



UNITED NATIONS
OFFICE OF COUNTER-TERRORISM
UN Counter-Terrorism Centre (UNCCT)

UN Capacity Building Initiatives to Support Member States

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UNCCT mandate

- Established in 2011 to support Member State implementation of the UN Global CT Strategy
- Implements capacity-building projects on broad range of issues
- Capacity-building arm of UNOCT and leverages its coordination and coherence mandate
- Recent/current projects include API, BSM, AvSec
- New project on API/PNR capacity-building

UNSCR 2396 (2017)



OP 12: ‘*Decides* that Member States shall develop the capability to collect, process and analyze, in furtherance of ICAO standards and recommended practices, passenger name record (PNR) and to ensure PNR data is used by and shared with all their competent national authorities for the purposes of preventing, detecting and investigating terrorist offences and related travel, ***further calls upon Member States, the UN and other international, regional and sub regional entities to provide technical assistance, resources and capacity building to Member States in order to implement such capabilities***, and *encourages* Member States to share PNR data with relevant or concerned Member States to detect foreign terrorist fighters returning to their countries of origin or nationality, or travelling or relocating to a third country, with particular regard for all individuals designated by the Committee established pursuant to resolutions 1267 (1999), 1989 (2011), 2253 (2015) ...’

UNCCT API/PNR Capacity Building Project

- Objective ... To enhance Member State capacity to use API/PNR data **to detect, prevent and investigate terrorist offences, including related travel**, in accordance with UNSCR 2396 (2017), ICAO SARPs and other international law obligations:
 - Five-year global project
 - Targets countries most affected by the FTF phenomenon
 - Launched on 1 October 2018
 - Builds on expertise and experience of countries that are implementing or have implemented API/PNR systems

'All-of-UN' Implementation Approach

- **UNCCT** will be responsible for **overall programme management coordination** and **resource mobilization**
- Project will be implemented by **UNCCT** – the capacity building arm of UNOCT - in partnership with **CTED, ICAO, OICT and UNODC**
- Other entities will also be engaged e.g. INTERPOL, IOM, OHCHR, Special Rapporteurs on Human Rights in CT, and the Right to Privacy, IATA, and ROs

Four Key Pillars of Engagement

- This project foresees **four main pillars of engagement**, based on the comparative advantage of the five implementing partners:
 - Assessments and Awareness Raising
 - Provision of Legislative Assistance
 - Institutional Set-Up and Capacity Building
 - Provision of information and communications technology (ICT) and Expertise

Selection of Beneficiary Countries

- Project foresees a **flexible tiered implementation approach** based on the **readiness of Member States** to use **API/PNR** in accordance with international law
 - CTED will assess, analysis and select beneficiary countries in consultation with ICAO, UNCCT and UNODC
 - Selected beneficiary countries may also decide if they wish to receive support on API only, or a combination of both API/PNR

Awareness Raising

- CTED and UNCCT will seek to **enhance awareness** among beneficiary countries on (i) the use of passenger data to stem the flow of FTFs; and (ii) the necessary steps required to comply with UNSCR 2178 (2014) and 2396 (2017):
 - Deployment of ‘All-of-UN’ national capacity-building consultations (‘deep-dive missions’)
 - Development of national programme roadmaps to guide the establishment and implementation of API/PNR systems
 - Regional and national awareness-raising and capacity-building workshops

Provision of Legislative Assistance

- UNODC will assist Member States to **strengthen laws** to regulate the collection, transmission, use, retention and sharing of passenger data:
 - In compliance with internationally recognized standards on API and human rights
 - Based on a universal legal standard that will seek to resolve conflicts of law inhibiting the international transfer of and processing of PNR data
- Assistance will be provided in consultation with CTED, ICAO and other specialized UN entities

Institutional Set-up and Capacity Building

- UNCCT will be responsible for the provision of technical assistance and capacity-building for setting up of **Passenger Information Units (PIUs)**:
 - To facilitate a passenger data single window with capacity to use an intelligence-led approach to identify and intercept FTFs
- In countries benefitting from the UNODC-INTERPOL-WCO Airport Communication Project (AIRCOP), UNODC will be responsible for providing similar operational assistance, in coordination with UNCCT

Provision of ICT Expertise

- Assisted Member States will have access to a **global, flexible and UN supported IT-software solution** to allow their PIUs to carry out their functions
- OICT will install and provide maintenance support to countries adopting the UN version of the Dutch TRIP system:
 - Deployment will depend on multiple factors, including the availability/preparedness of technological requirements
 - The UN will not have access to and/or store passenger data

Key Emerging Issues

- **Human rights concerns:** e.g. the right to privacy, data protection and retention, risk of discriminatory profiling etc.
- **Conflicts of Law:**
 - UNSCR 2396 (2017) urges ICAO to establish a standard for the collection, use, processing and protection of PNR data
 - Chicago Convention is the coherent, harmonized legal framework to regulate (API &) PNR transfer (ICAO Annex 9 SARPs, PNR Guidelines and PNRGOV Specifications)
 - No harmonized legal framework to overcome conflicts of law pertaining to data privacy and transfer of PNR data
- **Potential to use API/PNR for broader BSM purposes**