QUESTIONS TO CONSIDER**

- Can LAWS be considered legal?
- In what manner do LAWS fit current legal and ethical frameworks?
- How should LAWS be utilized?
- What constitutes autonomy in weapon systems?
- How might the UN incorporate the control of LAWS into existing frameworks?
- What role can the General Assembly play in moving the discussion of LAWS at the UN forward?

## **AGENDA 2: Devising a framework to combat terrorist financing with special emphasis on illicit arms trade and state sponsorship of terrorism.**

### **INTRODUCTION**

Terrorism violates inherent values of the Charter of the United Nations, such as respect for human rights, rule of law, protection of civilians, tolerance and peaceful resolution of conflicts. Terrorism “flourishes in environments of despair, humiliation, poverty, political oppression, extremism and human rights abuse; it also flourishes in contexts of regional conflict and foreign occupation; and it profits from weak State capacity to maintain law and order.”

For these reasons countering international terrorism has taken priority on the agenda of the United Nations (UN) since 1960s although the history of combating terrorism dates back to the 1930s. Since this time progress has been made and the UN has produced eighteen universal instruments to counter international terrorism.<sup>27</sup> The latest important milestone was achieved by the General Assembly in 2006 when the resolution A/RES/60/288 and an annexed Plan of Action were adopted, in which the United Nations Global Counter-Terrorism Strategy was introduced. This was the first time that “all member states have agreed to a common strategic approach to fight terrorism”<sup>28</sup> in order to adopt “a unique instrument to enhance national, regional and international efforts to counter terrorism.”

Despite the progress we live in a world, where terrorism is one of the biggest threats to international peace and security. Almost every week some kind of terrorist attack or an attempted attack takes place somewhere in the world. Terrorism does not pose a threat only for states, but particularly for individuals. Most victims of terrorist attacks are nonmilitary, unarmed and innocent people. To exemplify the situation: 9 814 terrorist attacks were committed and approximately 17 958 people were killed in terrorist activities. Although terrorism is a worldwide phenomenon, nowadays 82% of all death from terrorist attacks occurred in Iraq, Afghanistan, Pakistan, Nigeria, and Syria.

The definition of terrorism has been continuously changing and no consent has been reached. In 1994, the General Assembly on its forty-ninth session enacted the Declaration on Measures to Eliminate International

Terrorism, where terrorism was defined as “criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them”<sup>31</sup> and about ten years later in 2004 the High-Level Panel of independent experts on Threats, Challenges and Change defined terrorism as “any action, in addition to actions already specified by the existing conventions on aspects of terrorism, the Geneva Conventions and Security Council resolution 1566 (2004), that is intended to cause death or serious bodily harm to civilians or non-combatants, when the purpose of such an act, by its nature or context, is to intimidate a population, or to compel a Government or an international organization to do or to abstain from doing any act.”<sup>32</sup>

### **ROLE OF THE UN SYSTEM**

International terrorism is not explicitly mentioned and defined in any article of the Charter of the United Nations. However, the terrorist activities violate with the basic principles of Chapter I of the Charter of the United Nations, such as respect for human rights, tolerance or protection of civilians.<sup>33</sup> The Security Council in one of its resolutions related to terrorism reaffirmed that “terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed and further reaffirming the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts”.<sup>34</sup> The UN system, including the General Assembly, the Security Council and about 23 funds, agencies and programs, has addressed the issue of terrorism since the 1960s, but the turning point in the overall counter-terrorism effort of the UN was reached by the Security Council in 2001 by establishing the Counter-Terrorism Committee and its Executive Directorate (CTED).<sup>35</sup> Although combating terrorism primarily rests on shoulders of member states the UN provides special assistance with their counter-terrorism efforts through departments, programs and specialized agencies. Furthermore, the UN plays an important role in facilitating and promoting coordination and coherence in the implementation of the anti-terrorist instruments on the national, regional and international levels. The most important actors within the UN system related to

terrorism are the United Nations Office on Drugs and Crime (UNODC), which provides countries with assistance on counter-terrorism legislation; the United Nations Development Programme (UNDP), which addresses developmental and governance issues in a broad context of counter-terrorism; the International Atomic Energy Agency (IAEA), which focuses on nuclear terrorism; the World Health Organization (WHO) focusing on bio-terrorism; the International Civil Aviation Organization (ICAO) and the International Maritime Organization (IMO), which address the issue of the security of commercial aviation, ships and port facilities.

