


THE UN ROLE IN COMBATING INTERNATIONAL TERRORISM: ACHIEVEMENTS AND CHALLENGES

EL PAPEL DE LA ONU EN LA LUCHA CONTRA EL TERRORISMO INTERNACIONAL: LOGROS Y DESAFÍOS

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ABSTRACT

Terrorism continues to be an urgent international problem, despite a slight decrease in terrorist activity after the military defeat of ISIS * in Syria and Iraq. This article attempts to examine the main areas of the UN counter-terrorist activities in the 2000s. The authors have revealed the importance of the Global Counter-Terrorism Strategy for intensifying the combat against global terrorism. The content of the institutional reform of the system of UN organizations that counter terrorism is described in detail. A special focus is on the tasks and functions of the Counter-Terrorism Committee, the Counter-Terrorism Center, and the UN Counter-Terrorism Office. Special attention is paid to the analysis of some unresolved problems in the activities of the UN as the center of the combat against terrorism in the world.

Keywords: Security Council; international terrorism; countering terrorism; Counter-Terrorism Committee.

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RESUMEN

El terrorismo sigue siendo un problema internacional urgente, a pesar de una ligera disminución de la actividad terrorista tras la derrota militar de ISIS* en Siria e Irak. Este artículo intenta examinar las principales áreas de las actividades antiterroristas de la ONU en la década de 2000. Los autores han puesto de manifiesto la importancia de la Estrategia Global contra el Terrorismo para intensificar la lucha contra el terrorismo global. Se describe en detalle el contenido de la reforma institucional del sistema de organizaciones de la ONU que luchan contra el terrorismo. Se presta especial atención a las tareas y funciones del Comité contra el Terrorismo, el Centro contra el Terrorismo y la Oficina contra el Terrorismo de las Naciones Unidas. Se presta especial atención al análisis de algunos problemas no resueltos en las actividades de la ONU como centro de la lucha contra el terrorismo en el mundo.

Palabras clave: Consejo de Seguridad; terrorismo internacional; lucha contra el terrorismo; Comité contra el Terrorismo.

INTRODUCTION

Since terrorism is a global threat, the joint efforts of the world community are required to defeat it. As noted in the report of Vladimir Voronkov, Head of the UN Counter-Terrorism Department, “terrorism is a transnational threat, and no government or organization can cope with it singlehandedly. This requires concerted multilateral action at the global, regional and national levels (Polyanichko, 2008).

The UN, which is the most authoritative international organization and has great legal, political, organizational and other resources, is called upon to coordinate the joint efforts of the world nations to counter terrorism.

* The organization is outlawed on the territory of the Russian Federation

The UN's counter-terrorist activities attract the attention of researchers, but there is an obvious lack of works directly focused on this problem. As a rule, it is touched upon by authors considering mainly the international legal aspects of countering terrorism. Their list includes G. I. Bayramov, O. N. Gavrilov, A. G. Kibalnik, V. A. Suvorov, A. I. Moiseev, N. A. Chernyadyeva and others (Boldyrev et al., 2007). A number of works considering institutional factors of combating international terrorism analyze the role played by the UN in this area (Alekseeva, 2019).

Finally, in the 2000s, several studies appeared focusing on the anti-terrorist activity of this international organization (Boldyrev et al., 2007). They consider the main stages, goals and forms of its fight against terrorism. However, the main attention is paid to the analysis of international legal documents developed by the UN. At the same time, institutional aspects, the latest forms and methods characteristic of the UN's fight against international terrorism have not been adequately reflected so far.

The purpose of the study is to consider the by-way aspects of the UN's counter-terrorist activities in the 2000s. These aspects include, in particular, the main goals of reforming the system of organizations that counter terrorism, as well as their tasks and functions in modern conditions, etc.

METHODS

Proceeding from the need to give a holistic description of the UN counter-terrorism efforts, the authors resort to a systematic approach, which implies considering the entire research subject with all its relationships. The work also uses the following theoretical and empirical methods: analysis and synthesis, study of UN documents and materials, comparative analysis, etc.

