19-23 March

Documentation of the Work of the Commission on Crime Prevention and Criminal Justice (CCPCJ)

Conference A
Commission on Crime Prevention and Criminal Justice (CCPCJ)

Committee Staff

<table>
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<tr>
<th>Role</th>
<th>Name</th>
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<tbody>
<tr>
<td>Director</td>
<td>Sara Calamitosi</td>
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Agenda

I. Criminal Justice Responses to Prevent and Counter Terrorism in All Forms
II. Strengthening International Legal Frameworks to Address Sexual Violence in Conflict
III. Strengthening the Rule of Law for Post-Conflict Recovery

Resolutions adopted by the Committee

<table>
<thead>
<tr>
<th>Code</th>
<th>Topic</th>
<th>Vote</th>
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<tbody>
<tr>
<td>CCPCJ/1/1</td>
<td>Criminal Justice Responses to Prevent and Counter Terrorism in All Forms</td>
<td>24 votes in favor, 6 votes against, 6 abstentions</td>
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<td>CCPCJ/1/2</td>
<td>Criminal Justice Responses to Prevent and Counter Terrorism in All Forms</td>
<td>Adopted without a vote</td>
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<td>CCPCJ/1/3</td>
<td>Criminal Justice Responses to Prevent and Counter Terrorism in All Forms</td>
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<td>CCPCJ/1/4</td>
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<td>CCPCJ/1/5</td>
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<td>Adopted without a vote</td>
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<td>CCPCJ/1/6</td>
<td>Criminal Justice Responses to Prevent and Counter Terrorism in All Forms</td>
<td>27 votes in favor, 3 votes against, 6 abstentions</td>
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<td>CCPCJ/1/7</td>
<td>Criminal Justice Responses to Prevent and Counter Terrorism in All Forms</td>
<td>28 votes in favor, 2 votes against, 6 abstentions</td>
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<td>CCPCJ/1/8</td>
<td>Criminal Justice Responses to Prevent and Counter Terrorism in All Forms</td>
<td>19 votes in favor, 12 votes against, 5 abstentions</td>
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Summary Report

The Commission on Crime Prevention and Criminal Justice (CCPCJ) held its annual session to consider the following agenda items:

I. Strengthening the Rule of Law for Post-Conflict Recovery
II. Criminal Justice Responses to Prevent and Counter Terrorism in All Forms
III. Strengthening International Legal Instruments to Address Sexual Violence in Conflict

The session was attended by representatives of 36 Member States. On Sunday, the committee adopted the agenda of II, III, I, beginning discussion on the topic of "Criminal Justice Responses to Prevent and Counter Terrorism in All Forms."

By Tuesday, the Dais received a total of 10 proposals covering a wide range of sub-topics, including prevention of terrorism through countering financing of such acts, improving the training and education programs aimed at actors within the criminal justice system, and the prevention of terrorism through information sharing. The delegates remained focused on the topic at hand, and the atmosphere in the committee was cooperative. By the end of the day, the delegates successfully merged some of the working papers, resulting in a total of eight.

On Wednesday, eight draft resolutions had been approved by the Dais, two of which had amendments. The committee adopted eight resolutions following voting procedure, four of which received the unanimous support of the body. The resolutions represented a wide range of issues, including training and education for law enforcement officials, as well as criminalization of terrorist financing and money laundering. In the latter half of the final session, the delegates began discussing the second topic. Overall, the delegates demonstrated their high level of passion and engagement through emphasizing the importance of international cooperation as a way to reach consensus on the issues at hand.
The Commission on Crime Prevention and Criminal Justice,

Recognizing the sovereignty of all Member States, as stated in Article 2.1 of the Charter of the United Nations,

Acknowledging General Assembly resolution 70/291 of 2016, which calls for the implementation of the strategy used against counter-terrorism by the Counter-Terrorism Implementation Task Force, including addressing conditions that allow for the prevention of terrorism and ensuring there is a respect for human rights and rule of law,

Recalling Article 44 of the UN Secretary-General’s Plan of Action to Prevent Violent Extremism, which specified the need for educational and socially inclusive policies to deter the radicalization and other circumstances from which terror arises,

Recognizing that citizens who are led to believe their government is corrupt may turn to ulterior methods, such as terrorism, to solve individual problems that result from incapable and corrupt governing bodies,

Seriously concerned by the high levels of judicial corruption globally according to the 2007 Global Corruption Report,

Desiring to properly represent suspected and convicted terrorists by increasing defense attorneys’ ability to protect them from criminal justice corruption, as well as provide improved legal advocacy and assistance for victims of terror,

Taking into account the third pillar set forth by the UN Global Counter-Terrorism Strategy which includes measures to build Member States’ capacity to prevent and combat terrorism and to strengthen the role of the UN system,

Bearing in mind the strategic implementation of the Counter-Terrorism Implementation Task Force (CTITF) to strengthen the protection of vulnerable targets, including both victims of terror and those susceptible to committing acts of terror,

1. Considers the introduction of an internationally upheld, and nationally and regionally based, educational program to facilitate the general understanding of terrorism and the specific legal consequences that those individuals who choose to engage in carrying out an act of terrorism will encounter,

