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**Annual High-level meeting between the Council of Europe,
the Organization for Security and Co-operation in Europe,
the United Nations and partner organizations
in the “Tripartite-Plus” format
Joint Communiqué**

1. High-level representatives of the Council of Europe, the Organization for Security and Co-operation in Europe and the United Nations met on 14 February 2007 in Vienna for their annual consultations in the “Tripartite-Plus” format.(*)

2. The meeting discussed a number of issues related to the implementation of the UN Global Counter-Terrorism Strategy, adopted by the UN General Assembly on 8 September 2006.

3. *Participants* confirmed that preventing and combating terrorism remains among the main priorities of their organizations and reiterated that there can be no justification of terrorism whatsoever.

4. *Participants* welcomed the adoption of the UN Global Counter-Terrorism Strategy, which outlines a comprehensive global approach towards countering this phenomenon by addressing not only its manifestations, but also the conditions conducive to its spread.

5. *Participants* underlined also the utmost importance of promoting and protecting human rights for all and the rule of law while combating terrorism and welcomed the strong focus of the Strategy on this issue.

6. *Participants* agreed that the Strategy can be efficiently implemented only through the consistent long-term efforts of society as a whole and underscored the paramount importance of initiatives and programmes aimed at promoting tolerance and mutual respect for other cultures, religions and beliefs.

7. *Participants* reviewed their existing and emerging programmes and initiatives and discussed how they could contribute to the implementation of the Strategy. They agreed that their main efforts, within their respective mandates, should focus on preventing and combating terrorism by, *inter alia*:

- Raising awareness about the multi-faceted terrorist threat and helping to generate the political will to counter it.
- Strengthening initiatives aimed at the prevention of radicalization, violent extremism and incitement to terrorism, while at the same time promoting inter- and intra-religious and cultural dialogue, tolerance and mutual respect, especially through education and close co-operation with civil society and the media. Special attention needs to be addressed to the Internet, both in view of preventing its use for terrorist purposes and as a means to counter terrorist ideology.
- Strengthening the international legal framework against terrorism, including through supporting ratification and legislative implementation of the universal anti-terrorism instruments, as well as those regional instruments which complement or reinforce them, and through the conclusion of additional bilateral, regional and multi-lateral agreements, with the objective of establishing a universal legal regime against terrorism and ensuring that terrorists are prosecuted effectively for their crimes on the basis of the principle “prosecute or extradite”.
- Promoting international co-operation and ensuring that any measures taken to prevent and combat terrorism comply fully with obligations under international law, in particular human rights law, refugee law and international humanitarian law.
- Promoting international solidarity in support of victims of terrorism and their families.

- Identifying and drawing the attention of national authorities and the international community to areas where deficiencies exist or more efforts need to be applied, developing their own instruments or mechanisms, including capacity-building programmes and activities, to address such gaps, when their mandates allow it.
- Developing effective co-ordination and co-operation among international organizations and between the international community, the national authorities and civil society. Encouraging, where appropriate, the development and dissemination of international guidance and recommendations representing good practices in combating terrorism.
- Promoting developmental goals, including sustained economic growth, sustainable development, good governance, human rights for all and the rule of law, political and social inclusion, as well as empowerment, as important means of addressing conditions which may be conducive to the spread of violent extremism and terrorism.
- Improving border control and management and, in particular, travel documents, customs control and detection capabilities, in order to prevent the movement of terrorist or the illicit traffic in, *inter alia*, small arms and light weapons, including man-portable air defence systems (MANPADs), and nuclear, chemical, biological or radiological weapons and materials.
- Preventing the financing of terrorism and money laundering as an important prerequisite for curbing terrorist activities. Capacity-building assistance has to be provided to national authorities in developing relevant legislation and setting up of Finance Intelligence Units and appropriate procedures, in order to efficiently implement the recommendations of the Financial Action Task Force.
- Promoting public-private partnership in the fight against terrorism in such areas as, *inter alia*, transport and critical infrastructure security, supply chain security, border and customs control, money laundering and terrorist financing, and preventing the use of the Internet for terrorist purposes.

9. *Participants* reviewed the status of mutual co-ordination and co-operation, and highlighted the progress achieved and existing challenges. They agreed that further efforts should be devoted to enhance co-ordination between the United Nations and regional and other intergovernmental organizations. They also stressed the importance and usefulness of regional and sub-regional organizations learning from each other and helping each other develop counter-terrorism programmes and activities through regular contacts, exchanges and meetings.