RESULTS AND DISCUSSION

Over the years of its existence, the UN has accumulated extensive experience in counter-terrorist activities. The UN efforts in the field of countering international terrorism are aimed at solving the following tasks:

- intensifying the efforts of the world community made to combat terrorism;
- developing and codifying international legal counter-terrorism acts;
- discussing and developing strategies and tactics for countering terrorism, various counter-terrorism measures, projects, recommendations, etc.;
- exchanging information, experience and resources, best practices in the field of countering terrorism;
- organizing scientific and analytical work, study of the specific features and scale of terrorism in different regions of the world, trends, factors of terrorist activity, etc.;
- involving civil society in the activities to counter terrorism;
- ensuring the protection of human rights in the course of countering terrorism and overcoming its consequences, etc.

Until the early 2000s, the most fruitful activity of the UN was the development of a legal framework for combating terrorism. The most important universal conventions on combating various manifestations of terrorism were adopted (December 17, 1979; Melent'yev, 2009). In 1970s - 1990s, separate attempts have been made to form institutions for the implementation of UN counter-terrorist activities and further increasing their effectiveness. In 1972, by the decision of the General Assembly, a Special Committee on International Terrorism was established to develop recommendations on the forms and methods of cooperation between states to eliminate the problem of international terrorism as soon as possible.

The main areas of the Committee's work included: the development of a generally accepted definition of international terrorism, the analysis of the sources of terrorism, the definition of measures to prevent it (Fedorov, 2007). However, the work of the Ad Hoc Committee was ineffective and proceeded in an atmosphere of constant controversy. Its members were only able to formulate conclusions about the root causes of international terrorism at the last meeting, which took place in 1979.

The new Special Committee, formed in December 1996 by the UN General Assembly, had rather narrow powers and was mainly concerned with legal issues of countering terrorism:

- elaborating a global convention for the fight against terrorist actions, and as a result, a global convention for the fight against the acts of nuclear terrorism to supplement the related available global instruments;
- considering the ways to more improve the comprehensive legal system of conventions related to global terrorism.

As a result, the General Assembly adopted the aforementioned conventions in 1997 and 2005, respectively (Bayramova, 2009). As we can see, the first attempts to introduce institutional instruments for UN counter-terrorist activities, although they gave a certain positive result, were fragmentary and narrowly focused.

However, following the terrorist attack on the United States on September 11, 2001, the nature of the UN counteraction against international terrorism has radically changed (Chernyad'yeva, 2017). The most important international documents are being adopted to re-examine the strategy and tactics of combating terrorism and provide wider opportunities for more effective countering the terrorist threat (Khamatshina, 2017).

The resolution became a turning point in the fight against international terrorism not only because it is comprehensive, complex and specific, but also obligatory for the UN member states. Failure to comply may result in Security Council authorization.

The Global Counter-Terrorism Strategy (UN GCS) adopted by the UN General Assembly in 2006 was the next most important step of the UN activity to counter international terrorism. For the first time, all UN member states have agreed on a common strategic approach to combating terrorism, not only sending a clear signal that terrorism is unacceptable in all its forms and manifestations, but also expressing their determination to take practical individual and collective steps to prevent and combat terrorism (Zubkov & Osipov, 2008).

These practical steps include a wide range of measures, ranging from strengthening government capacity to combat terrorism historical threats to better coordination of the counter-terrorism activities of the United Nations system. Measures aimed at countering international terrorism in the UN GCS are divided into four groups:

1. *Measures to address conditions conducive to the spread of terrorism* (promoting the prevention and peaceful resolution of protracted unresolved conflicts; promoting dialogue, tolerance and understanding among civilizations, cultures, peoples and religions; taking measures to prohibit incitement to commit terrorist acts; eradicating poverty and promoting dynamic economic growth, sustainable development and global prosperity for all, etc.).