2. Urges Member States to implement programs for youth and at-risk citizens, especially criminal justice officials, that counter racial profiling and discrimination and modeled after the EU Strategy to Combat Radicalization and Recruitment, which aims at providing comprehensive training that addresses the following issues:

   a. Promoting gender-inclusion in law enforcement, judicial processes, and other facets of civic society through a directive to require federal employers to maintain a gender percentage that is reflective of the gender proportion in each Member States’ population;

   b. Encouraging racial inclusivity and discouraging the use of racial profiling when approaching suspected terrorists or criminals in general;

   c. Implementing measures aimed at teaching values of openness and tolerance towards religious institutions to prevent radicalization of these individuals;

   d. Ensuring that all principles of the Universal Declaration of Human Rights, specifically Article 7 which states that all persons are to receive equal treatment before the law without discrimination, are taken
into consideration and upheld during both initial discovery of suspected terrorists and for the duration of the criminal justice process;

3. Further encourages Member States to adopt programs to encourage citizens to develop trust in their governmental, and especially judicial, systems by providing an independent organization to observe, report and prosecute any and all acts of terrorism committed within a state and corresponds directly with the UN to maintain institutional legitimacy;

4. *Calls upon* all Member States to initiate any and all necessary reforms for national and regional judiciary systems to target corruption that prevents citizens from placing trust in the law through such means as:
   
a. Re-evaluating all members within the judiciary branch;

   b. Ensuring all judicial members are upholding the rule of law established by the institution;

   c. Reinforcing the commitment of actors within the judiciary to maintain fair, honest, and legal trials against suspected terrorists;

5. *Recommends* all Member States to adopt a national bill to strengthen due guarantees for individuals throughout the criminal justice process for terrorist offenses to ensure and maintain their human rights regardless of potential incriminating actions through increasing legal measures to prevent discrimination and to protect the rights of the suspected terrorists;

6. *Reiterates its call* to all Member States to increase legal protections of all vulnerable victims through reformed national and judicial systems, and commit to educating those vulnerable to involvement through nationwide and regional programs.
The Commission on Crime Prevention and Criminal Justice,

Reaffirming Article 2 of the Charter of the United Nations and General Assembly resolution 50/172 of 1996, to reassure that in the face of combating terrorism the Member States’ sovereignty is respected,

Recognizing the work of the United Nations Counter-Terrorism Strategy and the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime, that provides legal counter-terrorism technical assistance to Member States,

Keeping in mind Security Council resolution 2199 of 2015, that states that terrorism in all its forms is a threat to international peace and security,

Reaffirming the commitments stated in General Assembly resolution 70/291 of 2016, the United Nations Global Counter-Terrorism Strategy Review, which calls for more cooperation among Member States and UN agencies to prevent and disrupt terrorist activities, and to share best practices for countering terror in all forms,

Endorsing the Financial Action Task Force (FATF) 40 and IX Recommendations on money laundering and the 9 Special Recommendations on Terrorist Financing, as well as General Assembly resolution 60/288 of 2006, calling for the criminalization of the financing of terrorism in accordance with the International Convention for the Suppression of the Financing of Terrorism,

Recalling its resolution 21/3 of 2011, which acknowledges the structural connection between terrorism and organized crime through money-laundering and illegal cross-border cash transfers,

Underlining the recommendations of the Counter-Terrorism Implementation Taskforce’s Working Group Report of 2009, which proposes the strengthening of customs authorities to control physical funds along accurate legislation,

Underscoring the International Monetary Fund report Money Laundering and Terrorism Financing of 2002, in which the dangers of unregulated cash flows and vulnerability of bank institutions are pointed out,

Appreciating the efforts made by the Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism (GPML) of the United Nations Office on Drugs and Crime (UNODC) through their Advisory Services and Tools/Field Support especially the e-learning platform and the Mentoring Programme, which provides Member States with technical assistance against money-laundering,

Convinced that Member States should cooperate with the private sector, civil society, non-governmental organizations (NGOs) and with other Member States to appropriately tackle terrorism-related issues,

1. Invites the UNODC to expand on the technical assistance provided through the Tools/Field Support of the GPML in order to counter terrorism financing and convey the practices and detection of money-laundering, especially through suspicious transactions by:

   a. Providing lessons on the UNODC e-learning platform for:

      i. National custom officers regarded with cross-border cash-transfers;
      ii. Actors working in the financial system, such as banks managements and national financial intelligence units;

   b. Providing Member States, through the Mentoring Programme, with experience from selected prosecutors and law enforcement personnel to develop standard operating procedures and guidelines;
2. **Recommends** the Economic and Social Council to establish an open-ended intergovernmental expert group on the Limitations on Cash and Promotion of Digital Transactions for Terror-related Crime Prevention under the UNODC, which will:

   a. Consist of experts appointed by Member States, international organizations and private stakeholders who wish to contribute;
   
   b. Elaborate on possibilities and opportunities for general restrictions on the use of cash money, in order to make financial transactions more transparent;
   
   c. Advise Member States in developing and implementing measures in order to limit cash flows;
   
   d. Request the UNODC to subject to the availability of extra-budgetary resource;
   
   e. Meet before the next Congress on Crime Prevention and Criminal Justice in Vienna to provide the body with suggestions and proposals;

