



OSCE HUMAN DIMENSION COMMITMENTS ON THE PREVENTION OF TERRORISM

The following list of commitments is an excerpt from Volume 1 of the 3rd edition of OSCE Human Dimension Commitments, published in April 2011.

TABLE OF CONTENTS

1 CONDEMNATION OF, AND COMMITMENT TO COMBAT, TERRORISM	1
2. RESPECTING HUMAN RIGHTS AND THE RULE OF LAW WHILE COMBATING TERRORISM	16
3. PREVENTION OF TERRORISM-RELATED ACTIVITIES ON THE TERRITORY OF PARTICIPATING STATES	20
4. EXTRADITION AND PROSECUTION OF PERSONS IMPLICATED IN TERRORIST ACTS...	21
5. COUNTERING THE USE OF THE INTERNET FOR TERRORIST PURPOSES.....	24

1 CONDEMNATION OF, AND COMMITMENT TO COMBAT, TERRORISM

Madrid 1983 (Questions Relating to Security in Europe: Principles)

(...)

The participating States condemn terrorism, including terrorism in international relations, as endangering or taking innocent human lives or otherwise jeopardizing human rights and fundamental freedoms and emphasize the necessity to take resolute measures to combat it.

They express their determination to take effective measures for the prevention and suppression of acts of terrorism, both at the national level and through international co-operation including appropriate bilateral and multilateral agreements, and accordingly to broaden and reinforce mutual co-operation to combat such acts. They agree to do so in conformity with the Charter of the United Nations, the United Nations Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States and the Helsinki Final Act.

(...)

The participating States confirm that they will refrain from direct or indirect assistance to terrorist activities or to subversive or other activities directed towards the violent overthrow of the regime of another participating State. Accordingly, they will refrain, *inter alia*, from financing, encouraging, fomenting or tolerating any such activities.

Vienna 1989 (Questions Relating to Security in Europe: Principles)

(8) The participating States unreservedly condemn, as criminal, all acts, methods and practices of terrorism, wherever and by whomever committed, including those which jeopardize friendly relations among States and their security, and agree that terrorism cannot be justified under any circumstances.

(9) They express their determination to work for the eradication of terrorism both bilaterally and through multilateral co-operation, particularly in such international fora as the United Nations, the International Civil Aviation Organization and the International Maritime Organization and in accordance with the relevant provisions of the Final Act and the Madrid Concluding Document.

(10) Convinced of the need to combine measures at a national level with reinforced international co-operation, the participating States express their intention

(10.1) - to pursue a policy of firmness in response to terrorist demands;

(10.2) - to reinforce and develop bilateral and multilateral co-operation among themselves in order to prevent and combat terrorism as well as to increase efficiency in existing co-operation at the bilateral level or in the framework of groups of States including, as appropriate, through the exchange of information;

(...)

(10.4) - to take effective measures for the prevention and suppression of acts of terrorism directed at diplomatic or consular representatives and against terrorism involving violations of the Vienna Conventions on Diplomatic and Consular Relations, in particular their provisions relating to diplomatic and consular privileges and immunities;

(...)

(10.6) - to consider becoming parties, if they have not yet done so, to the relevant international conventions relating to the suppression of acts of terrorism;

(10.7) - to continue to work in the appropriate international bodies in order to improve and extend measures against terrorism and to ensure that the relevant agreements are accepted and acted upon by as many States as possible.

Helsinki 1992 (Summit Declaration)

26. (...) We will encourage exchange of information concerning terrorist activities. We will seek further effective avenues for co-operation as appropriate. We will also take the necessary steps at a national level to fulfil our international obligations in this field.

Budapest 1994 (Decisions: IV. Code of Conduct on Politico-Military Aspects of Security)

6. The participating States will not support terrorist acts in any way and will take appropriate measures to prevent and combat terrorism in all its forms. They will co-operate fully in combating the threat of terrorist activities through implementation of international instruments and commitments they agree upon in this respect (...)