2. *Measures to prevent and combat terrorism* (preventing the organization, incitement, assistance, participation, financing, encouragement or tolerance of terrorist acts; ensuring detention and prosecution or extradition of those guilty of committing terrorist acts; exchanging information regarding prevention terrorism and combating it; introducing or strengthening mechanisms or centers to combat terrorism; applying comprehensive international standards for combating the financing of terrorism; adopting laws and administrative measures to control the movement of persons involved in terrorism, etc.)

3. *Means to reinforce the Governments' capacity to combat and prevent terrorism and to reinforce the role of the United Nations system in the mentioned arena* (making voluntary contributions to the implementation of UN cooperation and technical assistance projects in the fight against terrorism; exchanging best practices in the field of strengthening counter-terrorism capacity; including the Counter-Terrorism Implementation Task Force in the UN Secretariat, etc.)

4. Means to guarantee global regard for human being rights and the rule of law as a substantial basis for the combat against terrorism (Melkumyan, 2019).

After adopting the Strategy, a certain evolution of the UN's approach to the fight against terrorism has been outlined - a transition from measures of a predominantly declarative nature to practical ones. Every two years, the organization reviews the progress achieved in the implementation of the GCS, and makes, if necessary, appropriate changes to it (Amirov, 2015).

Since the 2000s, a system of special UN bodies has been established to strengthen the efforts made to counter terrorism and increase their effectiveness. Following the events of September 11, 2001, the Security Council established the Counter-Terrorism Committee (CTC), comprising all its members. It was tasked with monitoring the implementation of resolution 1373 (2001) and promoting the ratification of the counter-terrorist conventions adopted by the UN. The CTC must submit regular reports and recommendations to the Security Council (Amirov, 2016).

To enhance the effectiveness of the UNCCT, the Counter-Terrorism Committee Executive Directorate (CTED) was established in 2004, which implements the Committee's strategic decisions and provides expert assessments of the situation in member states. It is chaired by an Executive Director with the rank of Assistant Secretary-General. CTED has about 40 staff, and about half of them are legal experts who are tasked with analyzing reports submitted by the UNCCT by Governments on the progress they have made in implementing the counter-terrorism resolutions of the UN Security Council. CTED also has two Human Rights Officers.

The Executive Directorate operates in two areas: assessing the implementation by Governments of international anti-terrorism legislation and visiting countries around the world. This makes it possible to obtain an adequate understanding of the situation in the field of countering terrorism in a particular state, assess its needs for technical assistance, give recommendations on the development of comprehensive and integrated counter-terrorism strategies, etc.

The UNCCT has accumulated a considerable amount of analytical documentation on the terrorist threat in the world, which serves as an important aid for Governments to counter terrorism.

The UNCCT and CTED hold meetings and joint events with various international, regional and subregional organizations to assist in the fight against terrorism (Kibal'nik, 2020). CTED advises interested states on the effectiveness of mechanisms for implementing counter-terrorism measures to ensure their integrity, including not only force, but also socio-economic, political, educational and other aspects (Amirov, 2016).

The scale of the problems associated with the implementation of the Global Counter-Terrorism Strategy demanded the establishing of new special UN organizations in order to strengthen international cooperation in the fight against terrorism. In September 2011, the Counter Terrorism Centre (UNCCT) was established as part of the Bureau of the Counter-Terrorism Implementation Task Force (CTITF) of the Department of Political and Peacebuilding Affairs of the UN Secretariat.

The Center became operational in April 2012 following the first meeting of its Advisory Board, which currently includes 21 states and the EU (as a guest). The UN leadership sets important tasks for UNCCT: making it the headquarters of excellence on issues such as counter-terrorism rhetoric,

combating radicalization, expanding dialogue and cooperation in the fight against terrorism, especially in cyberspace, supporting special political missions and UN support operations peace, introducing a mechanism of more intensive fighting against terrorism through joint financing of counter-terrorist projects, etc (Melent'yev, 2009).

