



Sharing information in order to fight against terrorism

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United Nations Office on Drugs and Crime (UNODC)

- Specialized agency of the UN Secretariat
- Mandated to assist UN Member States on the implementation of the conventions against illicit drugs, organized crime, corruption and terrorism conventions

RESEARCH

LEGAL REFORM

CAPACITY BUILDING

INTERNATIONAL COOPERATION



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Foreign Terrorist Fighters (FTF) in SEA



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UNSCR 2178

Foreign Terrorist Fighters (FTFs)

Individuals who **travel** to a State other than their States of residence or nationality **for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training**



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Profiles

All Backgrounds
Male and Female
Criminal Trend
Personal “Vacuum”





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Estimated Number of FTFs Globally

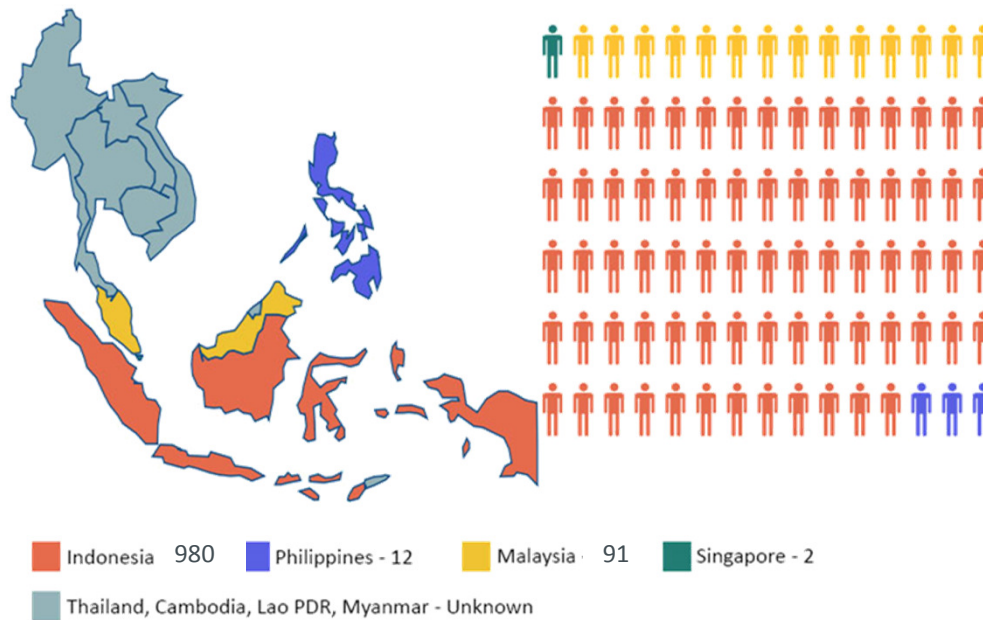
27,000 – 31,000 from at least 86 countries have travelled to Syria/Iraq

75% of FTFs are from 12 countries:

Tunisia	Morocco
Saudi Arabia	Lebanon
Russia	Germany
Jordan	United Kingdom
Turkey	Egypt
France	Indonesia



Estimated Number of FTFs From Southeast Asia





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How do they travel?



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“Violent Jihadist Highway”

- Majority of FTFs travel across the border between Turkey and Syria
- Turkey has direct flights to/from at least 107 countries
- FTFs Utilise “broken travel” to hide their final destination by stopping at multiple points on route to Turkey.
- However, many will use various modes of transport
 - Train, boat, cars etc.



Muhammad Wanndy Bin Mohamed Jedi






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Left Malaysia in January 2015

 Muhammad Wanndy Nek kereta api dri butterworth ke bangkok..stay bangkok smggu..kemudian amek flight bangkok moscow turkey..transit moscow 4 jam..kt airport thailand polis depa follow dan soal siasat smpai dlm pesawat..

I took the train to Butterworth to Bangkok. Stayed in Bangkok for a week. Then I took a flight from Bangkok to Moscow to Turkey... The transit at Moscow lasted 4 hours... At the Thai airport, I was followed and asked questions until I boarded the plane



Some reported FTF movements in SEA...

- July 2016 : 4 Bangladeshis jailed in Singapore for terrorist financing
- January 2017 : 1 Indonesian killed by airstrike in Philippines
- February 2017: 1 Filipino charged in Malaysia for recruitment
- March 2017: 3 Russians and 1 Tajikistani Deported from Malaysia
- April 2017 : Kuwaiti and Syrian arrested in Philippines
- April 2017: 3 Indonesians and 1 Malaysian JI Members killed in Philippines
- Intel reports of at least 28 Indonesians, 26 Pakistanis, 21 Malaysians, 3 Bangladeshis, 1 Singaporean among FTF in Southern Philippines (Marawi)



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Returnees

- 62 FTFs have returned to Indonesia, 8 to Malaysia
- Conflict experience
- global networks
- Deeply embedded ideology
- Southeast Asia Wilayat
- Many FTFs are required to burn their passports upon joining ranks



“Wilayat” in Southern Philippines?