Istanbul 1999 (Charter for European Security: I. Our Common Challenges)

4. International terrorism, violent extremism, organized crime and drug trafficking represent growing challenges to security. Whatever its motives, terrorism in all its forms and manifestations is unacceptable...The excessive and destabilizing accumulation and uncontrolled spread of small arms and light weapons represent a threat to peace and security. We are committed to strengthening our protection against these new risks and challenges; strong democratic institutions and the rule of law are the foundation for this protection. We are also determined to co-operate more actively and closely with each other to meet these challenges.

Bucharest 2001 (Ministerial Declaration)

2. We resolutely condemn all acts of terrorism. Terrorism, whatever its motivation or origin, has no justification. No cause can justify the purposeful targeting of innocent people. In the fight against terrorism, there is no neutrality.

3. (...) We reiterate that the struggle against terrorism is not a war against religions or peoples (...)

Bucharest 2001 (Decision No. 1 on Combating Terrorism)

The 55 participating States of the OSCE stand united against terrorism, a scourge of our times.

The OSCE participating States resolutely condemn the barbaric acts of terrorism that were committed against the United States on 11 September 2001. They represented an attack on the whole of the international community, and on people of every faith and culture. These heinous deeds, as well as other terrorist acts in all forms and manifestations, committed no matter when, where or by whom, are a threat to international and regional peace, security and stability. There must be no safe haven for those perpetrating, financing, harbouring or otherwise supporting those responsible for such criminal acts (...)

The OSCE participating States will not yield to terrorist threats, but will combat them by all means in accordance with their international commitments. This will require a long and sustained effort, but they take strength from their broad coalition, reaching from Vancouver to Vladivostok (...) They firmly reject identification of terrorism with any nationality or religion (...)

The OSCE participating States pledge to reinforce and develop bilateral and multilateral co-operation within the OSCE, with the United Nations and with other international and regional organizations, in order to combat terrorism in all its forms and manifestations, wherever and by whomever committed. As a regional arrangement under Chapter VIII of the Charter of the United Nations, the OSCE is determined to contribute to the fulfilment of international obligations as enshrined, *inter alia*, in United Nations Security Council resolution 1373 (2001), and will act in conformity with the purposes and principles of the Charter of the United Nations. The OSCE participating States pledge to become parties to all 12 United Nations conventions and protocols related to terrorism as soon as possible. They call for a speedy finalization of negotiations for a Comprehensive United Nations Convention on International Terrorism.
(...)

(...) the OSCE Ministerial Council adopts The Bucharest Plan of Action for Combating Terrorism, annexed to this Decision.

Bucharest 2001 (Annex to Decision No. 1 on Combating Terrorism: The Bucharest Plan of Action for Combating Terrorism)

I. Goal of the Action Plan

1. (...) The OSCE participating States commit their political will, resources and practical means to the implementation of their obligations under existing international terrorism conventions (...)

3. The aim of the Action Plan is to establish a framework for comprehensive OSCE action to be taken by participating States and the Organization as a whole to combat terrorism, fully respecting international law, including the international law of human rights and other relevant norms of international law. (...)

II. International legal obligations and political commitments

4. (...) The widest and most comprehensive participation in and implementation of existing instruments and commitments to combat terrorism by the participating States must be pursued and ensured.

5. Participating States: Pledge themselves to apply efforts to become parties to all 12 United Nations conventions and protocols relating to terrorism, by 31 December, 2002, if possible, recognizing the important role that parliamentarians may play in ratification and other anti-terrorism legislative processes. (...) Will participate constructively in the ongoing negotiations at the United Nations on a Comprehensive Convention against International Terrorism and an International Convention for the Suppression of Acts of Nuclear Terrorism, with a view to their early and successful conclusion.
(...)

7. Participating States: Will consider how the OSCE may draw upon best practices and lessons learned from other relevant groups, organizations, institutions and fora in areas such as police and judicial co-operation; prevention and suppression of the financing of terrorism; denial of other

means of support; border controls including visa and document security; and access by law enforcement authorities to information.

8. The participating States will also use the Forum for Security Co-operation (FSC) to strengthen their efforts in combating terrorism through full and timely implementation of all relevant measures agreed by the OSCE. To this end they will enhance implementation of existing politico-military commitments and agreements, in particular the Code of Conduct on Politico-Military Aspects of Security and the Document on Small Arms and Light Weapons (SALW) (...)

III. Preventive action against terrorism in the OSCE area (...)

11. Promoting human rights, tolerance and multi-culturalism: Participating States/Permanent Council/ODIHR/High Commissioner on National Minorities (HCNM)/Representative on Freedom of the Media: Will promote and enhance tolerance, co-existence and harmonious relations between ethnic, religious, linguistic and other groups as well as constructive co-operation among participating States in this regard. Will provide early warning of and appropriate responses to violence, intolerance, extremism and discrimination against these groups and, at the same time, promote their respect for the rule of law, democratic values and individual freedoms. Will work to ensure that persons belonging to national minorities have the right freely to express, preserve and develop their ethnic, cultural, linguistic or religious identity.
(...)

13. Addressing negative socio-economic factors: Participating States/Secretariat: Will aim to identify economic and environmental issues that undermine security, such as poor governance; corruption; illegal economic activity; high unemployment; widespread poverty and large disparities; demographic factors; and unsustainable use of natural resources (...)

14. Preventing violent conflict and promoting peaceful settlement of disputes: Drawing on all its capacities, the OSCE will continue and intensify work aimed at early warning and appropriate response, conflict prevention, crisis management and post-conflict rehabilitation; will strengthen its ability to settle conflicts; will increase efforts to find lasting solutions to unresolved conflicts, including through promotion of the rule of law and crime prevention in such conflict zones through increased co-operation with the United Nations, the European Union and other international organizations; and will further develop its rapid deployment capability (REACT) in crisis situations.

15. Addressing the issue of protracted displacement: Participating States/ODIHR/HCNM/Representative on Freedom of the Media: Will explore strengthened OSCE potential for contributing to durable solutions, supporting and closely co-operating with other relevant organizations, primarily the Office of the United Nations High Commissioner for Refugees. Will closely monitor situations of protracted displacement.

16. Strengthening national anti-terrorism legislation: Participating States: Will commit themselves to implementing all the obligations they have assumed under relevant conventions and protocols relating to terrorism as well as the United Nations Convention against Transnational Organized Crime and its additional protocols, sharing information and methods in this regard and considering ways and means of co-operation in implementation at bilateral, OSCE-wide and sub-regional meetings.
(...)

24. Suppressing the financing of terrorism. Participating States: Will, within the framework of the United Nations Convention on the Suppression of Financing of Terrorism and UNSCR 1373 (2001), take action to prevent and suppress the financing of terrorism, criminalize the wilful provision or collection of funds for terrorist purposes, and freeze terrorist assets also bearing in mind UNSCR 1267 (1999). Will, in accordance with their domestic legislation and obligations under international law, provide early response to requests for information by another participating State and relevant international organizations.

25. Participating States/Secretariat: (...) Will consider how the OSCE may contribute, within the framework of its work on transparency and the fight against corruption, to the wider international effort to combat terrorism. Will consider taking on a catalytic role in providing targeted projects for the training of the personnel of domestic financial institutions in counter-terrorism areas, *inter alia* on monitoring of financial flows and on prevention of money laundering. Participating States will participate constructively in the forthcoming negotiations at the United Nations on a global instrument against corruption, with a view to their early and successful conclusion.

26. Preventing movement of terrorists: Participating States: Will prevent the movement of terrorist individuals or groups through effective border controls and controls on issuance of identity papers and travel documents, as well as through measures for ensuring the security of identity papers and travel documents and preventing their counterfeiting, forgery and fraudulent use. Will apply such control measures fully respecting their obligations under international refugee and human rights law. Will, through the proper application of the exclusion clauses contained in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, ensure that asylum is not granted to persons who have participated in terrorist acts. Will provide for the timely detention and prosecution or extradition of persons charged with terrorist acts, in accordance with their obligations under international and national law.

