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Statement of the United States of America  
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Measures to Eliminate International Terrorism  
Agenda Item 108  
Statement by Stephen Townley, Deputy Legal Adviser  
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Thank you, Mr. Chairman.

The United States reiterates both its firm condemnation of terrorism in all its forms and manifestations as well as our commitment to the common fight to end terrorism. All acts of terrorism – by whomever committed – are criminal, inhumane and unjustifiable, regardless of motivation. An unwavering and united effort by the international community is required if we are to succeed in preventing these heinous acts. In this respect, we recognize the United Nations' critical role in mobilizing the international community, building capacity, and facilitating technical assistance to Member States in implementation of the United Nations Global Counter-Terrorism Strategy and relevant resolutions. We note in particular the Security Council's adoption of a number of recent resolutions: Resolution 2133 (on kidnapping for ransom), Resolutions 2170 and 2199 (to counter the Islamic State in Iraq and Levant, Al-Nusrah Front, and other al-Qa'ida-linked groups), in addition to the Security Council's 1267/1989 (Al-Qaida) sanctions regime, Resolution 2178 on Foreign Terrorist Fighters (FTFs), which created an important new policy and legal framework for international action in response to the FTF threat, Resolution 2195 to address the growing threat of terrorists working with transnational criminal organizations primarily in Africa, and most recently, Resolution 2214 to counter the rising terrorist threat in Libya.

With respect in particular to Resolution 2178, we would highlight the important actions that the United Nations and Member States have taken and are continue to take to enhance its global implementation. We are pleased that the Counter-Terrorism Committee (CTC), with the support of the Counter-Terrorism Committee Executive Directorate (CTED), has been working to identify good practices in addressing the FTF phenomenon; that the 1267/1989 Monitoring Team continues to conduct threat analyses; and the Counter Terrorism Implementation Task Force (CTITF) Office is creating a capacity building implementation plan, while other CTITF entities are increasing their activities to assist Members States to counter the travel, recruitment and radicalization of FTFs. It is this multifaceted and whole of UN approach that will be critical to ensure a comprehensive approach to improving Member States' political will and capacities to address not only the challenges posed by FTFs and ISIL, but by terrorism more broadly, and to

prevent their radicalization and recruitment in the first place as well as assist with the rehabilitation and reintegration of returnees to better protect all of our homes.

We appreciate the steps that many states have taken to implement resolution 2178. As the 1267/1989 Monitoring Team has previously indicated, member states are relying on a variety of laws to implement the resolution, including laws that prohibit participation in terrorist activity or support to designated terrorist organizations, immigration laws and those relating to participation in foreign conflicts, and new laws that specifically address FTF travel. We can all stand to learn from each other on this and we would welcome continued exchanges on the subject. In particular, one of the key areas in which 2178 was innovative was in addressing those attempting to travel with the goal of becoming an FTF. Attempt is a well-understood concept and one that is not overly broad. But it can also be difficult to prove, as demonstrated by the prosecutors' seminar held in Valletta last year under the auspices of the CTC. The report of that seminar rightly noted "[m]any individuals claim that the purpose of their travel is to provide humanitarian aid in destination countries." This is one area where further exchanges of views on best practices in making out triable cases, while not unduly inhibiting legitimate humanitarian travel, could be helpful. I would also stress another important feature of Resolution 2178 – its emphasis on the organization or other facilitation, including acts of recruitment, of travel. In the United States, for instance, a number of defendants have recently pled guilty to conspiracy to provide material support to terrorist organizations based on their plans to travel overseas, and some material support defendants have tried to recruit others to travel. We would urge states to consider how best to use laws to cover those seeking to travel to become FTFs at the earliest possible stage, before they board aircraft or otherwise seek to complete their travel, and those who facilitate, including recruiting, others' travel.