- Several terrorist groups pledged allegiance to Daesh
- June 2016 – Propaganda video “If you can’t travel to Syria/Iraq, join Mujahideen in Philippines”
- Reports of 4 Indonesians Travelled to Philippines from Syria (deported back to Indonesia)
- December 2016 - Isnilon Hapilon moved to Central Mindanao to find a suitable area to establish a “Wilayat”
- May 2017 – Martial Law declared in Marawi





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UN framework against terrorism and FTFs



Universal legal framework against terrorism

- UN Global Counter-Terrorism Strategy (UNGA)
- Conventions and protocols
- UN Security Council Resolutions (UNSCR)





Global Counter-Terrorism Strategy

- Effort to move beyond traditional law enforcement to a holistic approach
- Provide strategy framework and practical guidance
- First time UN members agreed on a common single strategy on CT
- Adopted unanimously by UNGA in September 2006

UN GLOBAL COUNTER-TERRORISM STRATEGY





19 international conventions and protocols against terrorism



UN



IAEA



ICAO



IMO

Common elements:

- Define terrorist offences
 - Set up rules for jurisdiction
 - Promote international cooperation



Universal CT Legal Instruments concerning Civil Aviation

1. 1963 Convention on Offences and Certain Other Acts Committed On Board Aircraft
2. 1970 Convention for the Suppression of Unlawful Seizure of Aircraft
3. 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation
4. 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation
5. 2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation
6. 2010 Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft
7. 2014 Protocol to Amend the Convention on Offences and Certain Acts Committed on Board Aircraft



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Civil Aviation Treaties: Information Sharing

Beijing Convention (2010)

Article 17

1. **States Parties shall afford one another the greatest measure of assistance** in connection with criminal proceedings brought in respect of the offences set forth in Article 1. The law of the State requested shall apply in all cases.

Article 18

Any State Party having reason to believe that one of the offences set forth in Article 1 will be committed shall, in accordance with its national law, **furnish any relevant information in its possession to those States Parties** which it believes would be the States set forth in paragraphs 1 and 2 of Article 8.



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Civil Aviation Treaties: Information Sharing

Montréal Protocol 2014

Article 3 *bis*

If a Contracting State, exercising its jurisdiction under Article 2, has been notified or has otherwise learned that one or more other Contracting States are conducting an investigation, prosecution or judicial proceeding in respect of the same offences or acts, that Contracting State shall, as appropriate, **consult those other Contracting States with a view to coordinating their actions.** [...]



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Civil Aviation Treaties: Information Sharing

Montreal Protocol 2014

Article 13

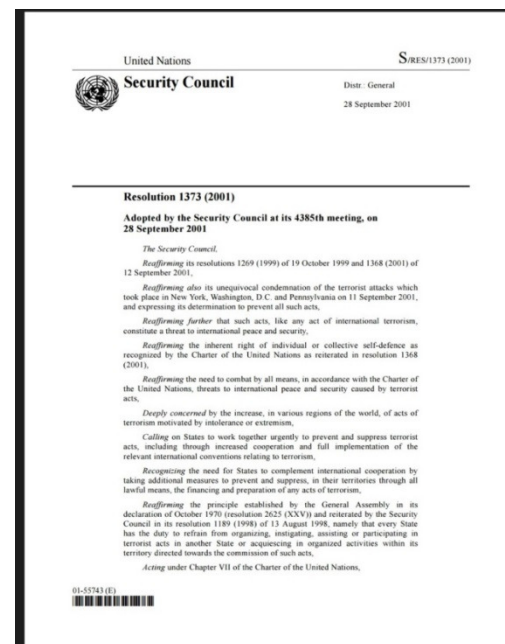
When a State, pursuant to this Article, has taken a person into custody, it **shall immediately notify the State of registration of the aircraft and the State of nationality of the detained person and, if it considers it advisable, any other interested State** of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary enquiry contemplated in paragraph 4 of this Article **shall promptly report its findings to the said States** and shall indicate whether it intends to exercise jurisdiction.