Since April 2012, UNCCT has implemented 80 projects. Currently, the Center has been implementing 40 programs and projects in more than 70 countries. For example, around 2,000 people were trained through workshops, expert-level meetings and survey / technical missions organized by the center. UNCCT makes annual reports on its activities, in which considerable attention is paid to ensuring effective monitoring and evaluation of the effectiveness of projects carried out under the UNCCT (Moiseev, 2019).

António Guterres, who was elected UN Secretary General in October 2016, continued the course towards radical transformations of the "counter-terrorism architecture" of this organization. As part of the implementation of the Global Counter-Terrorism Strategy, on June 15, 2017, by a resolution of the UN General Assembly, the Office of Counter-Terrorism (UNOCT) was established, which includes dozens of different international structures and organizations. The head of the UNOCT in the rank of Deputy Secretary General exercises strategic leadership of the UN counter-terrorism efforts.

The UN Office of Counter-Terrorism is divided into the following organizational units: Office of the Under-Secretary-General - Head of the Counter-Terrorism Office; UNCCT; Special Projects and Innovation Sector; Policy, Knowledge Management and Coordination Sector; Section for Strategic Planning and Program Support.

UNOCT performs five main functions:

1. Controlling the implementation of the General Assembly's counter-terrorism mandates entrusted to the Secretary-General within the UN system.
2. Enhancing the coordination and coherence of the entities participating in the United Nations Global Counter-Terrorism Coordination Compact for the balanced implementation of the four pillars of the Strategy.
3. Increasing the effectiveness of UN assistance to member states in strengthening counter-terrorism capabilities.
4. Covering United Nations counter-terrorism activities, conducting outreach and awareness-raising work and mobilizing resources.
5. Ensuring due attention to the issues of combating terrorism in the activities of the entire UN system and the implementation of important work to prevent violent extremism in strict accordance with the Strategy (Akhmedov, 2018).

The UN General Assembly defines the priority areas of the CTO's activities in resolutions adopted following a biennial review of the implementation of the Global Counter-Terrorism Strategy. The Office works closely with the subsidiary bodies of the Security Council mandated to strengthen the capacity of member states to prevent and respond to terrorist attacks, including the Counter-Terrorism Committee, the UNSC Sanctions Committee established by Resolutions 1267, 1989 and 2253 on Islamic the State of Iraq and the Levant" (Da'esh) and Al-Qaeda; and the 1540 Security Council Committee on the Non-Proliferation of Nuclear, Chemical and Biological Weapons.

Significant results have already been achieved in the first year of UNCTU's work: strengthening cooperation with CTED, regional organizations and civil society organizations, signing of five memorandums of understanding with key partners, and implementing more than 35 projects aimed to strengthen the counter-terrorist capacity with the assistance of the UN Center of Counter-Terrorism (UNCCT) (Polyanichko, 2008).

On February 23, 2018, the UN Secretary General signed the UN Global Compact for the Coordination of Counter-Terrorism Activities as a framework document. That was an important step towards strengthening coordination and coherence in the work of the various UN structures involved in preventing and combating international terrorism and violent extremism. The contract was agreed with the heads of 36 UN divisions, as well as Interpol and the World Customs Organization (Akhmedov, 2018).

Currently, the Global Compact Initiative unites 42 entities that are its participants or observers. The Ad Hoc Coordinating Committee is responsible for providing oversight and governance at the inter-agency working group level for the implementation of the UN Global Counter-Terrorism Strategy, in line with the coordination and implementation framework set out in the Global Compact.

On July 27, 2019, the Coordinating Committee adopted its first Joint Work Program 2019-2020, which is required to guide its work and the work of the working groups of the Global Compact. The Global Compact Steering Committee is chaired by the Under-Secretary-General and Head of Counter-Terrorism Office, and includes representatives from all structures of the Global Compact, as well as the chairs and vice-chairs of the eight working groups of the Global Compact. The UN Office of Counter-Terrorism (UNOCT) provides secretariat support to the Global Compact Coordinating Committee.

