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Standing Committee on
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Terrorism: The need to enhance global cooperation against the threat to democracy and individual rights

***Draft resolution submitted by the co-Rapporteurs
Ms. C. Guittet (France) and Mr. K. Hari Babu (India)***

The 134th Assembly of the Inter-Parliamentary Union,

- (1) *Recalling* the resolutions adopted by the UN General Assembly and Security Council on combating terrorism, in particular Security Council resolutions 1373 (2001), 2129 (2013) and 2178 (2014) and General Assembly Resolution 60/288 of 8 September 2006 on the UN Global Counter-Terrorism Strategy, as well as IPU resolutions adopted by the 116th Assembly (Nusa Dua, Bali, 2007), the 122nd Assembly (Bangkok, 2010) and the 132nd Assembly (Hanoi, 2015), all of which underscore the need for cooperation in the fight against terrorism,
- (2) *Reaffirming* that its primary responsibility is the maintenance of international peace and security in accordance with the Charter of the United Nations and that any counter-terrorism measures taken must be in line with that Charter and all other obligations under international law, in particular international human rights law, international refugee law and international humanitarian law,
- (3) *Noting* the absence of a generally agreed definition of terrorism at the international level, with the notable exception of the one adopted by the Parliamentary Assembly of the Mediterranean on 23 October 2009,
- (4) *Considering* nevertheless that this gap should not be an obstacle to concerted action by the international community to combat terrorist activities and organizations, especially since States have at their disposal national laws containing clear and precise definitions of terrorist acts as adopted by the UN Security Council, and punish these acts,
- (5) *Also considering* that international cooperation in combating terrorism in keeping with UN General Assembly and Security Council resolutions can only be effective if parliaments adopt a series of legislative and budgetary measures aimed at criminally punishing terrorist acts, terrorist propaganda and justification for terrorist acts,
- (6) *Convinced* that these measures should also make it possible to prosecute the perpetrators, accomplices and supporters of terrorist acts, prevent the movement of foreign terrorist fighters, monitor the activities of persons suspected of terrorist activity and cut off the means of financing terrorist organizations,

#IPU134

(7) *Concerned* by the possible nexus between terrorism, transnational organized crime and illicit activities such as drug trafficking, arms trafficking, human trafficking, the pillage of historical sites, the sale of antiquities, the looting of natural resources and money laundering,

(8) *Also concerned* by the growing use of Internet, communication technologies and social media by terrorist organizations to exchange information, plan attacks and spread their propaganda,

(9) *Underscoring* that there are multiple causes of terrorism, some of which take root within society, such as poverty, inequality and a sense of injustice, which provide terrorist organizations with a fertile breeding ground for recruiting individuals, especially young people,

(10) *Considering* that the implementation of social and educational measures likely to prevent the emergence of extremist behaviours that can lead individuals to the path of terrorism or put an end to such behaviours is indispensable in the fight against terrorism,

(11) *Concerned* that individuals who had been listed globally as terrorists, including by the United Nations, are not being prosecuted by UN Member States and are still moving around freely,