Key UN Security Council Resolutions on CT & FTFs

Resolution 1373 (2001)

Calls upon all States to find ways of intensifying and accelerating the exchange of operational information, specially regarding the movements of terrorist persons or networks (o.p. 3)





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UNSCR 1267 (1999)

Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council to undertake the following tasks and to report on its work to the Council with its observations and recommendations



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SECURITY COUNCIL COMMITTEE PURSUANT TO RESOLUTIONS 1267, 1989, AND 2253

All states are required to **prevent the entry into or transit through their territories by designated individuals**

- 1(b) of resolution 2161 and renewed in 2 (b) of resolution 2253

Sanctions List

- Al-Qaeda, ISIL, Abu Sayyaf Group, Jemaah Islamiyah



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UNSCR 2178 (2014)

Calls for Member States to:

exchange of operational information regarding actions or movements of terrorists or terrorist networks

cooperate in efforts to address the threat posed by foreign terrorist fighters

require that **airlines** operating in their territories **provide advance passenger information** to the appropriate national authorities Member States shall prevent the entry into or transit through their territories



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UNSCR 2309 (2016)

- Adopted unanimously on September 2016
- First stand-alone UNSCR focusing on civil aviation
- Aims at enhancing the safety of global air services



UNSCR 2309 (2016)

Calls for Member States to:

- ✓ **Work within ICAO to ensure that international security standards were reviewed, updated, adapted and implemented.**
- ✓ **Strengthen cooperation and collaboration and sharing experiences** in regards to developing security check technologies
- ✓ **Further engage in dialogue** on aviation security and **cooperate by sharing information**
- ✓ Require that **airlines** operating in their territories **provide advance passenger information** to the appropriate national authorities



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UNSCR 2322 (2016)

Reiterating the **obligation of Member States to prevent the movement of terrorists and terrorist groups**, in accordance with applicable international law, by, inter alia, effective border controls, and, in this context, **to exchange information expeditiously, improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups** to and from their territories, the supply of weapons for terrorists, and financing that would support terrorists



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UNSCR 2322 (2016)

Calls upon States to:

share, where appropriate, **information** about foreign terrorist fighters and other individual terrorists and terrorist organizations, **including biometric and biographic information, as well as information that demonstrates the nature of an individual's association with terrorism**

Consider, where appropriate, **downgrading for official use intelligence threat data on foreign terrorist fighters** and individual terrorists, to appropriately **provide such information to front-line screeners, such as immigration, customs and border security** and to appropriately share such information with **other concerned States** and relevant international organisations



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ASEAN Implementation Status



API Implementation Status



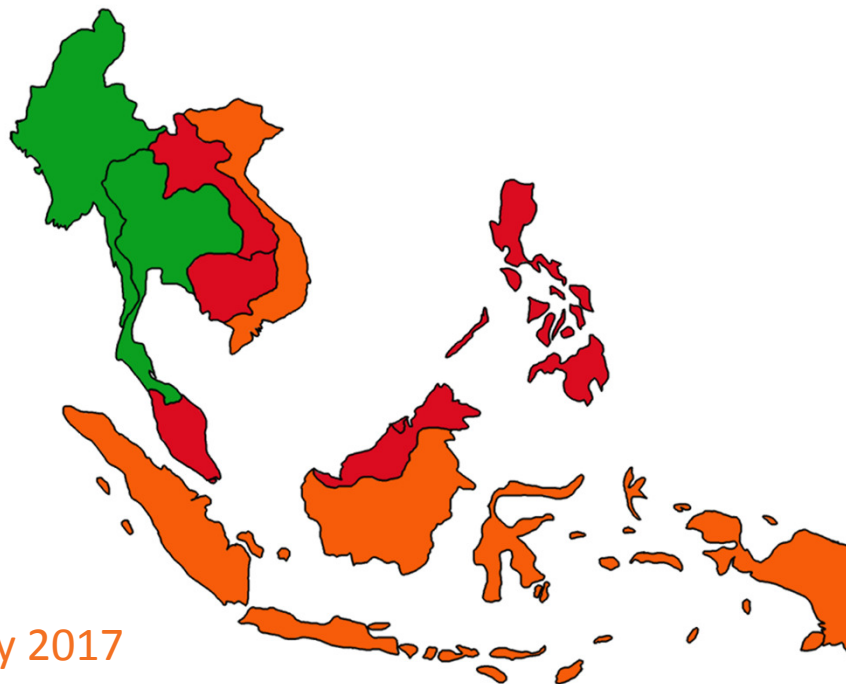
iAPI System in Force



API System in Force



API not Legally Authorized



As of February 2017



Legislation Against the Travel of FTFs



Specific
Legislation
Enacted



No Specific
Legislation
Enacted





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Information Sharing

Not systematic

- Ad Hoc
- Whatsapp and informal channels

Lack of Integrated databases

- Including with Interpol's databases

THE GAP



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Concluding Thoughts



Way Forward

- Political engagement
- Institutional and Legal Reform
- Capacity Building
- Regional platforms



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Thank you for your attention

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WWW

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