3. **Recommends** that Member States contribute to knowledge sharing and institute a system of best practices in terms of implementing criminal and administrative measures in line with FATF standards, CTITF standards, and UN Security Council Counter-Terrorism Committee standards, to take the appropriate actions to prevent and halt the risks of financing of terrorism through:

   a. A cooperation of international financial institutions and regional bodies;
   
   b. Projects which shares standards and best practices for protecting the non-profit sector from being used to finance terrorism, as like the CTITF’s Charities Project;
   
   c. Expanding on procedures for the legitimization process for all NGOs to ensure the protection from the risks of terrorism;
   
   d. Any party involved in handling cash or value commodities to disclose unusual or suspicious transactions to the Financial Intelligence Unit (FIU) in its Member State;
   
   e. Assistance to uncover terrorist cells and map terrorist networks domestically and around the world;
   
   f. Strengthening Member States national legal frameworks to monitor the financial transactions in the oil, gas, and natural resource industry with the objective of preventing terrorist organizations from profiting from this;

4. **Encourages** Member States to cooperate with private companies and organizations that are managing cash flow technologies, such as the Society for the Worldwide Interbank Financial Telecommunication (SWIFT), in order to facilitate investigations in suspected terrorist activities;

5. **Highly recommends** Member States to ratify the 19 counter-terrorism Conventions, and especially the International Convention for the Suppression of the Financing of Terrorism.
The Commission on Crime Prevention and Criminal Justice,

Observing the continuously high level of terrorist activities through extremist organizations since 2009 with great concern,

Stressing the importance of national sovereignty and the principle of non-intervention, as established by the Article 2.1 and 2.4 of the Charter of the United Nations,

Taking note of the conflict between the right to life, liberty and security of person, as set forth in the Universal Declaration of Human Rights (UDHR) article 3, and the human rights, namely the right to privacy, of few suspect of terrorism, that could arise in the prosecution of acts of terrorism,

Acknowledges the importance of the Sustainable Development Goals, especially Goal 16, which highlights the importance of international cooperation in the fight against terrorism,

Bearing in mind existing resolutions, such as Security Council resolutions 13/17 of 2001, 16/24 of 2005, as well as 12/67 of 1999 and 19/89 of 2011 regarding the Counter-Terrorism Committee Executive Directorate (CTED) and international standards for sanctioning terrorists, countering the financing and stopping the recruitment of terrorists,

Recognizing the importance of international conferences, such as the International Meeting on Counter-Terrorism (IMCT), which discussed Member States’ efforts to counter-terrorism and the issue with foreign fighters in terrorism,

Recalling Security Council resolution 20/83 of 2012 regarding the handling of Al Qaida as exemplary for handling specific worldwide threatening extremist organizations,

Realizing the necessity of sharing specific security information about possible terrorist attacks, radicalization movements, and terrorist recruitment in unstable and vulnerable regions,

Praising the initiative of regrouping and documenting the best methods in the fight against terrorism, such as the UNODC’s Digest on Terrorist Cases,

Recognizing the need to respect the sovereignty of the Member States while stressing the importance of international cooperation in the fight against terrorism through information sharing with the implementation of international measures to develop a strong and sustainable criminal justice response,

Emphasizing the need for further agency cooperation in order to ensure the transfer and accuracy of information to better identify potential terrorist threats on a global scale,

1. Expresses its appreciation for Member States’ attempts to handle terrorism on their own as far as they are able and willing to do so, in reference to:

   a. The principle of non-intervention as stated in the Article 2.4 of the Charter of the United Nations, which prohibits the threat or use of force and calls on all Members to respect the sovereignty, territorial integrity and political independence of other States;

   b. National sovereignty, as stated in the Article 2.1 of the Charter of the United Nations, referring to:
i. the specific wording and principle of the United Nations: “The Organization is based on the principle of the sovereign equality of all its Members”; 

ii. nations’ self-determination, in the sense of every nation’s right of independently deciding on appropriate actions, keeping in mind the wellbeing of the population;

c. Article 29 in the UDHR which states that weighing between the rights, specifically the right to life, liberty and security, and other Human Rights of individuals suspect of terrorist activities or the funding thereof is at the discretion of each Member States itself and their respective criminal justice systems;

2. **Encourages** Member States to share information related to possible terrorist threats through their respective intelligence and law enforcement agencies, regarding known and suspected terrorists and radical groups to ensure effective and expeditious exchange of information and intelligence for the purpose of conducting criminal investigations or criminal intelligence operations for Member States to bring the actors of terrorism to justice, by:

   a. Enabling an easy access to data sources within and outside a country’s own judicial system;

   b. Improving and developing countries’ skills in data gathering and sharing with an objective of accuracy and effectiveness in collaboration with the United Nations Development Program (UNDP);

   c. Respecting the legal and human rights addressed in the Universal Declaration of Human Rights (UDHR);

3. **Strongly recommends** information sharing between actors at the national and international level, including:

   a. National agencies, such as law-enforcement forces, the criminal justice systems and intelligence agencies, meaning cooperation even beyond national borders and especially between members of regional organizations, such as the Association of Southeast Asian Nations (ASEAN), the Shanghai Cooperation Organization (SCO) and the Asia Cooperation Dialogue (ACD), which play a crucial part in efficiently and locally tackling the challenges of terrorism;

   b. International organizations, such as International Criminal Police Organization (INTERPOL), the UN Office on Drugs and Crime (UNODC) and the Security Council Counter-Terrorism Committee(CTC);

4. **Suggests** Member States to share information, especially concerning:

   a. The formation, organization and the geographical and ideological origin of terrorist movements;

   b. Methods, tactics and media channels, that are used by terrorist groups at the national and international level for recruitment;

   c. The methods regarding the financial aspect of terrorism, not limited to the financial transactions but including every form of revenues that are suspected to be part of terrorist activities and extremist organizations funding;

   d. Prosecution of known and convicted terrorists, that are associates and sympathizers to the cause of terrorism;

5. **Encourages** Member States to cooperate at the international level in order to compare the common methods of prosecution established by their respective judicial systems and executive branch, which include sharing pertinent information obtained during the interrogation process of the suspects that threaten other nations to prevent further acts of terrorism and achieve the security of the Member States, using:

   a. Training-sessions on interrogation techniques for law-enforcement agencies and police departments;
b. The sharing of new information on terrorist organizations obtained during investigation or court through existing legal frameworks and intelligence agencies immediately with possibly affected countries;

c. Effectively documenting the prosecution of terrorists in order to set precedents for future prosecution and identify future threats that have similar characteristics;

d. Comparison of penalties for all prosecuted terrorists to establish standards on penalties that are given to them in order for convicted terrorists to face the same level of punishment for their crimes, regardless of the location of the court;

6. Calls upon Member States to create a national agency which should cooperate on a transnational level which includes public and private organizations to gather and assess data on terrorist activities and provide incentives to share information with Member States regarding illegal or suspicious activities related to acts of terror, the planning of and the funding of terrorist organizations;

7. Approves the implementation of international information sharing measures between police and law-enforcement agencies beyond national borders in order to:

   a. Communicate suspect profiles between similar law enforcement agencies when one nation’s legal jurisdiction ends;

   b. Simplify the process of extradition, by further communicating reasons and urgency of extradition requests;

8. Suggests Member States to share data gathered from national and international law enforcement agencies and NGOs to identify areas where the aftermath of terrorism is still being felt by civilians, in order to minimize the spreading fear and expedite the mobilization of the criminal proceedings to bring swifter justice and closure to the victims, as well as reestablishing the population’s confidence in their respective government by addressing the following victim groups:

   a. Suffering from mental health issues after being affected by terrorist attacks;

   b. Affected by gender based violence as a mean of terrorism;

   c. Lacking education, especially the youth, in the areas targeted by terrorist organization for recruitment in an effort of protection and empowerment.
The Commission on Crime Prevention and Criminal Justice

Fully aware that its work must respect state sovereignty, in accordance with Article 2(1) of the Charter of the United Nations,

Guided by Security Council resolution 2133 of 2014, which reaffirms that the perpetration of terrorist acts is contrary to the principles of the United Nations,

Takes note of Security Council resolution 1624 of 2005, which condemns the incitement of terrorism and reiterates that Member States must cooperate fully in their fight against terrorism by ensuring that any person affiliated with terrorism is brought to justice,

Approving the United Nations Office on Drugs and Crime Digest of Terrorist Cases, which encourages Member States to adapt their respective criminal code to address terrorist issues, by having a strong legal basis to prosecute all forms of terrorism, whether it may be in committing terrorist acts or providing terrorists support,

Recalling the Economic and Social Council resolution 2007/22 of 2007 on Strengthening Basic Principles of Judicial Conduct, which stresses the necessity of improving the capacity of criminal justice systems,

Keeping in mind the 19 universal legal instruments against terrorism, especially the 1999 International Convention for the Suppression of the Financing of Terrorism, which commits Member States to hold not only terrorists, but also those financing terrorist activities, responsible of terrorism,

1. Is fully conscious that in order to fully prosecute perpetrators of terrorist acts, characteristics of terrorism may consider the preparation, attempt or commission of acts of violence, which are dangerous to:

   a. The civilian population, whether these actions are acts of intimidation or coercion;
   
   b. The government, whether these actions are meant to influence policy or to affect the conduct of such government with an act of intimidation, coercion, or other violent behavior such as assassination, kidnapping and mass destruction;

2. Calls upon Member States to provide their prosecutors with financial investigative skills, to reduce financial gains of illegal organizations, gain better understanding of money schemes, and therefore better prosecute those who finance terrorists by:

   a. Following financial transactions by identifying and documenting the movement of suspicious transactions;
   
   b. Analyzing complex financial information as to make sure every financial record is thoroughly looked upon;

3. Suggests that Member States adopt programs similar to the Office of Overseas Prosecutorial Development Assistance and Training (OPDAT) partnership, which seeks to strengthen the ability of investigators, prosecutors and judges to share best practices on the prosecution of terrorist cases, such as, but not limited to, the financing of terrorism,

4. Requests Member States to criminalize terrorist actions, whether it be related to:

   a. Soliciting them, by collecting or providing material to help support, plan or prepare them;
b. Inciting them, by glorifying terrorist acts;

c. Conspiring in them by planning or concealing actively terrorist acts;

5. Encourages Member States to include in their prosecutorial framework the criminalization of the following:

a. Harboring or concealing any person or group of people that is responsible for the perpetration of a terrorist action or is about to perpetrate one;

b. Providing financial support to any person or group of people that is responsible for the perpetration of a terrorist action or is about to perpetrate one;

6. Expresses its hope that Member States will collaborate to uphold their commitment in fully prosecuting terrorists by ensuring that any person affiliated with terrorism is brought to justice.
The Commission on Crime Prevention and Criminal Justice,

Recognizing the Article 2.1 of the Charter of the United Nations, which upholds the sovereign equality of Member States throughout all proposed recommendations,

Noting the importance of regional and international cooperation through continued education for judicial and executive systems to ensure fair and equal representation is provided by the criminal justice response to address the effects terrorist acts have upon Member States,

Fully aware of the need for accountability in judicial systems through affirming and strengthening the rule of law as noted in the International Commission of Jurists’ report Practitioners’ Guide on Judicial Accountability and the International Bar Association’s recent report on Judicial Systems and Corruption,

Emphasizes the importance for citizens to have access to quality legal representation throughout the criminal justice system to ensure a fair, and efficient trial as referenced in General Assembly resolution 70/174 of 2016 and further supported in Sustainable Development Goal (SDG) 16 and the Universal Declaration of Human Rights,

Noting the United Nations Office on Drugs and Crime’s (UNODC) Counter-Terrorism Legal Training Curriculum Module 5, which provides legislative and capacity-building assistance to prevent and combat terrorism through training of border security agents utilizing maritime identification to encourage criminal justice response to terrorism in efforts to secure maritime borders specifically, as previously noted by the International Maritime Organization (IMO),

Supporting Member States in the fight against terrorism by proactively contributing to global peace and stability by following the principle of international cooperation as noted in SDG 17, which encourages global partnerships throughout the implementation of all SDGs and as reiterated in Security Council resolution 2322 of 2016,

Aware of the International Criminal Police Organization’s (INTERPOL) Integrated Border Management Task Force, which provides both training to security forces and border agents on the topic of border management for Member States in need of further developing their skills on the matter, and secondly access to INTERPOL’s Illicit Arms Records and Tracing Management Systems (iARMS), as well as other databases and resources, in efforts to better secure Member State’s borders to prevent the unmonitored movement of terrorist suspects,

Referring to Security Council resolution 1624 of 2005, paragraph 2, which highlights the cooperation Member States must embrace to better secure national, regional, and international borders,

1. Encourages continued educational programs for Member States’ judicial, and executive systems such as providing officials with the opportunity to attend annual conferences and seminars so that all Member States are able to share best practices in the criminal justice response to terrorist acts by:

   a. Expanding to other regions the Division of the United Nations Office of Legal Affairs which organizes the United Nations Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean to provide regional-specific legislation in the criminal justice response to terrorism to unify regions to combat these criminal acts;

   b. All willing and able Member States to contribute by providing available resources, and technical capacity through international North-South cooperation for criminal justice officials ensuring a stronger and more profitable collaboration between the judicial-security system, militaries and intelligence agencies as previously demonstrated by the European Parliament’s Counter-terrorism
cooperation with the Southern Neighborhood which provided technology to developing Member States
with communication technology;

2. Notes the necessity of an independent and impartial party which serves as a verification measure on criminal
justice responses to terrorism and therefore invites NGOs, such as The Human Rights Watch and Amnesty
International, to cooperate with Member States to ensure that a swift, fair and equal prosecution is applied to
those suspected of terrorist acts;

3. Recommends the further development of programs that address global terrorism such as the partnership between
the Global Counterterrorism Forum (GCTF) and Member States by providing opportunities for legal
representation to convene and discuss best practices for the criminal justice responses to terrorism through
annual regional and international conferences;

4. Suggests Economic and Social Council to urge Member States to cooperate with the UNODC’s Terrorism
Prevention Branch to assist other Member States in strengthening their counter-terrorism methods by providing
them with assistance to Member States international systems which will further strengthen Member States’
ability to effectively respond to terrorist attacks as soon as they occur:
   a. promoting the sharing and analyzing of terror statistics derived from shared databases of Member
      States such as the Global Terrorism Database which can aid in Member States’ ability to identify, and
      criminalize acts of terrorism;
   b. providing panels, holding seminars and workshops, to discuss new technologies and tactics on
      strategies to combat terrorism by Member States demonstrating success in criminalizing, and reducing
      terrorism through a criminal justice response within their own borders;

5. Encourages willing and able Member States to further implement and provide the advanced technology, such as
databases and machines, needed to develop Member States capacity in the efforts of the INTERPOL Global
Database which utilizes user friendly automatic fingerprint identification systems (AFIS) which will monitor
suspected individuals traveling across borders in a more effective manner, while respecting Member States’
obligations to abide by international human rights law, refugee law and humanitarian law;

6. Strongly encourages cooperation between the UNODC’s Counter-Terrorism Legal Training Curriculum
Module 5 and Member State’s border security agencies to further implement the INTERPOL Smuggling
Training Operation Programme (STOP) to better monitor maritime traffic for further developing Member States’
capacity to identify, criminalize, and prosecute terrorist activities occurring at sea to prevent terrorists from
financing their operations through smuggling, drug trafficking and sexual slavery;

7. Encourages Member States to implement Advanced Passenger Information System (APIS) at checkpoints used
for immigration and customs to cooperate with INTERPOL’s Counter-Terrorism Fusion Centre (CTF) to aid in
better identifying and investigating alleged terrorists;