### **GENERAL ASSEMBLY**

Every Member State fights terrorism by itself, but to suppress terrorism worldwide it is more important to cooperate among states through the General Assembly. In 2006, Member States agreed in the General Assembly on a collective approach against terrorism by adopting resolution A/RES/60/288 which created new and so far the most effective United Nations Global Counter-Terrorism Strategy. In general, the Assembly has focused on basic issues related to terrorism, such as prevention, elimination and funding as well as protection of human rights in areas affected by terrorist attacks.

The General Assembly has been focusing on terrorism as an international problem since 1972. The General Assembly adopted two counter-terrorism related conventions: The Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons and the International Convention against the Taking of Hostages. In the 1980's the effort to suppress terrorism continued, but not so enthusiastically. In 1994 the General Assembly redirected its attention to the issue of terrorism through the Declaration on Measures to Eliminate International Terrorism. Later, in 1996, an Ad Hoc Committee on Terrorism was established by a supplement to this declaration. Since the adoption of this declaration the Assembly has addressed the terrorism agenda consistently and considerable progress has been made in the elaboration of international counter-terrorism instruments.<sup>44</sup> Member States throughout the General Assembly have already completed the procedure methods, covering specific types of terrorist activities - bombings, funding and nuclear threats by the International Convention for the Suppression of Terrorist Bombings, the International Convention for the Suppression of the

Financing of Terrorism and the International Convention for the Suppression of Acts of Nuclear Terrorism. In 2006 the General Assembly concretely reaffirmed and enhanced its role in countering terrorism by adopting the resolution A/RES/60/288 and creating the Global Counter-Terrorism Strategy and an annexed plan of action, based on which the Assembly monitors implementation, reviews and biannually updates the strategy. 45 The Assembly, by this resolution, endorsed the creation of the Counter-Terrorism Implementation Task Force (CTITF) to enhance coordination and coherence of counter-terrorism efforts of the UN system.

The latest report of the General Assembly on the Global Counter-terrorism strategy highlights the progress made in recent years, but also underscores the necessity to continue developing international and regional implementation of the Strategy in the future. The Assembly emphasizes the need to promote worldwide solidarity in support of the victims of terrorism and highlights the role of member states in suppressing terrorism by international cooperation.

### **INTERNATIONAL LEGAL INSTRUMENTS**

Since 1963 fourteen universal legal counter-terrorism instruments and four amendments have been adopted within the UN System. The UN, its special agencies, IAEA, IMO, and Member States have cooperated in order to create this framework. Anti-terrorism instruments focus on the suppression of terrorism in all its forms and activities related to terrorism, which support terrorism or financing terrorism. Other issues are punishment of crimes committed by terrorists and protection of human rights. Guiding principles for counter-terrorism measures are as follows: 1) criminalization of terrorist offences, making them punishable by law and calling for prosecution or extradition of the perpetrators; 2) the need to eliminate legislation which establishes exceptions to such criminalization on political, philosophical, ideological, racial, ethnic, religious or similar grounds; 3) a strong call for Member States to take action to prevent terrorist acts; and 4) emphasis on the need for Member States to cooperate, exchange information and provide each other with the greatest measure of assistance in connection with the prevention, investigation and prosecution of terrorist acts. Currently, there are 40 instruments, 18 universal and 22 regional, pertaining to the subject of international terrorism.<sup>53</sup> Most

of these instruments are in force and provide “a legal framework for multilateral actions against terrorism and criminalize specific acts of terrorism, including hijacking, hostage-taking, terrorist bombings, financing of terrorism and nuclear terrorism. They are complemented by resolutions of the General Assembly (49/60, 51/210 and 60/288) and of the Security Council (1267 (1999), 1373 (2001), 1540 (2004), 1566 (2004) and 1624 (2005)).”<sup>54</sup>

Anti-terrorist instruments are adopted within other international organizations cooperating with the UN. In Europe the main actors are the European Union (EU) and Council of Europe, in Africa it is the African Union (AU), in Asia the Association of Southeast Asian Nations (ASEAN) or South Asian Association for Regional Cooperation (SAARC). In other parts of the world many organizations combat terrorism as well e.g. the Commonwealth of the Independent States (CIS), League of Arab States (LAS), Organization of Islamic Cooperation, the Cooperation Council for the Arab States of the Gulf, International Criminal Police Organization (INTERPOL).<sup>55</sup> Some of these organizations, such as ICAO, IMO or INTERPOL provide specialized assistance to states and offer training courses and workshops. <sup>56</sup>

