

## **High-level meeting of the Security Council: combating terrorism**

### *Initial proceedings*

#### **Decision of 20 January 2003 (4688<sup>th</sup> meeting): resolution 1456 (2003)**

At the 4688<sup>th</sup> meeting, on 20 January 2003, the Security Council included in its agenda the item entitled "High-level meeting of the Security Council: combating terrorism".

During the meeting, statements were made by all members of the Council<sup>1</sup> as well as by the Secretary-General and the Chairman of the Counter-Terrorism Committee (CTC).

The Secretary-General stressed that the threat of terrorism, if it were to be addressed successfully, required a global response as well as long-term action. He urged the United Nations to set effective international norms in order to play an increasing role in dissuading potential perpetrators of terror. He assigned the key role for this to CTC which had the responsibility to ensure the implementation of international anti-terrorism conventions and standards and therefore was at the centre of global efforts to fight terrorism. He also warned about "collateral damage" of the war on terrorism, by sacrificing crucial liberties or the rule of law on the domestic level, and by using the fight against terrorism as an excuse for military action on the international level. He further held that to the extent the Organization succeeded in fighting poverty, injustice, suffering and war as per the goals of the Charter, it was also likely to help end the conditions serving as justification for those who committed acts of terror.<sup>2</sup>

The Chairman of CTC stated that although the vast majority of States had begun to implement resolution 1373 (2001) by starting to consider or adopting new laws, more and faster action was needed. He named those States that had not yet submitted their reports to CTC for different reasons, setting a deadline for submission after which any non-reporting State would be held to be non-compliant with the resolution. He also

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<sup>1</sup> The Council members were represented at the ministerial level except for the Syrian Arab Republic and Chile.

<sup>2</sup> S/PV.4688, pp. 2-3.

emphasized the complexity of resolution 1373 (2001) for implementation and therefore stressed that CTC was offering various guidance and advice to States which might require help. In this context, he also pointed out the benefits to individual States of working within the collective efforts of their regions and asked for support from international and regional organizations. He drew the attention to potential links between terrorism and other forms of international organized crime which had already been taken up in resolution 1373 (2001) and stated that the structures CTC was helping to put in place for counter-terrorism might also be useful for the fight against international crime of all kinds.<sup>3</sup>

In their statements, most speakers commended the work of CTC and saw a continued need for its coordinating and assisting role in the implementation of resolution 1373 (2001). They reaffirmed the need for a comprehensive approach and strengthened cooperation in the fight against terrorism and in that regard acknowledged the leading role played by the United Nations.

Some speakers pleaded for cooperation at various levels, in particular at the regional and international levels, and welcomed the special meeting of CTC with regional and international organizations to be held in March 2003 in order to strengthen cooperation and improve coordination at various levels in the fight against terrorism.<sup>4</sup> According to the representative of Chile, the draft resolution to be adopted<sup>5</sup> marked a turning point in CTC's work since it emphasized the establishment of horizontal relationships between countries and international and regional organizations and put cooperation among States in the centre of the efforts to combat terrorism.<sup>6</sup>

Many speakers recognized the need to strengthen the international anti-terrorist legal framework and hoped that the work on the conventions on the comprehensive fight against terrorism and on nuclear terrorism would be finalized.<sup>7</sup> Some speakers reminded

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<sup>3</sup> Ibid., pp. 3-5.

<sup>4</sup> Ibid., p. 9 (Bulgaria); p. 14 (Mexico); p. 19 (United States); p. 21 (Guinea); and p. 25 (Chile).

<sup>5</sup> S/2003/60.

<sup>6</sup> Ibid., pp. 24-25.

<sup>7</sup> Ibid., p. 6 (Germany); p. 8 (Cameroon); p. 10 (Bulgaria); p. 11 (Angola); pp. 15-16 (Russian Federation); p. 18 (United States); p. 21 (Guinea); p. 25 (Chile); and p. 26 (France).

the Council that while combating terrorism, it had to respect the principles of the Charter of the United Nations and of international law.<sup>8</sup>