IV. Action under the Platform for Co-operative Security - Co-operation with other organizations (...)

28. Participating States/Secretariat: Will strengthen co-operation and information exchanges, both formally and informally, with other relevant groups, organizations, and institutions involved in combating terrorism. Will strengthen co-operation with the European Union on analysis and early warning and reinforce synergy with the Stability Pact for South Eastern Europe and the Central European Initiative in areas relevant to combating terrorism. Will promote dialogue within the OSCE area on issues relating to new threats and challenges. Will broaden dialogue with partners outside the OSCE area, such as the Mediterranean Partners for Co-operation and Partners for Co-operation in Asia, the Shanghai Co-operation Organization, the Conference on Interaction and Confidence-Building Measures in Asia, the Organization of the Islamic Conference, the Arab League, the African Union, and those States bordering on the OSCE area to exchange best practices and lessons learned in counter-terrorism efforts for application within the OSCE area (...)

Bucharest 2001 (Decisions: Decision No. 9 on Police-Related Activities)

The Ministerial Council,
(...)

Affirming that effective policing is essential to uphold the rule of law and to defend democratic institutions;
(...)

3. Decides to increase and promote co-operation among participating States in countering new security challenges, including by:

- at the request of participating States and with their agreement (...) providing and co-ordinating OSCE police training, including at the subregional level, with a view to:
- improving operational and tactical policing capacities;
- enhancing key policing skills, including respect for human rights and fundamental freedoms, and, as appropriate, dealing with the criminal aspects of illegal migration; and,
- increasing community policing, anti-drug, anti-corruption and anti-terrorist capacities; and,
- at the request of participating States and with their agreement: - providing advice or arranging for the provision of expert advice on requirements for effective policing (needs assessments) and how to meet them, (...) and,
- encouraging where appropriate the exchange of information among and between participating States regarding lessons learned and best policing practices in countering these new security challenges.

(...)

5. In keeping with the above undertakings, participating States commit to:

- enhance co-operation on police-related issues between and among themselves in order to address new risks and challenges to their security, both bilaterally and multilaterally, and, where appropriate, through increased contacts between relevant bodies; and,
- share OSCE expertise and lessons learned in police-related activities with other relevant international organizations of which they are members with a view to more effective international action to address these new risks and challenges to security.

Porto 2002 (Charter on Preventing and Combating Terrorism)

The OSCE participating States, firmly committed to the joint fight against terrorism,
(...)

2. (...) reaffirm that action against terrorism is not aimed against any religion, nation or people;
(...)

4. Declare that acts, methods and practices of terrorism, as well as knowingly providing assistance to, acquiescing in, financing, planning and inciting such acts, are contrary to the purposes and principles of the United Nations and the OSCE;

5. Consider of utmost importance to complement the ongoing implementation of OSCE commitments on terrorism with a reaffirmation of the fundamental and timeless principles on

which OSCE action has been undertaken and will continue to be based in the future, and to which participating States fully subscribe;

(...)

8. Reaffirm that every State is obliged to refrain from (...) organizing, instigating, providing active or passive support or assistance to, or otherwise sponsoring terrorist acts in another State

(...)

(...)

11. Recognize that the relevant United Nations conventions and protocols, and United Nations Security Council resolutions, in particular United Nations Security Council resolution 1373 (2001), constitute the primary international legal framework for the fight against terrorism;

12. Recognize the importance of the work developed by the United Nations Security Council Counter-Terrorism Committee and reaffirm the obligation and willingness of participating States and the OSCE to co-operate with this Committee;

13. Recall the OSCE's role as a regional arrangement under Chapter VIII of the United Nations Charter, and its obligations in this context to contribute to the global fight against terrorism;

(...)

15. Take note with satisfaction of the Declaration and the Programme of Action adopted at the Bishkek International Conference on Enhancing Security and Stability in Central Asia: Strengthening Comprehensive Efforts to Counter Terrorism, held on 13 and 14 December 2001;

(...)

17. Underscore that the prevention of and fight against terrorism must be built upon a concept of common and comprehensive security and enduring approach, and commit to using the three dimensions and all the bodies and institutions of the OSCE to assist participating States, at their request, in preventing and combating terrorism in all its forms;

18. Undertake to fulfil their obligation, in accordance with the United Nations conventions, protocols and Security Council resolutions, as well as other international commitments, to ensure that terrorist acts and activities that support such acts, including the financing of terrorism, are established as serious criminal offences in domestic laws;

19. Will work together to prevent, suppress, investigate and prosecute terrorist acts, including through increased co-operation and full implementation of the relevant international conventions and protocols relating to terrorism;

20. Are convinced of the need to address conditions that may foster and sustain terrorism, in particular by fully respecting democracy and the rule of law, by allowing all citizens to participate fully in political life, by preventing discrimination and encouraging intercultural and inter-religious dialogue in their societies, by engaging civil society in finding common political settlement for conflicts, by promoting human rights and tolerance and by combating poverty;

21. Acknowledge the positive role the media can play in promoting tolerance and understanding among religions, beliefs, cultures and peoples, as well as for raising awareness of the threat of terrorism;

22. Commit themselves to combat hate speech and to take the necessary measures to prevent the abuse of the media and information technology for terrorist purposes, ensuring that such measures are consistent with domestic and international law and OSCE commitments;

23. Will prevent the movement of terrorist individuals or groups through effective border controls and controls relating to the issuance of identity papers and travel documents;
(...)

25. Reaffirm their commitment to fulfil their international obligations, as set out in United Nations Security Council resolutions 1373 (2001) and 1390 (2002), and in particular to freeze the assets of those designated by the Committee established pursuant to United Nations Security Council resolution 1267 (1999);

26. Note with concern the links between terrorism and transnational organized crime, money laundering, trafficking in human beings, drugs and arms, and in this regard emphasize the need to enhance co-ordination and to develop co-operative approaches at all levels in order to strengthen their response to these serious threats and challenges to security and stability (...)

Porto 2002 (Decisions: Decision No.1 on Implementing the OSCE Commitments and Activities on Combating Terrorism)

The Ministerial Council,

(...)

Decides that all OSCE participating States, bodies and institutions shall continue on an urgent basis to implement and ensure the effectiveness of their Bucharest commitments;

Reaffirms the commitment of all participating States to become parties as soon as possible to all 12 United Nations conventions and protocols related to terrorism and welcomes the steps undertaken by participating States that have already completed these procedures;

Commit themselves to work towards the successful conclusion of negotiations on new universal instruments in this field, presently under way within the United Nations and confirms their readiness to consider, in co-ordination with the United Nations Security Council Counter-Terrorism Committee, requests for technical assistance and capacity building with a view to advancing the ratification and implementation of United Nations and other relevant instruments on terrorism;

(...)

Recalls the Personal Representative of the Chairman-in-Office for Preventing and Combating Terrorism's recommendation that the OSCE pursue activities *inter alia* in policing, border security, anti-trafficking and suppressing terrorist financing (...)

Decides that the OSCE participating States, bodies and institutions will intensify their efforts and their collective commitment to combat terrorism and the conditions that may foster and sustain it by exploiting its strengths and comparative advantages: its comprehensive approach to security; its expertise in early-warning, conflict prevention, crisis management and post-conflict rehabilitation; its wide ranging repertoire of proven confidence- and security-building measures and its expertise in capacity building.

Maastricht 2003 (OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century)

Threats to security and stability in the twenty-first century

10. Terrorism is one of the most important causes of instability in the current security environment. It seeks to undermine the very values that unite the participating States in the OSCE area. Terrorism will remain a key challenge to peace and stability and to State power, particularly through its ability to use asymmetric methods to bypass traditional security and defence systems. There is no justification for terrorism whatsoever. At the same time, terrorism requires a global approach, addressing its manifestations as well as the social, economic and political context in which it occurs.

(...)

Addressing terrorism and threats arising from other criminal activities

28. UN conventions and protocols as well as UN Security Council resolutions constitute the global legal framework for combating terrorism. In support of this, the OSCE has through decisions in 2001 and 2002 established a structure for comprehensive action by participating States and the Organization to address, as a main priority, the threat of terrorism, its manifestations and conditions that may foster and sustain it. (...)

29. (...) Special attention will be given to capacity building and other assistance in the sphere of counter-terrorism (...) Such measures include denying safe havens to terrorists and eliminating conditions in which terrorists may recruit and gain support. They also aim at preventing terrorists from increasing their capabilities, including by preventing terrorists from gaining access to SALW and other conventional weapons as well as WMD and associated technologies. Close interaction with other relevant international organizations and bodies, in particular the UN Security Council Counter-Terrorism Committee (UN CTC) and the UN Office on Drugs and Crimes (UNODC), is sought through joint meetings, contacts at all levels and specific programmes and projects.