The institutional reform of the UN counter-terrorism activities has not only increased its effectiveness, while making them systemic and comprehensive, but has also improved the forms and methods of countering international terrorism. So, in recent years, UNOCT has been using such a format of events as High-level conferences in its work (Polyanichko, 2008).

The High-level conference helped to strengthen international cooperation in the fight against terrorism, bridge divisions and forge new partnerships. Participants emphasized the need for member states to share critical information to detect, identify, disrupt and prosecute terrorist, while adhering to international human rights standards. Participants highlighted the benefits of an inclusive approach, whereby all government departments and civil society should be involved in countering terrorism and preventing violent extremism.

UNOCT initiated a new format of activity represented by counter-terrorism weeks. During the first session (summer 2018), 25 side events were organized to discuss a range of practical and operational issues.

The second pandemic counter-terrorism week session was held online in July 2020 on the topic "Strategic and Practical Issues of Countering Terrorism in a Global Pandemic." The week included nine webinars and interactive discussions on issues such as bio- and cyberterrorism, the situation of victims of terrorism, UN flagship programs against terrorism, human rights and the fight against terrorism, countering the financing of terrorism, etc (Lebedev, 2008).

Recently, an important area of the UN's work has been the establishment of cooperation with civil society on the fight against terrorism, which has not been given due attention. At the same time, the public's help is strongly needed to combat terrorism. CTED's work to prepare and conduct consultations was led by Michelle Koninks, its Executive Director, Assistant Secretary-General. They were attended by more than 15 employees representing all divisions of the Executive Directorate (Polyanichko, 2008).

As we can see, in the 2000s and especially in the past decade, the UN counter-terrorist activities have been moving to a qualitatively new level in terms of scale, organization, consistency, and the variety of forms and methods used. This has increased the effectiveness of the world community's fight against terrorism, which has become one of the reasons for the decline in its activity in recent years. However, there are still many problems to be solved.

Counter-terrorist measures of the UN do not always get the necessary support (Akhmedov, 2018). Thus, it was not possible to convince a number of member states of this organization to ratify the counter-terrorist international documents that have come into force, which seriously weakens the unity of states in the fight against terrorism, so the latter is actively taking advantage of it.

So far a comprehensive convention on international terrorism, which has been discussed for more than a decade to provide a universally recognized definition of terrorism, has not been worked out. Various reasons hinder the adoption of the document: differences in the definition of "terrorism", difficulties in agreeing the convention with the current counter-terrorist norms, differences in approaches to the relationship between the concepts of "terrorism", "the right of the people to self-determination", "the fight against foreign occupation", etc.

The lack of a common understanding of terrorism has an extremely negative effect on the fight against it and gives rise to "double standards" in relation to this phenomenon. A. E. Amirov rightly notes that "the universal international legal definition of terrorism is a necessary condition for international cooperation in the field of countering terrorism, since measures taken to combat it both at the national and at the international level depend exactly on how terrorism is defined" (Bayramov, 2004).

A serious problem is that UN institutions still lack effective mechanisms of influence on the governments of national states, which would ensure compliance with the counter-terrorist resolutions of the Security Council (Gavrilov, 2005). Sanctions are an important incentive lever, so the permanent members of the Security Council shall decide unanimously on their use, which is quite often hard to achieve. It might make sense to introduce a military counter-terrorism instrument like the Department of Peacekeeping Operations (DPKO).

In addition, it is necessary to more clearly separate the tasks and functions of the UN counter-terrorist agencies. As practice shows, in a number of cases, there is a duplication of their functions (Bayramov, 2004).

CONCLUSIONS

As we can see, the UN plays an important role in providing a legal framework, organizing and coordinating the fight against international terrorism. It helps to forge multilateral cooperation, bridge divisions and form new partnerships in this area. Institutional changes, which have strengthened

the organizational basis of the UN's counter-terrorist activities, have significantly increased their effectiveness. Not all problems have been resolved yet, and a lot still needs to be done to inflict a crushing defeat on terrorists and their accomplices, including at the UN level, but there is no doubt that the world community will have enough political will and tools to do this.

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