Several speakers also addressed the importance of tackling the root causes underlying terrorism<sup>9</sup> and regarded conflict prevention and conflict settlement as an essential effort to eliminate terrorism.<sup>10</sup> Others drew attention to the fact that terrorism was often related to other illegal activities, in particular arms trafficking, money laundering and acquisition of weapons of mass destruction (WMD).<sup>11</sup> The representative of Spain proposed to consider an adjustment of CTC's mandate in this regard.<sup>12</sup> Some other speakers in particular expressed concern at the risk of terrorists acquiring WMD and emphasized the need to address the issue.<sup>13</sup> In order to prevent terrorist groups from using radioactive sources to make "dirty bombs", the representative of France announced concrete proposals with a view to formulating an international convention strengthening controls over the use and transfer of such radioactive sources.<sup>14</sup>

The link between terrorism and States possessing WMD was addressed in particular in relation to the situation in Iraq: while the representatives of the Russian Federation, the United States and the United Kingdom unanimously hoped that the crisis would be resolved peacefully, the representative of the United Kingdom warned about a potential use of force in case Iraq would not actively comply with its Security Council obligations and fully cooperate with interlocutors.<sup>15</sup> Similarly, the representative of the United States stressed that if Iraq did not come into full compliance, States must not shrink from the responsibilities set before themselves unanimously in resolution 1441 (2002).<sup>16</sup> The representative of the Syrian Arab Republic took up the link between

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<sup>8</sup> Ibid., pp. 5-6 (Germany); p. 14 (Mexico); p. 15 (Russian Federation); p. 20 (China); and p. 22 (Syrian Arab Republic).

<sup>9</sup> Ibid., p. 6 (Germany); p. 6 (Cameroon); p. 9 (United Kingdom); p. 11 (Angola); p. 16 (Russian Federation); p. 20 (China); p. 22 (Guinea); p. 23 (Syrian Arab Republic); and p. 26 (France).

<sup>10</sup> Ibid., p. 6 (Germany); p. 9 (United Kingdom); p. 14 (Mexico); p. 16 (Russian Federation); p. 20 (China); p. 22 (Guinea); and p. 26 (France).

<sup>11</sup> Ibid., p. 10 (Bulgaria); p. 15 (Russian Federation); p. 18 (United States); p. 21 (Guinea); and p. 26 (France).

<sup>12</sup> Ibid., p. 17.

<sup>13</sup> Ibid., p. 6 (Germany); p. 8 (United Kingdom); p. 15 (Russian Federation); p. 17 (Spain); and p. 18 (United States).

<sup>14</sup> Ibid., p. 26.

<sup>15</sup> Ibid., pp. 8-9 (United Kingdom); p. 15 (Russian Federation); and p. 18 (United States).

<sup>16</sup> Ibid., p. 18.

terrorism and WMD in the Middle East region and called for international conferences to define terrorism and to make the Middle East a zone free of WMD.<sup>17</sup>

As to the role of CTC, referring to resolution 1373 (2001) which required States to take measures also against accomplices of terrorists, the representative of the Russian Federation proposed that CTC pursue the matter given the importance of not only assisting Member States in improving their anti-terrorist laws but also examining the application of those laws in accordance with current requirements.<sup>18</sup> The representative of Spain advocated that CTC should not be limited to a review of reports submitted by States and must propose concrete legal and political measures with regard to preventing the financing of terrorism, proposing instruments for information exchange and recommending effective border control.<sup>19</sup>

The President (France) drew the attention of the Council to the draft resolution<sup>20</sup> which was subsequently put to the vote and adopted unanimously as resolution 1456 (2003). In summary, by this resolution, the Council:

Decided to adopt the attached declaration on the issue of combating terrorism.<sup>21</sup>

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<sup>17</sup> Ibid., p. 23.

<sup>18</sup> Ibid., p. 15.

<sup>19</sup> Ibid., p. 17.

<sup>20</sup> S/2003/60.

<sup>21</sup> In summary, in this declaration, the Council called upon States to comply with resolution 1373 (2001), to become a party to all relevant international conventions and protocols relating to terrorism, to assist each other in the prevention, investigation, prosecution and punishment of terrorist acts and to cooperate closely to implement fully the sanctions against terrorists and their associates. It also stressed the obligations on States to report to CTC and that States must ensure that the measures taken comply with their obligations under international law, in particular international human rights, refugee and humanitarian law. The Council called for regional and subregional organizations to work with CTC and emphasized that addressing unresolved regional conflicts and the full range of global issues, including development issues, would contribute to international cooperation and collaboration, which by themselves were necessary to sustain the broadest possible fight against terrorism. The Council also encouraged all Member States to resolve all outstanding issues with a view to the adoption, by consensus, of the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism.