

**IX. VERBATIM RECORD OF THE HALF DAY
SPECIAL MEETING ON “VIOLENT
EXTREMISM AND TERRORISM (LEGAL
ASPECTS)”**

IX. VERBATIM RECORD OF THE HALF DAY SPECIAL MEETING ON “VIOLENT EXTREMISM AND TERRORISM (LEGAL ASPECTS)” HELD ON WEDNESDAY, 17 SEPTEMBER 2014 AT 9.00 AM

His Excellency Dr. Danesh Yazdi, President of the Fifty-third Annual Session of AALCO in the Chair.

President: I hope you have enjoyed your staying in Tehran so far. Now we have a half day meeting on the legal aspects of violent extremism and terrorism. First, let me give the floor to Deputy Secretary General, Ms. Harimoto for the introductory remarks.

Ms. Yukiko Harimoto, Deputy-Secretary-General: His Excellency Mr. President; Distinguished panelists and Delegates, Ladies and Gentlemen;

The issue relating to “International Terrorism” was introduced as an agenda in 2001 at the behest of the Republic of India. It was felt that consideration of this item at AALCO would be useful and relevant in the context of the on-going negotiation of this item at Ad Hoc Committee of the United Nations on elaboration of the comprehensive convention on international terrorism. The successive sessions directed the AALCO Secretariat to monitor and report on the progress at the Ad Hoc Committee; and requested the Secretariat to carry out, an in-depth study on this topic. The centre for Research and Training (CRT) brought out a Preliminary Study on the Concept of International Terrorism in the Year 2006.

In accordance with the mandate received from the Member States, the Secretariat report prepared for the Fifty-Third Annual Session (Document: AALCO/53/TEHRAN/2014/SD/S7) has reported on: Developments in the Ad-Hoc Committee as well as at the Sixty Eighth Session of the United Nations General Assembly; Comments and Observations of the AALCO Secretariat and a Draft Resolution on this topic.

However, the subject for today’s half-day Special Meeting has expanded the scope of the Secretariat’s study as entitled “Violent Extremism and Terrorism”. This topic has been proposed for discussion by the host Government i.e. The Islamic Republican of Iran.

The topic has gained prominence since the adoption of the United Nations General Assembly Resolution A/RES/68/127 (18 December 2013) entitled “A world against violent extremism”. In that resolution the General Assembly was alarmed by the acts of intolerance, violent extremism, violence, including sectarian violence, and terrorism in various parts of the world, which claimed innocent lives, caused destruction and displaced people, and rejected the use of violence, regardless of any motivation. Recently, perturbed by the ongoing incidents of violence the UN Security Council, on 14 August 2014 unanimously adopted resolution 2170 (2014) condemning Gross, Widespread Abuse of Human Rights by Extremist Groups in Iraq, and Syria.

Violent extremism not only poses a real threat to life of innocent civilians but also seriously endangers peace and security of States, regions and the world. Increasingly sophisticated use of the internet, social media and information technology by violent extremists adds an additional

layer of complexity to this issue. The multi-faceted scourge of violent extremism has become so pandemic for the past couple of years that an increasing number of AALCO Member States have been hard hit by its diverse manifestations. The brutality exhibited by violent extremist groups in the name of their faith and belief is alarmingly unprecedented and represents a serious threat.

The question that we need to address in this meeting is how international law deals with violent extremism and terrorism. As these are very complex problems impinging upon the internal and external security of States, criminal law at the national and international level has to be strengthened. In addition it is also equally necessary to appropriately apply the principles of international humanitarian law and human rights law to situations.

Before I end my brief remarks, I would like to once again thank the host Government for this timely initiative. Special thanks go to our expert panelists for sparing their valuable time to share their views on this important topic with us. The draft agenda for the meeting has been placed before all of you.

Thank you, Mr. President.

President: I thank, Deputy Secretary General, Ms. Harimoto for her introductory remarks. Now, we have the privilege of having with us, Dr. Rohan Perera, Chairman of the UN Ad Hoc Committee on Measures to Eliminate International Terrorism and a former member of the ILC. You have the floor, Sir.

Dr. Rohan Perera: Thank you very much, Mr. President. Distinguished Delegates, Distinguished panelists, first of all I must thank AALCO for giving me this opportunity to address in my capacity as Chair of the UN Ad Hoc Committee on Measures to Eliminate International Terrorism, the work that has been accomplished within that committee since its establishment in 1997 and also to draw the possible linkages between measures being taken to combat terrorism, to provide a normative or legal framework and possible impact that could have on this new issue of extremism and violence. It is my intention this morning to provide a broad overview of this contribution in providing that legal framework to enhance international cooperation.

The identification of the overall architecture of the existing “sectoral” conventions dealing with specific aspects of the phenomenon of terrorism could serve to highlight the building blocks that exist already on which a possible legal response to violence and extremism could be formulated. Acts of violent extremism, as in the case of terrorism, involve the indiscriminate use of violence against innocent civilians. As stated in the General Assembly Resolution 68/127, “entitled the world against violence and violent extremism”. It involves “targeting the civilian population including women and children in violation of international law, in particular, human rights and humanitarian law.” On these aspects, I am sure, we shall be hearing from the other panelists.

From international criminal law perspective, violent extremism would involve a range of crimes categories as grave crimes under international law including the bombing of public

buildings, infrastructure and hostage taking, arbitrary executions and so on. So these are the shared areas of convergence in acts of extremism and terrorism. It is against this background that the existing legal regime relating to combating of international terrorism must be examined.

I will first give a broad overview of the principle features of the sectoral conventions which begins from the early anti-hijacking and hostage taking conventions to the more recent so called “new generation” conventions formulated within the Ad hoc Committee since 1996 which include Convention against Terrorist Bombings, Convention on the Suppression of Financing of Terrorism. These sectoral conventions against terrorism rest on extradite or prosecute regime intended to ensure that there would be no impunity for those who commit specific crimes defined in the conventions. It is premised on the principle that an offender who commits any of these crimes will find no safe haven in the territory of any member state and it imposes a clear obligation on a state to either extradite an offender to a state seeking his extradition or if, for some reason, extradition is frustrated, there is an obligation to submit the case for prosecution without exception whatsoever. Essentially, the rationale for this regime is to preclude any impunity.

The “extradite or prosecute” regime is supported by what I would call “supportive pillars” which would enhance its effectiveness. Firstly, the obligation on state parties to criminalize the convention offences under their domestic law; to categorize them as serious crimes which carry appropriate penalties which takes into account their grave nature and to make them extraditable offences. Secondly, this regime would require the state parties to confer on their domestic courts extra-territorial jurisdiction so that in the event of prosecution, the domestic courts have jurisdiction over these matters irrespective of where the offence has been committed. Thirdly, there are number of provisions in these conventions to facilitate extradition procedures to ensure that a request for extradition does not fail on a mere technicality, for instance, for the want of a bilateral treaty. Generally, it is recognized that extradition is dependent on the existence of a bilateral extradition treaty. So these features clearly underline the obligation of states to cooperate in the prevention as well as the investigation and prosecution of terrorist crimes. In my view, they provide clear sign posts for any legal response that could be formulated to deal with this menace.