8. Suggests Member States to identify and track small arms and light weapons (SALW) through existing
checkpoints while utilizing the Programme of Action on small arms provided by the UNODA, as a mean of
evidence-gathering for the purpose of preparing for a trial which will further improve security and information
sharing in the case of a terrorist act;

9. Calls upon the United Nations Congress on Crime Prevention and Criminal Justice to:
   a. Further elaborate and discuss the link between SALW and terrorist organizations;
   b. Hold a meeting every two years for the purpose of discussing the rapid developments of terrorist
groups, their methods of executing their agendas, their supply of weapons which could include the dual
use of common chemical and biological agents, as well as how to effectively criminalize the terrorist’s
acts committed.
The Commission on Crime Prevention and Criminal Justice,

Recalling Security Council resolution 1373 of 2001, which states that every Member State should take the necessary steps to prevent terrorist acts, such as implementing already existing international legal frameworks in their own legislation, as well as criminalizing direct and indirect funding of terrorist groups,

Recalling the suggestions made by the Financial Action Task Force (FATF) established in the International Standards on Combating Money Laundering and the Financing of Terrorism and Proliferation, which include prohibiting the incorporation of businesses under anonymous or false titles,

Acknowledging Security Council resolution 2322 of 2016, which calls for the expansion and updating of the Competent National Authorities program to include an international terrorism database in addition to their current focuses,

Emphasizing the need of effective regional, national and international cooperation for the maintenance of international peace and security for all Member States, as recalled in the Article 1 of the Charter of the United Nations, and to settle disputes in a peaceful manner,

Bearing in mind Sustainable Development Goal (SDG) 16.3, which calls for ensuring a strong rule of law at the international and national level while also ensuring justice for everyone,

1. Calls all Member States to implement the 19 universal conventions relating to the prevention and suppression of terrorism in their national legislation, with the collaboration of Non-Governmental Organizations (NGO’s) committed to decrease and further eradicate terrorism that is affecting the international community, by fostering the multilateral cooperation in order to exchange the best practices experienced in other countries with similar legal systems, while also acknowledging the differences due the geographical locations;

2. Encourages all Member States to implement strong and comprehensive legal frameworks on the national level to regulate the private sector, only with the aim to reduce the possibilities to finance terrorist groups, by:

   a. Enhancing the transparency of legal persons, such as private companies, by regulating bearer shares, which gives the opportunity to legal persons to finance terrorist groups without being traced;

   b. Recommending Member States to address terror financing operations violating current transparency regulations by developing implementing an internal random auditing system to incentivize law abiding behavior by:

      i. Requiring incorporation bodies and entities to keep credentials running lists of individuals representing forming businesses;

      ii. Encouraging random visits from government officials to audit and determine the legality of collected lists of formed incorporations in an optic of national security linked to terrorism;

      iii. Implementing fines on incorporating bodies acting contrary to such international norms and national laws;

3. Recommends Member States to enhance the communications between national central banks and private banks, with the help of international organizations such as International Criminal Police Organization (INTERPOL), in order to exchange information about suspect operations by:

   a. Tracking enterprises or individuals that might be related to the financing of terrorism;
b. Requesting identification documents at the moment of creating an account;

4. Encourages Member States to appoint special prosecutors within their own States specialized in terrorism cases in their respective highest courts under the principles of the already existing conventions against terrorism while respecting national definitions on terrorism which would be tasked with:
   a. Prosecuting those accused with terrorist acts and financing,
   b. Ensuring access to a fair trial by inviting Member States to adopt a policy of innocent until proven guilty beyond reasonable doubt into their legal systems,
   c. Guaranteeing humane treatment of accused parties during legal processes;

5. Recommends that the Economic and Social Council establishes an ad-hoc working group which will identify guidelines in order to provide advice to train criminal justice officials, and will work as follows:
   a. Holding a meeting at the UNODC headquarters in Vienna, during the next 12 months, which will:
      i. Encompass the participation of judicial experts such as lawyers, judges and government representatives;
      ii. Take into account the different cases of terrorism that have occurred in different areas of the world and studying different forms of terrorism, as well as their major causes, in order to provide specific suggestions related to the operators’ areas of practice;
      iii. Permit the sharing of multilateral advice and pertinent practices for judges and prosecutors, in order to better address criminal cases related to terrorism, including prosecution, and the maintenance of the protection of the human rights protections of the accused and the victims as the right of a fair trial;
      iv. Host an annual Conference on the Exchange of Best Practices for Counter Terrorism in Vienna which will allow an exchange of ideas and a sharing of experiences regarding counterterrorism practices, terrorism related data and developing technologies related to the fight against terrorism;
      v. Encourage national cooperation in multilateral training exercises amongst national experts and internal security forces of Member States regarding terrorism prevention and adequate responses to terror incidents;

6. Suggests Member States to develop current national and regional terrorism databases, where documented cases of prosecuted terrorist crimes will be available to criminal justice officials as follows:
   a. This database will be accessible online;
   b. The content of the documented case in the database will include: past investigations, charges made against suspects, practices of defendants, handling of the jury, and the verdicts delivered by judges;
   c. The Member States can report their experiences to the PNI, which will have access to the database;
   d. The right to privacy of individuals accused and victimized will be protected as recognized in the International Covenant on Civil and Political Rights.
The Commission on Crime Prevention and Criminal Justice,