1. *Emphasizes* the need for enhanced international cooperation and the promotion of inter-parliamentary information exchange, in order to effectively address the threat of terrorism and to dismantle terrorist networks, by creating a system of cooperation and information exchange related to surveillance and investigative activities;
2. *Calls* for the funding of civic democracy education programmes in order to avoid the development of extremist behaviour that could lead individuals to take part in terrorist acts;
3. *Also calls* for the funding of what are known as counter-narrative campaigns, designed to counteract the propaganda of terrorist organizations, including on social networks and the Internet;
4. *Urges* parliaments to exchange good practices, both pre-emptively in order to fight against the radicalization of certain sectors of the population, and reactively to ensure that individuals are de-radicalized;
5. *Recommends* that criminal legislation relating to terrorist acts or activities are clearly and precisely drafted to ensure that legal proceedings and international coordination in the fight against terrorism are effective and to guarantee people's fundamental rights to the greatest extent possible, particularly in terms of freedom of movement and freedom of conscience and religion;
6. *Calls on* parliaments to criminalize not only acts of terrorism, as defined by United Nations Security Council resolutions, but also the intention both to commit such acts and to assist or facilitate, whether passively or actively, the commission of such acts;
7. *Considers* it essential to also criminalize the recruitment and training of terrorists and their supporters as well as the incitement to commit acts of terrorism, particularly through rallies, virtual social networks or wider use of the Internet, while also ensuring that any measures taken are proportional to the threat, taking particular account of any attempts to impair freedom of expression and human rights;
8. *Calls on* parliaments to criminalize the development, maintenance or hosting of websites which are either identified as terrorist sites or which directly or indirectly support terrorist activities, as well as to criminalize the downloading of documents or programmes of a terrorist nature;
9. *Also calls on* parliaments to criminalize the act of travelling abroad or attempting to do so, in order to commit or assist in committing a terrorist act, to participate in, provide or receive terrorism-related training, to facilitate the movement of foreign terrorist fighters, to recruit foreign terrorist fighters or to train or assist in training terrorists;

10. *Considers* that, to that end, it is essential to provide: first, for the registration of all entries and exits from a territory, particularly in order to identify split journeys; second, for the option to carry out checks on anyone wishing to cross an international border, including for transit purposes, into a State other than the one where he or she resides or holds citizenship; and third, for the option to monitor reservations made with travel companies and travel-related financial transactions;
11. *Requests* parliaments to authorize counter-terrorism agencies to collect data about airline passengers before they travel, and to place an obligation on airlines and travel agents to provide, in advance and in electronic format, information about passengers and their travel documentation;
12. *Also requests* parliaments to allow the administrative authorities to confiscate the travel documents of foreign terrorist fighters (by temporarily withdrawing, suspending or confiscating their passports or travel documents, including for minors) or to allow any measure that enables their travel arrangements to be cancelled as a matter of urgency;
13. *Further requests* that parliaments authorize measures for their State's electronic national security system to be connected to I-24/7, the global police communications system, and to Interpol's databases, and allocate the necessary funds to do so;
14. *Calls on* parliaments to review their legislation in order to prevent any financial aid or support from being provided to foreign terrorist fighters and to criminalize the financing of terrorism;
15. *Recommends* in that regard that legal provision be made for the possibility, first, to rapidly freeze assets and bank accounts used or likely to be used by terrorists, their accomplices or supporters; second, to prohibit the transfer or raising of funds which are intended to directly or indirectly assist foreign terrorist fighters, their accomplices or supporters or which could be used by terrorist organizations; and third, to facilitate information exchange on financial transactions and movements of funds between States, including through exchange protocols established either by recognized international organizations such as Interpol or through bilateral agreements;
16. *Requests* parliaments to provide States with the financial and legal resources to enable the police to place under surveillance terrorist organizations and persons who might commit or support terrorist acts, in order to bring to justice foreign terrorist fighters, their accomplices or supporters, or to arrest them before they take action;
17. *Calls on* parliaments to promote international cooperation between security forces, intelligence services and customs and immigration authorities, including by centralizing and coordinating information exchange, authorizing the swift ratification of extradition treaties concluded between the countries of origin, transit and destination of foreign terrorist fighters and by monitoring the effectiveness of their implementation;
18. *Requests* parliaments to develop national legislation that would allow the victims of terrorist acts to exercise their right to redress against those who have provided financial or logistical support to terrorists, as well as legislation that would establish a mechanism to assist and support victims;
19. *Urges* parliaments to increase their efforts to reduce poverty and to combat employment discrimination and social inequality, which provide a fertile breeding ground for the spread of terrorism;
20. *Calls on* the IPU to promote inter-parliamentary information exchange and cooperation, and to facilitate dialogue among practitioners and parliamentarians, by establishing a forum where parliamentarians and UN counter-terrorism-related bodies could interact, with a view to sharing good practices at global and regional levels on confidence-building measures that are conducive to peace and international stability and security.