These resolutions are strong examples of the meaningful role the UN can play to address new challenges that arise in the fight against terrorism. We express our firm support for these UN efforts, as well as those of the Global Counterterrorism Forum (GCTF) and other multilateral bodies, civil society and non-governmental organizations, and regional and subregional organizations, aimed at developing practical tools to further the implementation of the UN counter-terrorism framework. We call for continued coordination among UN entities and with external partners, including the GCTF and its related initiatives and platforms such as the International Institute for Justice and the Rule of Law in Malta (IIJ), Hedayah, and the Global Community Engagement and Resilience Fund (GCERF), which advance practical implementation of the UN Global Counter-Terrorism Strategy through training, capacity building and grant-making efforts for community-based CVE projects.

We look forward to the fifth review of the UN Global CT Strategy, which will mark an important 10<sup>th</sup> anniversary next June. The Strategy was a ground-breaking achievement of the General Assembly and our commitment to its implementation must not waver. We also look forward to the Secretary General's release of a Plan of Action to Prevent Violent Extremism in the coming months, which will be an important opportunity for the UN system to articulate and implement a comprehensive, global approach to countering violent extremism based on the Global CT Strategy with all key actors, and encourage all Member States to develop national strategies for countering violent extremism. We strongly welcome the efforts of the United Nations to facilitate the promotion and protection of human rights and the rule of law as central

to effectively countering terrorism in a sustainable manner. We also recognize the role that victims of terrorism can play in countering violent extremism. Finally, we stress the need to improve border management and to use financial measures to counter terrorism while addressing more effectively the conditions conducive to terrorism through our CVE efforts.

To help achieve this comprehensive vision, we need all member states to better assist and sufficiently resource UN system actors and other relevant implementers in order to deliver needed aid and generate more effective solutions. To do our part, we are pleased to note that we continue to make voluntary contributions to the UN Counter-Terrorism Centre (UNCCT), the UNODC Terrorism Prevention Branch, and UNICRI for development of research, assistance and training. We encourage other interested member states in joining us to help further build the capacity of the UNCCT to allow it to provide assistance to member states across a range of issues addressed in the UN Strategy, including CVE, and relevant UNSCRs, including 2178. We think that a growing pool of UNCCT donors can also have helpful benefits in coordinating our civilian counterterrorism assistance on shared priorities.

Focusing now on treaty developments, we recognize the great success of the United Nations, thanks in large part to the work of this Committee, in developing 18 universal instruments that establish a thorough legal framework for countering terrorism. The achievements on this front are noteworthy. We have witnessed a dramatic increase in the number of states that have become party to these important counterterrorism conventions. For example, 170 states have become party to the Terrorist Financing Convention. The international community has also come together in the last decade to conclude six of these counterterrorism instruments, including a convention on nuclear terrorism and updated instruments that cover new and emerging threats to civil aviation, maritime navigation, and the protection of nuclear material.

The United States recognizes that while the accomplishments of the international community in developing a robust legal counterterrorism regime are significant, there remains much work to be done. The 18 universal counterterrorism instruments are only effective if they are widely ratified and implemented. In this regard, we fully support efforts to promote ratification and implementation of these instruments. We draw particular attention to the six instruments concluded over the past decade – the 2005 International Convention for the Suppression of Acts of Nuclear Terrorism (Nuclear Terrorism Convention), the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material (CPPNM Amendment), the 2005 Protocols to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA Protocols), and the 2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation and its Protocol. While the work of the international community began with the negotiation and conclusion of those instruments, that work will only be completed when those instruments are widely ratified and fully implemented.

The United States is advancing in its own efforts to ratify these instruments, and in recent months, we have made significant progress. Having obtained the legislation necessary to implement the Nuclear Terrorism Convention, the CPPNM Amendment, and the SUA Protocols, we have deposited our instruments of ratification and accession, as appropriate, for each of these

instruments. As we continue our own efforts to ratify these recent instruments, we urge other states not yet party to do likewise.

And as we move forward with our collective efforts to ratify and implement these instruments, the United States remains willing to work with other states to build upon and enhance the counterterrorism framework. Concerning the Comprehensive Convention on International Terrorism, we recognize that, despite best efforts, negotiations remain at an impasse on current proposals. We will listen carefully to the statements of other delegates at this session as we continue to grapple with these challenging issues.

Thank you, Mr. Chairman.