Keeping in mind Sustainable Development Goal 16 on strengthening relevant national institutions, through international cooperation, for building capacity at all level, particularly in developing countries to prevent violence and combat terrorism and crime,

Believing an international definition for cyber terrorism is vital in understanding the risks and therefore aiding in the fight against terrorism,

Acknowledging Chapter V of the United Nations Counter-Terrorism Implementation Task Force, named The Use of the Internet for Terrorist Purposes report, which emphasizes on the importance of private cooperation with public in the fight against cyber terrorism,

Recognizing that terrorist organizations use information systems and online websites to spread terror and violence in societies, as well as using internet as a recruitment tool to incite violence,

Alarmed by the number of people recruited online by terrorist organizations and noting that the Islamic State of Iraq and the Levant was able to recruit more than 30,000 recruits from around the world using the internet and social media,

Taking into consideration the successes of the Cyberterrorism Defense Initiative (CDI) of United States of America in terms of technical police law enforcement officers capacity building,

Keeping in mind the need for Member States to involve their citizens in reporting cyber extremism and threats, akin to the work of non-profitable and independent Research and Development (RAND) corporation and their promotion of online voices involvement in countering and preventing terrorism,

Emphasizing the need for Cyber Incident Response Centers on a national basis to ensure a clear organization of responsibilities regarding prevention, monitoring and response to cyber terrorism,

Considering further cooperation on cybersecurity between governments, the private sector and the judiciary, in order to comprehensively tackle the emerging threat of cyberterrorism,

Recognizing the work of the Counter-Terrorism Committee (CTC), established by Security Council resolution 1373 of 2001, for the improvement of Member States’ legal and institutional ability to counter terrorist activities at home, in their regions and around the world,

1. Suggests the Economic and Social Council to recognize cyberterrorism as the premeditated use by non-state actors of disruptive activities with the intention to cause harm with extremist social, ideological, religious, political motives or to intimidate any person in furtherance of such objectives, but also the use of cyberspace to facilitate terrorism-related activities, such as recruitment, extremism propaganda and funding solicitation;

2. Encourages interested Member States to introduce and further develop national laws to promote cooperation between government and critical internet physical infrastructure operators, information technologies services providers and the digital content industry by:

   a. Establishing the norm of consent to the interception of online communication such as in Chapter 119 of the Code of Law of the United States of America;
b. Legalizing information sharing regarding terrorism activities between internet-related private entities with governments, under strict conditions that human rights and civil liberties are respected;

c. Requiring sufficient evidence and an acquirement of a warrant is needed for an adequate and just investigations to take place;

d. Passing legislation requiring Information and Communications Technology companies (ICT) companies to establish compliance systems and due diligence measurements dealing with terrorist activities conducted through their services by means of steadily improving already existing algorithms detecting content which contains incitement to commit terrorist acts and to fill annual reports about their progress made in the fight against international terrorism that are made public in a similar way such as in the already effective Dodd–Frank Wall Street Reform and Consumer Protection Act in regards to Conflict Minerals;

3. **Urges** Member States to implement General Assembly resolution 55/593 and 56/121, which condemns the usage of cyber-related crimes in relation to terrorist activities, by:

   a. Criminalizing the use of social media with a terrorism-oriented purpose, such as, but not restricted to, propaganda, recruitment, logistic support and financing solicitation;

   b. Encouraging regional bodies to criminalize the aiding of active and inactive terrorist operations by providing them with material support through the use of the internet; taking in example Holder v Humanitarian 2010 US Supreme Court Case which ruled this to be unlawful;

4. **Recommends** a further improvement of a shared intelligence database, utilizing suspect extremist online documentation between Member States, started by the Counter-Terrorism Committee as part of their steps to ensure the prevention of terrorism by:

   a. Expanding alliances between Member States willing to share intelligence information on terrorism activity online, while respecting and condemning unauthorized release of classified information of other nations, to strengthen border security and safety of civilians;

   b. Creating of a shared database including voluntarily submitted, suspects and convicts of cyber terrorism and potentially extremist online activity, in order to establish links between activities of terrorist groups using the internet to organize illegal trade deals or terrorist acts, to neutralize extremist growth and prevent further attacks;

   c. Requiring sensitive information contributed, only be shared amongst higher up government intelligence agencies and military, on a negotiated conditional basis between state contributors and Member States;

   d. Sharing sensitive information such as visuals, physical descriptions, biometric and biographic data, documentation of suspected online chat forums and trade deals of detected individuals involved in terroristic activities, between national security agencies in order to enable them to detect and prevent online threats to international security more quickly and accurately;

5. **Encourages** Member States to provide training courses to technical police law enforcement officers through educational organizations to develop a system by the criminal justice institute which will incorporate effective and efficient cyber terrorism prevention and response strategies specially in developing countries by:

   a. Addressing best practices, procedures, and methodologies for a variety of cybercrimes;

   b. Preparing personnel to recover and rebuild critical infrastructure harmed by a cyber terrorist crime;

   c. Preserving and collect critical evidence logs that will assist judicial cases in resolving an event and capturing perpetrators;
6. Expresses its hope for Member States to create programs permitting their citizens to report extremist and terrorist online content anonymously and securely, while ensuring the safety and protection of informants, modeling on the U.S. Department of Homeland Security’s *If You See Something, Say Something* campaign and NACTA Surf Safe Pakistan program;