10. *Participants* reviewed and approved the outcome of the Expert-Level Meeting on the implementation of the UN Global Counter-Terrorism Strategy, held on 13 February 2007. This meeting reviewed in detail programmes and activities already undertaken and planned in the areas of both preventing and combating terrorism and addressing the conditions conducive to its spread, acknowledging that many of them contribute to the implementation of the Strategy. Mutual expectations and follow up measures for the further implementation of the Strategy were also discussed, as were experiences and lessons learnt, and problems and limitations the organizations face. The need to strengthen co-ordination and co-operation between the participating organizations was also examined with a view to further enhancing mutual interaction.

11. *Participants* agreed to transmit the findings and practical recommendations of the meeting to the 8th High-Level Meeting between the United Nations and Regional Organizations and to the United Nations Counter-Terrorism Committee.

12. It was agreed that the next Tripartite meeting would be hosted by the Council of Europe in early 2008.

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 (*) The meeting was the 15th in a series initiated in July 1993. The annual discussions – which are chaired and hosted in turn by the Organization for Security and Co-operation in Europe (OSCE), the Council of Europe (CoE) and the United Nations Office at Geneva (UNOG) on behalf of the United Nations – are intended to share information and improve practical cooperation by drawing on each other's expertise and know-how. Over time, the agenda has widened, from an essentially humanitarian emphasis, to fields related to human rights, conflict prevention, conflict management and post-conflict peacebuilding. The number of participating organizations has also increased, so that consultations are informally referred to as the "Tripartite-plus" process. The European Commission (EC), the General Secretariat of the Council of the European Union (EU), the International Organization for Migration (IOM) and the International Committee of the Red Cross (ICRC), who participate as affiliated members, have been joined for this meeting by the Commonwealth of Independent States (CIS), the Collective Security Treaty Organization (CSTO), and the North Atlantic Treaty Organization (NATO). A wide range of representatives from the UN system – including Secretariat departments and offices, and the funds, programmes and specialized agencies – also participated.

Annex

CHAIRMAN'S SUMMARY TO THE HIGH-LEVEL MEETING OF THE EXPERT-LEVEL MEETING ON THE IMPLEMENTATION OF THE UN GLOBAL COUNTER-TERRORISM STRATEGY

The Expert-level Meeting was dedicated to discussing in detail a number of practical issues, related to the implementation of the UN Global Counter-Terrorism Strategy and the concrete ways that international and regional organizations can contribute to this.

Session I focused on measures to prevent and combat terrorism in the following areas:

- promoting States becoming party to international legal instruments against terrorism.

Participants stressed that the Strategy considers this a core area in the fight against terrorism, as it contributes to the establishment of a common international legal regime against terrorism. They acknowledged the high level of ratification achieved in the region where the OSCE and Council of Europe operate. They stressed the continued need for and the importance of capacity-building assistance provided by UN bodies in co-operation with regional organizations for the legislative implementation of the legal instruments. The added value provided by regional and sub-regional organizations devising their own legal instruments to complement or reinforce the existing international instruments was underlined.

Participants pointed out that some reservations of some states with regard to some of the international legal instruments against terrorism are a source of concern as they may detract from the overall effectiveness of the global legal framework against terrorism.

- protecting human rights while fighting terrorism

The participants strongly underlined that protecting and promoting human rights is a cornerstone of any counter-terrorism effort if it is to be credible and that this understanding should continue to be actively promoted in their work. This could also be achieved through involving counter-terrorism practitioners in promoting human rights. Participants underlined the importance of the provision of the Strategy requiring from states to consider becoming parties without delay to the core international instruments on human rights law, refugee law and international humanitarian law, and implementing them, as well as to consider accepting the competence of international and relevant regional human rights monitoring bodies. They stressed that especially anti-terrorism related legislation should be drafted in a way compliant with international human rights standards and that attempts to misuse such legislation for political purposes should be countered. Solidarity with victims of terrorism as an important element of the Strategy was underlined.

A number of concrete issues that raise serious human rights concerns and which need to be specifically addressed in the context of counter-terrorism include practical challenges to the absolute prohibition on torture, extra-ordinary renditions and the practice of secret detention. The practical benefits of a human rights-based approach to international co-operation in combating terrorism were also highlighted.