Now, a word on “new generation” conventions which we in the Ad Hoc Committee have been able to adopt within last ten years or so. The Terrorist Bombings Convention, Terrorists Financing Convention and Nuclear Terrorism Convention contain certain features which mark a departure from the “First Generation” Conventions. Firstly, there is an injection of an express reference to terrorists’ purpose or intent. Secondly, “new generation” conventions treat the offences of terrorism they deal with as non-political offences to facilitate extradition and mutual assistance.

The underlying rationale of the sectoral conventions is that the legal response to terrorism must be in conformity with international law, in particular, human rights and humanitarian laws and measures of cooperation must be carried out in conformity with principle of respect for sovereignty and territorial integrity of states.

Now, having given a broad overview let me say a word about the Draft Comprehensive Convention on International Terrorism pending since 2000 before the Ad Hoc Committee. The mandate of the Committee is contained in GA Resolution 59/290, through which the General Assembly called on the Ad Hoc Committee to address “means of further developing a comprehensive legal framework of conventions dealing with international terrorism.” Consequent to that mandate, the Committee had before it a draft of a comprehensive convention presented by the Government of India and the negotiations commenced in 2000. Alongside, there was a proposal by Egypt for the convening of a High Level Conference on International Terrorism to examine all its manifestations. The principle objective of this exercise is the identification of possible gaps in the existing regime sometimes referred to as a “piecemeal approach to terrorism”. The Draft CCIT provides for coverage of those offences as directed against environment, a credible threat to commit a terrorist crime and so on. It also envisages enhanced measures of cooperation and clear obligation on states not to let their territory used for the preparation or commission of terrorist acts against other states.

The current impasse and the key outstanding issue on which many groupings have expressed concerns is the question of addressing acts committed in course of an armed conflict, particular in instances of foreign occupation. There are also proposals to deal with the acts of military forces of state during peacetime. In order to address these ranges of concerns, the Coordinator of the Bureau has presented a “Compromise Package” in 2007 (which is subsequently revised) and all delegates have agreed to proceed on its basis. The “Compromise Package” is essentially an exclusion clause or a “choice of law” provision which basically recognizes that the Comprehensive Convention cannot exist in a vacuum and will operate alongside other legal regimes in international law like international humanitarian law and human rights law. The Ad Hoc Committee last met in April 2013 and was able to produce a consolidated text of the negotiations held so far. The Working Group of Sixth Committee is critical for the future of the CCIT and Member States need to demonstrate the spirit of accommodation to overcome remaining hurdles. For Asian-African states, it is important that they all be conscious of the need to preserve the primary norm creating function of the General Assembly of the UN. I hope the Member States of AALCO will participate actively in the negotiations of the Sixth Committee.

Thank you very much.

President: I thank Prof. Perera for his informative comments. I am glad to invite Dr. Mosafa, Professor, Tehran University to speak on “legal basis of regional cooperation.”

Dr. Nasrin Mosafa, Professor, Tehran University: “In the Name of God, the compassion and the merciful”

Thank you very much, Mr. President and the distinguished guests, it is indeed a great pleasure to be here addressing a very distinguished group of law scholars.

“We the people of the United Nations determined to save succeeding generations from the scourge of War.” Sixty-nine years ago, a group of concerned humans gathered and, with these simple yet powerful words, launched an international desire in international law, peace and

security. The document they produced and resulting institutions are yet to fulfill their promises.

The international community has succeeded in instances to uphold the international law to preserve international peace and security, but they were stained by some States arrogance of law.

Today, with all the shifting trends, changing context and procedures, we are facing a renewed threat from violent extremism and terrorism. Old threats resurfacing in new forms, with renewed energy and action.

Terrorism and resort to violent extremism goes beyond the hype in past few months. We were never immune to these acts. Colonialism, failed humanitarian interventions and miscalculated policies contributed to intensify the trend. Moreover, these acts bring about broader consequences in terms of state paralysis and humanitarian situations. In words of a UN's Secretary General's High-Level Panel report; these acts "attack the values that lie at the heart of the Charter of the United Nations: respect for human rights; the rule of law; rules of war that protect civilians; tolerance among peoples and nations; and the peaceful resolution of conflict." Taking this into consideration, the international cooperation should be conducted in pursuant to spirit of the U.N. Charter encouraging international cooperation, especially chapter eight on regional arrangements.

I would argue that the answer to these threats is already embedded within existing international law. We are not suffering from poverty of documents, rules and norms but lack of will. The fight against violent extremism and terrorism, is a fight for an international rule of law- and as *Marti Koskenniemi* would say, - the fight for an international rule of law is a fight against politics, despite some measure of politics being inevitable. A fight that is main feature is international and regional cooperation that I will be focusing on.

The interest in international and regional cooperation is within the context of resolution adopted by the General Assembly on 18 December 2013 on "A world against violence and violent extremism", suggested by the President of. The resolution to pay attention to the importance of mutual cooperation and underlines the role of regional organization. The resolution creates a new opportunity to assess the role of regional cooperation.

Regional cooperation cannot be understood without grasping its legal basis and political agreements. Internationally, regional cooperation is well established and encouraged. Why regional cooperation? The states of a region are better aware of the situation, its cultural backdrop, societal context and historical background compared to other distant states. The local knowledge can be an aide to open diplomatic windows and legal measures. Furthermore, region's proximity to any crisis gives primacy and urgency to act as regional states have to live with consequences. For this, purpose, regional arrangements would be unable to dissolve themselves from an issue and hence, maybe more likely to engage with the issue over the long-time. I'm not suggesting that geographical proximity would automatically generate regional consensus on how to respond, but facilitate the best possible response. That is why in addition to legal basis, we need to pay attention to political aspects too.

The regional experience in forming legal measures to fight violent extremism and terrorism is richer than the international level. The international legal framework mainly deals with certain specific acts, there are more sectoral conventions. While the effort to fight these phenomena lacks an over-arching framework, a robust international co-operation rests on regional and sub-

regional levels in pursuit of peace and maintenance of security; not just to fight off these acts, but to ensure effective use of international legal instruments, for greater good of upholding the international rule of law and its progress.

In Africa, The African Union has been pursuing continental efforts at least for more than twenty years. The AU, as stated in its constitutive act, is inspired by cohesion and cooperation among the peoples of Africa and African States and encourages it regionally. In 1992 (at that time, the Organization of African Unity), adopted a Resolution on the Strengthening of Cooperation and Coordination among African States in which the Union pledged to fight the phenomena of extremism and terrorism. The resolution stressed the importance of coordination and consultation among the Member States and the necessity to enhance consultations so as to make the values of tolerance, moderation and solidarity prevail in inter-African relations and avert any discord.

AU's legal framework against terrorism and extremisms is in fact, one of the oldest and most progressive of its kind among regional arrangements. In June 1994, through Declaration on the code of conduct for Inter-African Relations, AU rejected all forms of extremism, whether under the pretext of sectarianism, tribalism, ethnicity or religion. The declaration also condemned, as criminal, all terrorist acts, methods and practices, and expressed its resolve to enhance cooperation to combat such acts.

The list goes on. First, the 1999 Convention on the Prevention of Combating Terrorism substantially address various measure including exchange of information, legislative and judicial measures; Second, The Additional Protocol to the 1999 Convention on the Prevention and Combating of Terrorism that developed the legal framework, aiming the establishment of the Peace and Security Council for the African Union to coordinate and harmonise regional efforts in the prevention and combating of international terrorism in all its aspects.

The regional cooperation was further intensified through appointment of special representative for counter-terrorism cooperation and also the African Model Law on Counter Terrorism that both attempt to strengthen the regional cooperation through co-ordination and negotiation with National authorities and to address possible national legislatives. The AU ensures coherent coordinated efforts through the work of the African Centre for the Study and Research on Terrorism, with a structure to centralize information, analysis and to develop national capacity-building programs.

The African experience in the development of legal framework to mainly combat terrorism but also extremism signifies their resolve in intense regional cooperation that is necessitated by facts on the ground, involving information-sharing and having a common understanding of basic doctrine and operational strategies to improve national policies. At its essence, the African legal framework can be an example for regional cooperation. The African Union recognised threat and attempted to deal with it by establishing a legal basis. The legal framework, at large, is not just an attempt to combat terrorism and extremism but a leap to institutionalise cooperation among states, its officials and various bodies,

In Asia, ASEAN's relatively young campaign against terrorism and extremism is mainly known by its 2007 Convention on Counter Terrorism (ACCT). Upon completion of ratification process

in January 2013, as one of the last regional conventions on the topic, in addition to the existing universal instruments, serves as a legal framework for regional cooperation to counter, prevent and suppress terrorism and to deepen the cooperation. Recalling the Treaty of Amity and Cooperation in Southeast Asia of 1976 that promotes active and close cooperation in wide-range of fields, the ACCT strongly commits to improvement of regional cooperation by underlining the need for cooperation between ASEAN law agencies and relevant authorities.

Article 6 of the ASEAN'S Convention on Counter Terrorism, designates areas of cooperation such as exchange of information, intelligence and early warnings; monitoring financial transactions; effective border control and cross-border cooperation; promotion of capacity-building programmes and technical cooperation. ACCT's Article 15 mandates each party to designate a coordinating structure to enhance cooperation under this Convention.

ASEAN's Treaty on Mutual Legal Assistance in Criminal Matters can also be acknowledged as another legal basis for regional cooperation, as it facilitates apprehension, investigation and prosecution, exchange of witnesses, sharing of evidence, enquiry, seizure and forfeiture of proceeds of the crime. ASEAN is also working on the establishment of its own regional Extradition Treaty to better facilitate regional cooperation on subject-matter that could reduce impediments of collective efforts. It should be noted that various ASEAN concept paper on global movement of moderates, call for fostering of cooperation, regionally and internationally, in addressing extremism but lack any meaningful legal effectiveness or measures.

ASEAN's legal framework is still a work in process that emphasizes the need for cooperation and institutionalizing through legal frameworks. However, the lack of urgent widespread threat to the region, might explain the slow speed of the process. Whether attempts to reinvigorate and strengthen ASEAN itself would contribute to development of its legal framework on the topic or not, is beyond the scope of this talk.

However, the Shanghai Cooperation Organization (SCO), born out of security-related concern and describing the main threats it members confronts as being terrorism, separatism and extremism, is another Asian regional arrangement that contributes towards legal basis of regional cooperation. The Charter of the SCO, in its preamble and articles 1, 3, 9, 10 and 14, highlight the importance of comprehensive and efficient regional cooperation in the maintenance and strengthening of peace, security and stability in the region.

In fact, Article 3 of SCO Charter sets out a goal of the organization as, "development and implementation of measures aimed at jointly counteracting terrorism, separatism and extremism", among other issues. Article 10, builds on Shanghai Convention to combat terrorism, separatism and extremism to reaffirm the task of a regional counter-terrorist structure.

The Shanghai Convention is more important than the Charter as it gives detail on how to cooperate on the issue of terrorism and extremism within the region. The Convention believes that "joint efforts by within its framework are an effective form of combating terrorism, separatism and extremism"; and states shall cooperate in the area of prevention, identification and suppression of acts referred to in Article 1(1) of this Convention. Article 5 of the Convention

designate consultations, exchange of views and position coordination as ways to foster cooperation.

Furthermore, in Article 6, the Convention outline areas of cooperation as exchange of information; operation assistance; preventive measures; exchange of experience; training experts; and conclusion of additional agreements on other forms of cooperation. Among its declarations and communiqués, the Declaration of the Head of States on building a region of peace and prosperity, urges SCO to step up bilateral and multilateral cooperation to jointly combat terrorism, separatism and extremism.

SCO is a very young intergovernmental organisation. It does not benefit from an extensive legal framework but a significant one that is actually built on concerns of terrorism and extremism. While the feature of this legal framework for regional cooperation, in terms of urging cooperation and ways such as exchange of information, is similar to other regional arrangements, the difference lies in the nature of concern: SCO's priority is terrorism and extremism while others deal with it among other issues, though an important one.

Among Muslim States, the Organisation of Islamic Cooperation is the arrangement determined to promote cooperation. Article 1(18) of its Charter, outlines cooperation in "combating terrorism in all its forms and manifestations" as one of OIC's objectives and principles. Its convention on combating terrorism. Article 3, acknowledges such fights as two phases: preventive and combating.

Article 4, lists areas of Islamic cooperation as exchange of information; Investigation; exchange of expertise; Education and information field (or training). Section Three (articles 14 to 18) constitute principles of judicial cooperation. Moreover, Article 22 to 28 deal with Extradition. In its preamble, the convention rejects all forms of violence and terrorism, in particular those based on extremism as incompatible with Islamic Sharia and urges cooperation.

On strategic level, that can be of some guidance to us, OIC's Ten-Year Program of Action priorities combating extremism, violence and terrorism while giving attention to its root causes. It also calls upon states to introduce comprehensive qualitative changes to national laws and legislations in order to criminalize all terrorist practices as well as all practices to support, finance, or instigate terrorism.

Other than the Convention on Combating International Terrorism, OIC lacks robust and meaningful legal framework on the issue despite its promoting extensive promotion among Islamic States. However, existing measures share similar features to other regional arrangements in emphasizing on information-sharing and need to expand cooperation.

In conclusion, I should say that the review of current legal frameworks on African Union, ASEAN, Shanghai Cooperation Organization and the Organization of Islamic Cooperation suggest a tradition of regional cooperation, encouraged by regional arrangements, to combat terrorism and violent extremism, among other matters. These legal frameworks are further enriched by their emphasis on broader cooperation with other international bodies, recognition of

existing regional frameworks. Of course, all of them are prone to usual misuses, indeterminacy, misinterpretations or different views and readings.

In cases, legal frameworks must be reformed or even reinvented; or new ones must be created to deal with the new threats and forms but international law is legally capable of addressing terrorism and violent extremism through state cooperation and state responsibility. Nevertheless, a legal basis exists that formalizes and institutionalizes regional cooperation. Regional cooperation should be pursued in spirit of United Nation's Charter, and taking into consideration that no matter what and despite political calculuses, the United Nation's maintenance of international peace and security. The worthy cause of fighting terrorism and extremism should not be stained with illegalities but coupled and enhanced with strive towards international rule of law, with regional cooperation and organizations as its building blocks.

In modern world, terrorism, arms dealers, violent extremists, and war criminals all operate through global networks. So, increasingly, do governments and should continue to do so. Further development of current legal frame work should be a part of their task too. Legal frameworks, that at the moment, are mostly concerned with exchange of information, coordination of activities and cooperation. Regional frameworks are combating not just regional, but a global crime, a common problem on a global scale.

In doing so, Asian-African Legal Consultative Organization is empowered to contribute to existing legal framework through active review and monitoring of their implementation and offering their consultation. AALCO should be able to build on experiences of Member States and rally its vast expertise and respect of international law and global justice, to construct a legal-oriented agenda for world violent extremism and terrorism.

At the end of my speech, as we are approaching The International Peace Day, in a few days, I would like to recite a poem by eminent and great Iranian Poet, Hafez- he says,

“let me say a wise word dear, Peace is much better than war and dispute”.

With that I would be happy to answer any questions I can.

President: Thank you, Prof. Mosafa for the comprehensive and very lucid statement. Now I have the pleasure of inviting Mr. Khoder El Tari, Legal Adviser, ICRC. Sir, you have the floor.

Mr. Khoder El Tari, Legal Adviser, ICRC :Mr. President, The International Committee of the Red Cross (ICRC) accepts the kind invitation of the Asian-African Legal Consultative (AALCO) Secretariat and Government of the Islamic Republic of Iran to serve as a panelist during the Special Meeting on the theme “Violent Extremism and Terrorism” at this 53 Annual Session of AALCO.

In particular, Mr. President, we are pleased to offer some perspectives, in our institutional observer capacity, on the subtheme of “Violent Extremism and the Violation of IHL and Human Rights.”

The ICRC

Mr. President, Distinguished Delegates, as you would be aware, the ICRC is a neutral, independent and impartial humanitarian organization which seeks to provide protection and assistance to those persons affected by armed conflicts and other emergencies. By virtue of the Geneva Conventions, the ICRC also has a mandate to promote and disseminate International Humanitarian Law (IHL).

The Geneva Conventions may be considered as unique international instruments, since they not only bind States Party to these Conventions, but also, all parties engaged in armed conflict. In other words, Mr. President, IHL obligations belong to State and non-state actors engaged in armed conflict. The Geneva Conventions are also a source of customary international law. In addition, we wish to refer to the Additional Protocols to the Geneva Convention, which relate to international armed conflict (Additional Protocol I) and non international armed conflict (Additional Protocol II).

IHL and Terrorism

IHL is a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in hostilities and restricts the means and methods of warfare in armed conflict.

IHL aims to protect human life and dignity during armed conflict and seeks to strike a balance between legitimate military action and the humanitarian objective of reducing human suffering. As such, civilians and those wounded and/or captured combatants –who no longer participate in hostilities, must be protected and spared from attack.

Armed conflict and acts of terrorism are different from violence, which are governed by different bodies of law. The main divergence is that, in legal terms, armed conflict is a situation in which certain acts of violence would be considered lawful, while any act of violence adjudicated as terrorist is always unlawful.

The reality of armed conflict is to prevail over the enemy's armed forces. From a strict *Jus in Bello* perspective, parties to an armed conflict, whether international or non-international, are permitted, or at least are not prohibited from attacking each other's legitimate military objectives. However, acts of violence against civilians and civilian objects are, by contrast, unlawful under IHL.

Mr. President, A crucial reason for not legally conflating armed conflict and acts of terrorism is that the legal framework governing armed conflict already prohibits the great majority of acts which would be adjudicated as 'terrorist', if they were committed in peacetime.

For example, IHL both prohibits, as war crimes: i) specific acts of terrorism perpetrated in armed conflict, and ii) a range of other acts that would commonly be deemed 'terrorist' if committed in peacetime.

Mr. President, we wish to recall that the principle of Distinction in IHL – which is also a customary international law norm- strictly prohibits direct and deliberate attacks against civilians, the use of “human shields” and hostages taking. Such prohibitions are also norms of customary IHL, the violations of which constitute war crimes.

IHL specifically mentions and in fact prohibits “acts of terrorism”. The Fourth Geneva Convention (Article 33), states that “Collective penalties and likewise all measures of intimidation or of terrorism are prohibited”, while Additional Protocol II (Article 4) prohibits “acts of terrorism” against persons who do not or no longer take part in hostilities. The main aim is to emphasize that neither individuals, nor the civilian population may be subject to collective punishments, which, among other things, obviously induce a state of terror.

Both Additional Protocols to the Geneva Convention also prohibit acts aimed at spreading terror among the civilian population. Articles 51(2) of Additional Protocol I and 13(2) of Additional Protocol II specifically prohibit acts of terrorism in the conduct of hostilities, providing that “acts of threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited”. The ICTY determined in the 2006 *Galic* judgment that this prohibition is binding- not only as treaty law- but also as form of customary law.

Mr. President, The ICRC strongly condemns such acts of indiscriminate violence, which spread terror among the civilian population.

Human Rights Law

Mr. President, The subject of this panel presentation necessitates our consideration of International Human Rights Law and related norms. Unlawful acts, committed outside the legal qualification of an armed conflict, are to be addressed by domestic and international human rights law and legal parameters of the use of force (law enforcement)- but not by application of IHL.

Core internationally protected human rights norms, namely the right to life, the right to personal liberty and security, the prohibition against torture and inhuman and degrading treatment, the right to due process and to a fair trial, and the right to judicial protection and its correspondent obligations must be respected and ensured, without discrimination. Such obligations exist in both peace time and armed conflict contexts. Put another way, these obligations remain the responsibility of the State in situations of armed conflict.

However, in situations where a state’s population is threatened by violence in peacetime – which may include “acts of terrorism” (howsoever defined by IHRL norms), the state has the right and obligation to protect its population against such threats and, in doing so, may use lethal force in certain situations – in keeping with international human rights obligations and law enforcement rules and procedures.

The Concept of “Violent Extremism and the Violation of IHL and Human Rights Law”

Mr. President, The ICRC acknowledges the role undertaken by the Islamic Republic of Iran on promoting dialogue and consensus on “A world against violence and violent extremism”. Mindful of the Observer Status which the ICRC enjoys in this august forum and in other regional and international organizations, we take this opportunity to highlight various aspects of the UN General Assembly Resolution on this topic, which find convergence with important IHL provisions.

Firstly, Mr. President, we refer to the preamble of the Resolution which stresses that “*States must ensure that any measure taken to combat violent extremism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law....*”

Secondly, in Paragraph 2 of the Resolution, we refer to the condemnation of “*the targeting of civilian populations, including women and children, in violation of international law in particular human rights and humanitarian law...*”

Thirdly, Mr. President, we refer to Paragraph 3 of the Resolution, which “*Deplores attacks on religious places...and cultural sites in violation of international law, in particular human rights and humanitarian law...*”

Conclusion

Mr. President, Distinguished Delegates, Armed conflict continues to evolve. Today’s frontline may no longer resemble that of the battle of Solferino. The use of new means and methods of warfare in armed conflict forces us to reconsider the application of IHL in light of such realities. There are also new and many different parties to an armed conflict. Which law apply? And to whom? When, and how?

These questions force us to confront the legal and practical realities of armed conflict- and the limits to parties’ engagement in the conduct of hostilities. Given its the role under the Geneva Conventions, the ICRC recognizes that more effort must be undertaken to strengthen the legal protection of IHL in armed conflict- both in an international and non-international contexts.

For this reason, Mr. President, the ICRC continues to engage States and other relevant entities on strengthening legal protection for victims of armed conflict which is an institutional priority for ICRC. As you would be aware, this initiative seeks to strengthen IHL in two areas: i) The protection of people deprived of their freedom; and ii) Mechanism to ensure compliance with IHL.

It is the ICRC’s hope that, in consultation with stakeholders, IHL and other legal principles would be effectively applied and complied with by all parties engaged in the conduct of hostilities, in an effort to reduce humanitarian suffering in armed conflict.

Thank you.

President: I thank Mr. El Thari for his lucid statement. I now invite the distinguished delegate of the Islamic Republic of Iran. Sir, you have the floor.

The Delegate of the Islamic Republic Of Iran: “In the name of God, the Compassionate, the Merciful”

Mr. President, First of all, I would like to thank the secretariat for the timely inclusion of the topic of “Violent Extremism and Terrorism” on the Agenda of the AALCO. I would also like to appreciate the thought-provoking presentations provided by the panelists. I am sure that their presentations will help us in better understanding the legal aspects of the issue.

Mr. President, Regrettably, the international community has been plagued by new threats to international peace and security in recent years. Sovereign territories are prone to violation by terrorists who take pride in crossing borders to spread terror against innocent civilians. Violent extremism, a real threat to mankind, has emerged as a phenomenon nurturing diverse manifestations of terrorism. The topic has, without doubt, the potentials necessary for intensive deliberations by the Member States, as historically Asia and Africa have paid considerable price for violent extremism and acts of terrorism.

Serious crimes of grave concern to international community emanate, in one way or another, from rampant spread of violent extremism in various manifestations. Conventional and customary international law seems to provide the necessary apparatus for effective cooperation in this regard. The legal instruments include bilateral, regional and multilateral treaties governing States’ cooperation in prevention, prosecution and punishment of acts of terrorism, and on the prevention and punishment of the most serious crimes of grave concern to international community namely genocide, war crimes against humanity. In addition, the development of customary international law of state responsibility leaves no doubt about the culpability of states which harbour, support or finance extremist terrorist groups.

Furthermore, within the framework of the law of armed conflicts, instruments aiming at the protection of victims of armed conflicts are including 1949 Geneva Conventions and the two Additional Protocols of 1977, 1968 Tehran Resolution on Human Rights in Armed Conflict and treaties regulating methods and means of warfare including the second Hague Convention of 1907 on the Laws and Customs of War on Land, and numerous instruments on the prohibition of the use of certain weapons and ammunitions including chemical and biological weapons and expanding bullets, blinding laser weapons and anti-personnel mines are only part of the existing conventional framework applicable to armed conflicts; amazingly, however, a good number of the provisions of the said instruments have already crystallized into customary international humanitarian law.

In the end, I wish that, “The Special Half-Day on Violent Extremism and Terrorism” can be a proper momentum for a more intensive cooperation among the Asian and African states to reach tangible results in the fight against violent extremism and terrorism.

Thank you Mr. President.

President: I now invite the distinguished delegate of China. Sir, you have the floor.

The Delegate of the People's Republic of China: Thank you, Mr. Chairman. Mr. President, Excellencies, Distinguished delegates, at present, international terrorism has entered a new round of heightened activity as a result of regional instability and causes. In the face of the threats posed by terrorism, broad consensus has been built among the international community on preventing and combating terrorism in an effective manner.

Extremism is closely intertwined with acts of terrorism. Too often, extremism has provided soil for the seeds of terrorism by distorting the relations between religions and politics, infiltrating innocent minds with radical ideology and inciting violent terrorist crimes. In order to prevent and suppress terrorism effectively, it is vital for the international community to thwart the growth and spread of extremism.

China has been victim of terrorism and extremism. The "East Turkistan Islamic Movement" (ETIM) terrorist organization outside China has been preaching religious extremism via the internet and by other means and inciting, planning, and directing violent terrorist activities. China hopes the international community can see through the pernicious nature of ETIM and understand and support China's efforts to fight this terrorist organization.

In recent years, positive progress has been achieved by the international community in suppressing terrorism, with strengthened consensus, deepened cooperation and improved legal framework. However, in some region, the situation of fighting terrorism has become more complicated than ever, which calls for even greater attention and stronger cooperation among all countries.

China holds the international community shall conduct practical cooperation to suppress terrorism and violent extremism, in conformity with the *UN Charter* and other universally recognized international law and norms governing international relations. The relevant measures shall fully respect the sovereignty and territorial integrity of other countries.

China supports the UN in playing a central, coordinating role in combating terrorism and violent extremism. China has participated actively in the negotiation on the comprehensive convention against international terrorism. We hope that all countries will reach consensus at an early date on some key issues, such as the definition of terrorism.

China holds the military action alone is far from enough in combating terrorism and violent extremism. We shall focus on both the symptoms and the root causes, and take a comprehensive approach involving political, economic, legal, diplomatic and other means. Furthermore, we shall fully respect the diversity of civilization, and promote mutual respect and harmonious co-existence among different nations and religions. We shall also solve conflicts in a proper way and eradicate the root causes of terrorism and extremism.

China opposes the practice by some individual countries of adopting double standards, and drawing lines according to ideologies or values on the issue of terrorism and violent extremism. All terrorist activities shall be firmly combated, no matter who perpetrate terrorist activities in

whichever country under whatever excuse. In the same vein, China also opposes linking terrorism and violent extremism to any specific country, nationality or religion.

It is notable that compared with terrorism, violent extremism has not received adequate attention from the international community, with relevant international legislation yet to be strengthened. Some countries even connive at extremist propaganda and incitement aimed at other countries via the internet and by other means, under the pretext of “freedom of speech” or “freedom of religion”. China maintains that all countries need to take this issue seriously, properly defined the boundaries of freedom and rule of law, liberty and security, legitimacy and illegitimacy, prevent and suppress violent extremism and eradicate the root causes of terrorism.

China supports and actively participates in the efforts of the international community in preventing and combating violent extremism. As a member of the Counter Violent Extremism Working Group under the Global Counter Terrorism Forum (GCTF), China actively supports the Working Group in setting up the “Hedayah” in the UAE.

In 2001, the *Shanghai Cooperation Organisation* treaty was concluded by China, Kazakhstan and other countries. The Shanghai Convention is among the first in the world to provide a definition for extremism, setting up a complete legal framework on the prevention and suppression of violent extremism. The convention provides for the obligation of State Parties to criminalize and punish relevant extremist activities. As to cooperation, the Convention provides mechanisms for cooperation among State Parties on information exchange, law enforcement, suppression of the financing and training for extremism, in conformity with the principals of dual criminality and mutual respect for sovereignty and security. On the basis of the Shanghai Convention, China has concluded bilateral treaties on cooperation in combating terrorism, separatism and extremism with seven countries, including Russia, Kyrgyzstan, Kazakhstan and Pakistan.

China is ready to cooperate more closely with both Asian and African countries to further improve the international legal framework on the prevention and suppression of terrorism and violent extremism, and to the maintenance of peace and security in our regions.

Thank you.

President: Thank you, Sir. I now invite the distinguished delegate of Qatar. Sir, you have the floor.

The Delegate of the State of Qatar: Excellencies, Distinguished Delegates, The phenomenon of violent extremism has become one of the disturbing phenomena to the world peace! Extremism is linked – always – to terrorism, and may lead to it. Extremism and terrorism are two things which do not separate from each other, extremism turns – mostly – to terrorism.

The whole world condemned all forms of terrorism and its manifestations. Many of conferences, seminars and workshops have been held and many of agreements and treaties have been made to address it, but those efforts did not succeed.

Despite the importance of efforts made by countries, however, these efforts have not and will not be able to uproot the roots of extremism. It was necessary to dry up its sources through sophisticated intellectual strategies, which step down forced elimination and do not base on security and military operations, strategies which adapt then converge between cultures, beliefs and visions and ideas and countries try through these to refute radicalism (terrorism) and its tributaries.

Those adaptations and approaches also rely on different foundations which recognize the definition of extremism that leads to violence or terrorism and signs, the causes and factors of its appearances, how to treat, and access to structures of treatment that balance between the military aspects of security and humanitarian aspects, so respect human rights and even support it, and maintain economic development and sustainable environment as integral part and inseparable from the security and stability.

The Government of Qatar is working - in full swing – working in cooperation with NGOs and civil society organizations to address the factors that make victims more vulnerable to extremists, including recruitment by terrorists, and also works to keep track of all the tracks that lead to extremism; often extremists exploit social and economic conditions for the recruitment of the most individuals vulnerable with their ideas and push them to adopt this unacceptable method of dealing.

Whatever the State of Qatar takes steps in which the people of Qatar believes in rejecting extremism and violence. The confrontation of this phenomenon in our societies requires a long-term challenge that demands cooperation from all, whether the government or groups active in the community or individuals.

1- Poverty Reduction.

Qatar is pursuing a flexible strategy in confronting extremism, where it participates in all international efforts to reduce poverty in the world and support sustainable economic development and prosperity for all, that makes Qatar to occupy advanced position in the ranking of donor countries at the global level.

2- Support for peace efforts.

Qatar seeks to support peace efforts in the world based on its satisfaction that the armed conflicts turn into chronic conflicts is a fertile ground for feeding of violent extremism, and the help to resolve these conflict by peaceful means that enhance efforts of its combating, and sees also that the fight against terrorism should be in the framework of respect for the rule of law, respect for international humanitarian law. The fight against violent extremism must be accompanied by the necessary precautionary measures to avoid the loss of innocent victims. Targeting extremists whether through human means or drones or mechanical appliances must be in accordance with legal standards.

3- Legislative Measures.

The State of Qatar has adopted many of national legislations which match with the international instruments, to which the State of Qatar has joined. Such legislations include many of law related to the combating terrorism and its financing and money laundering, as well as the cooperation of the Qatari Judiciary with the regional and international judicial authorities in the criminal matters. For this purpose the national committee for combating terrorism and national committee for combating money laundering were established.

4- Doha International Centre for Interfaith Dialogue.

Doha International Centre for Interfaith Dialogue was established in May 2007 as a result of recommendations of Doha Conference for interfaith dialogue, and it was inaugurated formally in 14 May 2007, the key role of centre is spreading the culture of dialogue and acceptance of others and peaceful coexistence among the followers of religions. The centre seeks a constructive dialogue between the followers of religions in order to better understand the principles and religious teachings to be harnessed to the service of humanity, on the basis of mutual respect and recognition of differences, in collaboration with individuals and related institutions.

5- Qatar International Academy for Security Studies.

This is a professional institution that works to improve the security standards, knowledge and cooperation, and serves multiple sectors including government, trade sectors and non-profit within the Gulf region and around the world. That is also working in conjunction with its customers, and often shares with global organizations for education and strategic policy. The Academy seeks to put all the ways to reduce the risk of terrorism by strengthening the resistance of extremism and help people to get rid of the effects and beliefs of violent extremism, and the reduction of the threat come from violent extremism, where individuals and groups choose to peaceful approaches in dealing with matters.

6- Participation in the work of the International Forum for combating terrorism.

The State of Qatar has hosted a workshop of the International Forum on Combating Terrorism, set up by the terrorism action group about tackling extremism for International Forum for combating terrorism, which took place during the period from March 3 - 4, 2014, and attended by representatives from 12 countries, including the United States, Turkey, China, Morocco and UN Counter-Terrorism Committee, Canada, Australia, Spain, the Netherlands, Britain and Qatar, in addition to a number of civil society and non-governmental organizations involved in combating terrorisms.

Global Forum for combating terrorism which is an informal forum for multilateral counter-terrorism, focuses its attention on identifying importance critical civilian needs for combating terrorism, and gathers expertise and resources necessary to meet these needs, and enhances global cooperation.

7- 13th International Conference on the Prevention of Crime and Social Justice.

In the framework of the efforts made by Qatar to combat terrorism, it keeps continue the necessary preparations to hold the 13th Conference on Crime Prevention and Criminal Justice, which will be held in Doha in 2015, that is in coordination with the United Nations Office on Drugs and Crime, according to the United Nations General Assembly's decision in this regard, and the results of the Conference will contribute – without any doubt - in support of international efforts to combat violent extremism, as well as terrorism.

Thank you.

President: Thank you, Sir. I now invite the distinguished delegate of India. Madam, you have the floor.

The Delegate of India: Thank you, Mr. President. The Indian delegation would like to thank the Secretariat for their report and the eminent panelists for their lucid and informative presentations. Mr. President, the international community is continuously facing grave challenges from terrorism. It undermines peace, democracy and freedom. It endangers foundations of a democratic society. Terrorists are waging an asymmetric war against the international community and are major threat to the international peace and security. India holds a firm view that no cause whatsoever or grievance could justify terrorism. India condemns terrorism in strongest terms including where the states are directly or indirectly involved in terrorist activities and facilitation thereof. We reiterate the call for the adoption of a holistic approach that ensures zero tolerance towards terrorism. India strongly favours the strengthening of normative framework to effectively deal with the menace of terrorism. There is need for expanding the scope of legal instruments and enforcement efforts to destroy safe havens for terrorists. In this context, we attach great importance to the work undertaken by the Ad Hoc Committee established by the UN General Assembly for elaborating a comprehensive convention on international terrorism. We reiterate our support to the text of the Draft Convention proposed by the Coordinator of the Ad Hoc Committee in 2007 and are hopeful that all states, considering the seriousness of the threat of the menace of terrorism and importance of adoption of measures to deal with them, will consider accepting the text of the Draft Convention.

India has faced the scourge of terrorism for a long time. Our entire region has been wrecked by the activities of the biggest terrorist actors in the world, be in Al Qaeda, elements of Taliban or Laskar-e-Taiba and others. Almost all members of AALCO are facing terrorism related problems in one or the other form. Therefore there is a continued need to address this problem. At the national level, the Government of India has taken important steps towards strengthening its strategic legal and operational framework in the fight against terrorism. India is a party to 13 international counter terrorism conventions and protocols and has enacted legislations to deal with all aspects of terrorism. At the bilateral and regional level, India has concluded bilateral treaties on extradition and mutual legal assistance in criminal matters including a number of Member States of AALCO. India is also party to the SAARC Convention on Prevention of Terrorism as well as mutual legal assistance in criminal matters as well as similar conventions adopted by BIMSTEC.

On violent extremism, Mr. President, though it feeds on terrorism, there needs to be more clarity on its definition and the difference, if any, between terrorism and violent extremism and measures needed to combat it. We believe that in addition to the law enforcement measures, the preventive aspect is equally important. Focus on education and social integration, tolerance, rule of law and respect for human rights are integral components of such an approach.

In conclusion, Mr. President, we are of the view that AALCO can play an important role in analyzing the issues relating to terrorism and violent extremism and advising the Member States on devising appropriate and effective legal measures to fight them. Thank you.

President: Thank you, Madam. I now invite the distinguished delegate of Egypt. Sir, you have the floor.

The Delegate of the Arab Republic of Egypt²²: Thank you, Mr. President. Heads of delegations, Ladies and Gentlemen, The spread of terrorist groups in the regions of Middle East and Africa has become pressing threat to these countries and people of region and this is threat to the peace and security on both regional level and internationally.

Mr. President, given the attention of world towards danger of terrorism, it is tantamount to emphasize the right steps of Egypt in the fight. Egypt too has been reeling under the scourge of terrorism and suffered many damages in the recent past.

Ladies and Gentlemen, It is no secret that terrorist groups, despite their apparent differences in the extent of extremism and their targets, are one network of interest and more than often extends moral and material support to other outfits when needed. They seem to be bound by the ideology of extremism and hatred and not to accept the others. We all have realized that the ideology of extremists is to not negotiate; reaching a compromise, the threat of terrorist groups is dangerous and we cannot put the future of our people in jeopardy through the allowing them to synergize their energies and finances and provide them with new edge for movement and influence. To thwart this threat it requires solidarity in action and multiplying the collectively and individually capabilities to resist the threat of extremism and terrorism and eliminate it.

Mr. President, It makes me happy to re-emphasize some important principles which should take into account while addressing the phenomenon of terrorism.

First, severe condemnation of terrorist operations in all forms and types, and denouncement of the process of armed violence against innocent people, whatever its origin and without regard to their goals and objectives.

Second, categorically reject of any attempt to link the terrorist operations and violence with any religion or culture or nationality or ethnic or civilization or ethnical groups precisely.

Third, the importance of respect of domestic rules as well as international law, principle of rule of law, respect of rights of human beings and fundamental freedom in the policies and strategies to combat terrorism needs to be emphasized.

²² This statement was delivered in Arabic. This is an unofficial translation made by the Secretariat.

The resistance of terrorism is international responsibility and it should not be employed to serve the specific interests of some of the parties in the support and acceptance of these organizations anywhere. The need of the hour is to eliminate the hotbeds of terrorism, but it is important to extend efforts to include all the hotbeds of terrorism wherever it is found in the Middle East and Africa as part of the overall strategy.

Further, the double standards in the application of international law should be taken care. The international community should be proactive in addressing the Palestinian issue that provides a pretext and fertile ground for the people with extremist ideology to spread their ideas and promote it and then to recruit terrorist elements. Thank you for your kind attention.

President: Thank you, Sir. I now invite the distinguished delegate of Nigeria. Sir, you have the floor.

The Delegate of Nigeria: Mr. President, My delegation commends the initiative by AALCO to organize this half-day Session on this critical topic, which has become a matter of urgent global importance. May I also commend our distinguished panelists for the very incisive and enlightening presentations on the topic. Nigeria has not been spared of the scourge of terrorism in view of the current activities of terrorists in Nigeria's North-East region, with consequences for regional stability in West Africa and wider implications for global peace and security.

Mr. President, My delegation is of the view that State parties to the United Nations, regional or continental Conventions on Terrorism and Financing of Terrorism, must go beyond the signature, ratification of or accession of these instruments, to take active domestic steps to punish terrorists and to cooperate with other states, without resort to undue legal or technical obstacles, in order to ensure the prevention of terrorism and the apprehension and prosecution of terrorist suspects.

Nigeria continues to advocate this approach in the light of our current experience in fashioning out and implementing a legal response to terrorism anchored on the Terrorism Prevention (Amendment) Act 2013 which is the extant law in Nigeria. It is significant to note that until this Act replaced the inadequate Terrorism Prevention Act 2011, Nigeria's domestic laws were inadequate to deal with the crime, despite our being a signatory to, and indeed ratifying relevant United Nations and Continental legal instruments to counter terrorism and the financing of terrorism.

This Act has also formed the basis for a Legal Order proscribing the Boko Haram and Ansaru Secta thus legally making them criminal organizations. Constitutional provisions on the declaration of a State of Emergency in the affected areas have equally been invoked in the effort to restore normalcy to the affected areas.

To expedite trials, new Practice Directions have been issued, capacity building for investigators, prosecutors and judges intensified, while the Witness Protection provisions in the Act are being actively used in a view of the critical role which witnesses play in the trial

process. These measures are to strengthen our capacity to play our role as an active member of the international effort against terrorism.

Mr. President, It is equally pertinent to highlight the crucial role which Extradition Agreements, Agreements on Mutual Legal Assistance in Criminal Matters on a bilateral or multilateral basis can play in stemming the scourge of terrorism and the tracking of fugitive offenders. In this context, let me highlight the success of cooperation between Nigeria and Sudan, to face trial after the Oqwuche, from Sudan to Nigeria to face trial after the bombing of a Bus Park which led to death of 78 persons.