7. Encourages Member States to establish Cyber Incident Response Centers (CYRC) on a national basis to ensure a structured and efficient process of prevention, monitoring and response by:
   a. Collaborating between the CYRC and the judiciary, by providing additional information resulting in a more efficient criminal justice response;
   b. Coordinating the cooperation between domestic agencies regarding the division of responsibilities aiming to establish national security involving national intelligence and defence agencies;
   c. Coordinating international cooperation and information sharing;
   d. Organizing efficient law enforcement;

8. Calls upon Member States to adapt their judicial framework in order to face efficiently the evolving terrorist activity in the cyberspace by:
   a. Collaborating between governmental agencies, the judicial branch and the digital private sector, in regards to the investigations involving extremist activity and the cyberspace;
   b. Creating partnerships between Member States, in regards to terrorist activity in the cyberspace, for a more unified and effective system;
   c. Strengthening national judicial frameworks to provide responses to all forms of terrorism, as identified by the definition of cyber-terrorism stated above;

9. Suggests the United Nations Office on Drugs and Crime (UNODC) to further develop the comprehensive study on the problem of cybercrime, as previously addressed in 2013, focusing the attention on:
   a. Finding new practices to combat and counter cybercrime;
   b. Setting the standard to be used for testing the effectiveness of already implemented strategies.
The Commission on Crime Prevention and Criminal Justice,

Deeply concerned by the worldwide presence of terrorism which is in any form and inspired by any motive illegal and irreconcilable with the principles of the United Nations as put down in the Charter of the United Nations,

Recalling the 19 international conventions on international terrorism as they form an important basis for international legal cooperation,

Recalling the work of the Ad Hoc Committee on International Terrorism established by General Assembly resolution 51/210 of 1996, the working group of the sixth committee of the General Assembly on the Comprehensive Convention on International Terrorism (CCIT) tasked by General Assembly resolution 71/151 of 2016, as well as the previous drafts of this Convention,

Emphasizing the importance of international cooperation and equal possibilities of participation for all Member States in all efforts regarding the issue of terrorism,

Noting with deep concern the substantial losses endured by victims of terror, as highlighted by the United Nations Office of Drugs and Crime report Good Practices in Supporting Victims of Terrorism within the Criminal Justice Framework, mirroring policy akin to Italian Act No. 206 and the European Convention on the Compensation of Victims of Violent Crime,

Affirming the need for a comprehensive network of support for victims of terror as outlined in pillar one of the UN Global Counter Terrorism Strategy,

1. Calls upon all Members States to ratify all the 19 international conventions on terrorism,

2. Calls upon the Sixth Committee of the General Assembly to increase their working group’s efforts in the negotiation of the Comprehensive Convention on International Terrorism as well as all Member States to actively participate actively in this process of negotiation,

3. Recommends including “The Comprehensive Convention on International Terrorism and an internationally unified legal approach to Terrorism” as one of the topics of the agenda of the 27th session of this Commission which will imply:

   a. Discussing the crucial topics of:

      i. An internationally accepted definition of terrorism;
      ii. An effective legal basis for extradition of convicted terrorists;
      iii. Ways to legally address cross-border terrorism;

   b. Formal international legislation to ban all terrorist organizations;

   c. Building on the previous work of the Ad Hoc Committee on International Terrorism as well as the Working Group of the Sixth Committee on CCIT specifically on the previous drafts of CCIT elaborated by those working groups;

   d. Establishing a follow-up process to ensure the advancement on the topic, open to all Member States of the United Nations and to consider convening an adopting conference when there is consensus on the draft;
e. Elaborating on the implications of the CCIT for concrete legislation on terrorism and related issues;

4. **Recommends** to the working group of the GA on CCIT to include in their negotiations the idea of a specialized Court for terrorist offences that, once adopted, will work on the legal basis of CCIT and to structure the Court as such:
   a. There will be specialized prosecutors for terrorist cases working for the court;
   b. These prosecutors will work together with the units of INTERPOL that are tasked with terrorism;

5. **Suggests** Member States provide a framework to support victims of terror in exercising their human rights within the criminal justice system, by adhering to the suggestions of the UN Secretary-General presented in the Symposium on Protecting Victims of Terror, in the following ways:
   a. Developing regional policies mirroring the UN’s Victims of Terrorism Support Portal, to establish a common, virtual network of information for these victims to ensure they are informed of their rights as victims within the criminal justice sector;
   b. Guaranteeing legal counsel for victims of terror without consideration of financial resources;
   c. Collaborating with expert organizations and integrate frameworks into current terror response plans that take into account the protection of civilians through the criminal justice system, modeling the EU Civil Protection Mechanism;

6. **Encourages** Member States to develop a joint initiative aimed at compensating victims of terror by ensuring that a judgement is reached and attained by the victims, and, when full compensation is not fully available from that avenue and other outside sources, regional international organizations shall contribute to compensation of the following groups:
   a. Those who have endured serious bodily harm that hinders their ability to enter the labor force and be self-sufficient;
   b. The defendants of those aforementioned.