- facilitating and promoting international co-operation in criminal matters related to terrorism

Participants underlined this area as another key element for the implementation of the Strategy with the aim to ensure that terrorist acts are prosecuted effectively. The ongoing programmes of the three organizations for enhancing legal co-operation in criminal matters related to terrorism were noted as an excellent example of global bodies and regional organizations working together to strengthen national capacities. It was pointed out that work to enhance understanding among national judicial authorities of the existing international legal framework should continue and aim to provide a systemic impact including through implementing a train-the-trainers approach. The need for an integrated approach, involving co-operation of both the judicial and law enforcement authorities was underlined.

- border and customs control

Participants agreed that porous borders constitute a major challenge in the fight against terrorism. They pointed out that insufficient and ineffective border controls create opportunities not only for terrorists to move unimpeded, but also to traffic weapons and dangerous substances, including nuclear and radiological materials. Support for the Interpol database of lost and stolen travel documents (ASFSLTD), the IAEA programmes and the WCO Framework of Standards to Secure and Facilitate Global Trade were indicated as important factors in improving border security. The need for an integrated and comprehensive approach towards border management was highlighted.

- countering incitement to commit terrorist acts and related offences

Participants agreed that this is an area which needs more effort by both the international community and national authorities. They noted the Council of Europe Convention on the Prevention of Terrorism(2005) and the UNSCR 1624 (2005) as providing a response to this issue in a human rights compliant manner. The importance of the right of freedom of expression was emphasised. At the same time it was pointed out that this is a right of qualified nature, but strong safeguards are needed to ensure that any limitations to it are strictly in accordance with the provisions of the relevant human rights instruments. It was noted that while in most states the necessary legal base is in place to address direct incitement, this was not the case with regard to indirect incitement and further work was needed in this area.

- countering the use of the Internet for terrorist purposes

The use of the Internet for terrorist purposes was also highlighted by participants as an area where more effort is needed by both the international community and national authorities. Participants agreed that ignoring this problem was creating dangerous loopholes in the global counter-terrorism effort. Reference was made to the Council of Europe Cybercrime Convention as an important instrument in this area. It was stressed also that the Internet provides an important medium for countering terrorism both through technological means and through countering terrorist ideology and this approach should be encouraged and promoted.

- developing public-private partnerships in the fight against terrorism

Participants stressed the necessity to further develop co-operation and interaction with the business community in countering terrorism. A number of concrete areas where such interaction was ongoing were highlighted, including travel document security, transport and supply chain security, aviation security. At the same time there was a clear need to expand that partnership to other areas, including with regard to countering the use of the Internet for terrorist purposes.

Session II focused on the following measures to address the conditions conducive to the spread of terrorism:

- promoting dialogue, tolerance and understanding among civilizations, cultures and religions

The central place that this issue takes in the Strategy was underlined, as it represents a fundamental factor in countering terrorism. A number of programmes and initiatives of the participating organizations were reviewed, such as the Council of Europe White Paper on Inter-Cultural Dialogue, with a focus on the creation of a democratic culture and on education as a primary tool for embedding the values of tolerance and understanding in the public conscience. The importance of the Alliance of Civilizations initiative was stressed as well as the importance of the work of the OSCE and the Council of Europe with the adjacent areas, in particular within the Mediterranean basin.

- peaceful resolution of conflicts as a means for strengthening the global fight against terrorism

Participants agreed that conflict prevention and peaceful resolution of conflicts are important factors in preventing the emergence of conditions that are conducive to terrorism. The strong background and contribution of the participating organizations in this area were highlighted. The respective mechanisms that exist in each of the organizations were reviewed and further avenues for work were chartered, including the development of educational programmes to promote a common understanding of history and to overcome feelings of injustice.

Participants pointed out that lack of respect for human rights and the rule of law can be a significant source of conflict.

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In conclusion the participants underlined that there has been a positive experience of joint work of the three organizations in many different areas and formats. In particular the joint country visits to assess the implementation of UNSCR 1373, lead by UNCTC, with the participation of the OSCE and the Council of Europe and involving UN entities and specialized international organizations, have proved a very useful tool by providing a platform for integrating the expertise and experience of different players. At the same time they pointed out that there is always room for improvement and the meeting has played a positive role in this regard. Participants noted the importance of the UN Counter-Terrorism Implementation Task Force in ensuring overall co-ordination and coherence in the counter-terrorism efforts of the United Nations system and its potential usefulness in aligning global and regional counterterrorism programmes and activities.