In addition to the platform offered by the United Nations system, we are convinced that the provisions of AU and ECOWAS legal instruments which encourage common and supportive defence measures among States in the ECOWAS sub-region and African continent respectively, remain a potent legal framework to combat terrorism and violent extremism on the continent, and by extension, across the world.

Mr. President, There is no doubt that in this war on terror, challenges have arisen and sometimes hamper the effectiveness and speed of legal responses to terrorism. Some of these include limited human capacity to investigate and prosecute terrorism, difficulties with securing the attendance of witnesses in the light of threats and fears for personal and family safety, funding gaps which hamper investigation and prosecution efforts, as well as the tendency by States to sometimes emphasize territorial integrity and sovereignty over common regional interests.

We have however learned the lesson of the importance for proactive legislation to anticipate the trend and direction and trend of future criminal activity, the need for greater regional and international collaboration and cooperation as well as the necessity for greater focus on tracking and cutting off the flow of funds to terrorists gangs in order to progressively decimate their capabilities.

Mr. President, in conclusion, success against terrorism and violent extremism can only result from a focus by States on common global interests and shared values and confronted as such. The transplantation nature of terrorism in today's world makes it impossible for a single country to confront the scourge alone. Nigeria therefore looks forward to continued collaboration with member states of AALCO and other members of the international community in this direction.

Mr. President, I thank you.

President: Thank you, Sir. I now invite the distinguished delegate of Democratic People's Republic of Korea. Sir, you have the floor.

The Delegate of Democratic People's Republic of Korea: Thank you, Mr. President. In the first place I would like to express my thanks to the eminent panelists. It is the principled stand of the government of the DPRK to provide people with a secured and safe life by eradicating all forms of terrorism and violent extremism. Deliberating on the issue of violent extremism

and terrorism, my delegation would like to draw the attention of the distinguished delegates to the fact that nowadays the United States of America under the pretext of combating terrorism has trampled upon the sovereignty of independent states like Afghanistan and Iraq killing many innocent people. Presently, we witnessed the same in Syria. The USA is going to give airstrike on the Syrian territory in the name of combating ISIS violating the sovereignty of Syria. We denounce the American move. In this respect, my delegation holds the view that sovereignty of independent states which is enshrined in the UN Charter and many other international agreements should not be violated under the pretext of combating terrorism.

Thank you, Mr. President.

President: Thank you, Sir. I now invite the distinguished delegate of Japan. Sir, you have the floor.

The Delegate of Japan: Mr. President, The international community continues to face the threat of international terrorism, which is today manifesting itself in various forms, old and new and in many countries and regions, presenting a serious threat to peace and security of the world. Indeed, the problems related to terrorism are very complex and pose a biggest challenge to tackle with effectively.

Therefore, I believe that at the present day, more strongly than ever before, international cooperation is needed to share information on terrorists, to make rules and standards on counter-terrorism measures, to assist capacity-building on anti-terrorist measures and also to look into the root causes of terrorism.

Among those efforts combined in the international community, in particular, the enactment of the international legal framework is of vital importance to prevent and eliminate terrorism. Japan attaches great importance on a Comprehensive Convention on International Terrorism, which has long been in process of negotiation at the U.N., with a view to complementing the existing international conventions relating to counter-terrorism.

In considering the importance of this draft convention, we sincerely hope that the text of the Convention would be finalized at an early date by way of overcoming remaining difficulties so that we will be able to conclude the negotiation process at long last. To prevent the expansion of violent extremism, it is also important to understand the process of radicalization. The importance of international cooperation to encounter propaganda and recruit by extremist group is increasing.

I understand that the Counter Violent Extremism working group of GCTF (Global Counterterrorism Forum) carries out various measures in this field. Japan participates in this working group as a member of the GCTF and in international cooperation in this field, including sharing best practices that member countries can put to practical use in addressing the extremism. Thank you.

President: Thank you, Sir. I now invite the distinguished delegate of Indonesia. Sir, you have the floor.

The Delegate of the Republic of Indonesia: Mr. President, Recent trends have shown an escalation in threats of violent extremism. Such threats do not only hinder the well-being of the people, but also threatens governments and governmental institutions. In this regard, Indonesia shares the common concern with Member States of AALCO to combat and suppress violent extremism. Indonesia wishes to convey its deep appreciation to the AALCO Secretariat for preparing this special meeting.

Mr. President, Indonesia is of the view that cooperation in countering terrorism should be continued and strengthened, although terrorist networks in Southeast Asia has suffered major setback as a result of our robust cooperation, nevertheless the threat persist. Therefore in ASEAN, we had resolved to promote cooperation under the framework of the ASEAN Convention on Counter Terrorism. Indonesia has actively participated under the United Nations such as the Global Counter Terrorism Forum (GCTF). This forum provides a framework to strengthen existing international cooperation in countering terrorism as well as to build new partnership, enhance institutional capacity and build capacity of law enforcement apparatus to counter terrorism.

Mr. President, Indonesia believes that a strong national legislation is pivotal for the development of comprehensive measures to combat terrorism. In light of this, Indonesia has a wide range of legislative measures in place to counter terrorism activities. Indonesia has adopted important legislative frameworks, namely the Anti-Terrorism Law No. 15/2003; the Anti-Money laundering Law No.8/2010; the Prevention and Suppression of Terrorist Financing Law No. 9/2013. Last March this year, Indonesia had ratified the International Convention for the Suppression of Acts of Nuclear Terrorism (ICSANT).

Indonesia also utilizes a soft power approach for preventing the spread of terrorism by initiating programs on de-radicalization and countering violent extremism. The de-radicalization program aims to de-radicalize extremist and terrorist, while countering violent extremism program raises awareness of the danger of extremist ideologies.

Mr. President, Indonesia is of the view that our strategies and measure to prevent and combat terrorism should adapt with the technological advancement of today's information and telecommunication technology. Moreover, the use of internet by terrorist groups as means of incitement for violent extremism and recruitment of terrorists, necessitate State to review their strategies and measure to suppress terrorism in all its manifestations.

Mr. President, Finally, Indonesia reaffirms our commitment on the importance of promoting cooperation on the issue of violent extremism and terrorism, bilaterally, regionally as well as at the multilateral level. I thank you.

President: Thank you, Sir. The last speaker is the distinguished delegate of Senegal. Sir, you have the floor.

The Delegate of Senegal: Thank you, Mr. President. I thank all the panelists for their enlightening comments. I would in particular express my thanks Dr. Mosafa for her comprehensive contribution especially in its aspects related to African states. It indeed

underlined a coherent African way in promoting cooperation in fighting terrorism. But we do highlight that various instruments and mechanisms created in the continent which include the Dakar Declaration on Terrorism try effectively to ensure that combating terrorism needs a deep and global cooperation between states of all continents due to the transnationalization of terrorism and violent extremism.

Thank you very much.

President: Thank you, Sir. If there are no more comments, this meeting is adjourned.

The Session was thereafter adjourned.