### **GLOBAL COUNTER-TERRORISM STRATEGY**

In 2003 the Secretary-General established The United Nations’ High-Level Panel on Threats, Challenges and Change to analyze threats and challenges to international peace and security. <sup>57</sup> The report of the Panel recalled the concerns of terrorism and affirmed that “thread that runs through all such concerns is the imperative to develop a global strategy of fighting terrorism that addresses root causes and strengthens responsible States and the rule of law and fundamental human rights.”<sup>58</sup> The basis for the new global and comprehensive framework was reached at the World Summit in 2005, where member states firstly agreed on a clear and unqualified condemnation of terrorism.<sup>59</sup> Secretary-General Kofi Annan supported the outcome document of this Summit and released his Report - Uniting against Terrorism: recommendations for a global counter-terrorism strategy. <sup>60</sup> Based on this report the General Assembly adopted resolution A/RES/60/288 and confirmed the United Nations Global Counter-Terrorism Strategy. Previous anti-terrorist framework was extended and member states pledged to participate on this Strategy and implement its provisions as soon as possible.



The Secretary-General in its Report to General Assembly on implementation of the Strategy stresses some of the most important measures and recommendations inherent in the Strategy associated with basic principles of the UN. The Strategy recognizes that the peaceful resolution of conflicts would contribute to the strengthening of global efforts against terrorism and therefore called for the UN to provide greater support in areas of prevention and mediation.<sup>61</sup> The Strategy also asks for the promotion of dialogue, tolerance and understanding among civilizations, cultures and religious as the most important premise for international peace. Moreover, the Strategy condemns suffering of people affected by terrorism and calls for states to promote and protect the rights of victims of terrorist acts and to build international solidarity with them. There are four main pillars in the Strategy: 1) measures to address the conditions conducive to the spread of terrorism; 2) measures to prevent and combat terrorism; 3) measures to build states' capacity to prevent and combat terrorism and to strengthen the role of the UN system in that regard; 4) measures to ensure respect for human rights for all and the rule of law as the fundamental basis for the fight against terrorism. <sup>62</sup> The strategy also clearly affirms that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group.

The unique comprehensiveness of this Strategy, which involves prevention, funding and punishment of terrorist attacks, denounces all kinds of terrorism from bio-terrorism to cyberterrorism, and reaffirms the protection of victims, demonstrates how terrorism affects every aspect of society and highlights the need of concerted and coordinated efforts to command a more effective fight against terrorism.<sup>64</sup> To support the implementation of the Strategy the UN cooperates with a number of international entities, such as The Global Counter-terrorism Forum, which is the platform for sharing experience and know-how among states "to reduce the vulnerability of people everywhere to terrorism by effectively preventing, combating, and prosecuting terrorist acts and countering incitement and recruitment to terrorism.

## **CONCLUSION**

Countering terrorism has taken priority on the agenda of the UN for more than 50 years and about 23 UN departments, funds and programs as well as several international and regional entities participate on counter-terrorism efforts.

Until now, 14 international instruments and a number of conventions to combat terrorism were adopted on the ground of the UN. However, many states are not part of these conventions. The latest milestone in combating terrorism was the adoption of the resolution A/RES/60/288 and the creation of the Global Counter-Terrorism Strategy. The complexity of the Strategy indicates how terrorism affects all aspects of life and why the debate on terrorism became one of the most difficult agenda items within the UN. Terrorist organizations profit from a weak capacity of states to maintain law and order, therefore it is important to focus on the terrorism in its origin and help states to build capacities to suppress first signs of terrorist activities. One of the main challenges for the UN is to promote the Global CounterTerrorism Strategy and to encourage the states to join it as well as to provide technical assistance to states, which seek help to fight terrorism. The greatest advantage of the international community is mutual cooperation and a collective approach which terrorists can never achieve.

## **QUESTIONS TO CONSIDER**

- What actions Member States should take to prevent terrorist acts and they should focus on the need of cooperation among Member States to exchange information and provide assistance to each other in connection with prevention, investigation and prosecution of terrorist acts?
- How to mobilize Member States to participate on all conventions and to take counterterrorism actions?
- In regards to the existence of several anti-terrorist organizations and regional structures, delegations should provide an idea how the UN can use and enhance cooperation with these organizations and structures. What terrorist organization or entity should be added or removed from the Consolidated List? How should the UN help victims of terrorism?