30. The OSCE has also decided to establish a Counter-Terrorism Network to promote the strengthening of co-ordination of counter-terrorism measures and information sharing between OSCE participating States and to support and supplement the work of the UN CTC in implementing Security Council resolution 1373.

(...)

35. Threats of terrorism and organized crime are often interlinked, and synergetic approaches to deal with them will be further explored. Cross-border movement of persons, resources and weapons as well as trafficking for the purpose of financing and providing logistic support play an increasing role for terrorist activities. The OSCE is committed to addressing these problems and to strengthening its capacities to promote open and secure borders, *inter alia*, through the elaboration of an OSCE Border Security and Management Concept in order to enhance capacity building and mutually beneficial inter-State co-operation.

Sofia 2004 (Ministerial Statement on Preventing and Combating Terrorism)

1. We, the members of the Ministerial Council of the OSCE (...) declare our resolute and unconditional condemnation of terrorist acts, in particular those committed in 2004 in Spain, Uzbekistan, Turkey and Russia (...) We grieve the loss of hundreds of human lives and express

our profound solidarity with victims of acts of terrorism and their families. These acts have vividly exposed terrorism's inhuman nature. We express our solidarity with the States not participating in our Organization which were also attacked by terrorists.

Reiterating that terrorism constitutes one of the most serious threats to peace and security and considering that acts of terrorism seriously impair the enjoyment of human rights, we reaffirm our commitment to protect the enjoyment of human rights and fundamental freedoms, especially the right to life, of everyone within our jurisdiction against terrorist acts (...)

2. We underscore the leading role of the United Nations in the comprehensive fight against terrorism.

We reaffirm obligations and commitments adopted by our States in the field of combating terrorism within the United Nations, including resolutions 1267 (1999), 1373 (2001), 1456 (2003), 1535 (2004), 1540 (2004) and 1566 (2004) of the United Nations Security Council, as well as resolution 58/187 of the United Nations General Assembly, and we support the resolution 2004/87 of the United Nations Commission on Human Rights. (...)

We welcome the importance attributed by UN Security Council resolution 1566 (2004) to the role of relevant international, regional and subregional organizations in strengthening international co-operation in the fight against terrorism and the call for intensified interaction with the United Nations.

We underline our determination to support the important efforts of the UN Security Council Counter-Terrorism Committee and of its Executive Directorate (...)

3. We (...) support the work of the Action against Terrorism Unit of the OSCE Secretariat.

We are convinced that the package of practical decisions that we adopt and welcome today*, and their further implementation will increase the level of security and stability in the OSCE area. These decisions will help ensure implementation of our obligations under international law to prevent and combat terrorism.

4. (...) We reaffirm that the OSCE efforts to counter terrorist threats should be taken in all OSCE dimensions, the security dimension, including the politico-military area, the economic and environmental dimension, and the human dimension. Based on the common, comprehensive and indivisible approach to security, our Organization could make further substantial contributions to global anti-terrorist efforts.

We are convinced that respect of human rights and fundamental freedoms is an important element of ensuring peace and stability and prevention of terrorism. We acknowledge that effective prevention of and fight against terrorism require the involvement of civil society in our countries.

* Permanent Council Decision No. 617 on Further Measures to Suppress Terrorist Financing (1 July 2004)
Permanent Council Decision No. 618 on Solidarity with Victims of Terrorism (1 July 2004)
Ministerial Decision on Combating the Use of the Internet for Terrorist Purposes
Ministerial Decision on Enhancing Container Security
Ministerial Decision on Reporting Lost/Stolen Passports to Interpol's ASF-STD

(...) We will actively co-operate to find and bring to justice the perpetrators, organizers, supporters and sponsors of terrorist acts.

We also will continue to develop interaction and dialogue on the issues of preventing and combating terrorism with the Mediterranean and Asian Partners for Co-operation.

Ljubljana 2005 (Ministerial Statement on the International Convention for the Suppression of Acts of Nuclear Terrorism)

1. We, the Ministers for Foreign Affairs of the OSCE participating States, welcome the adoption by the United Nations General Assembly of the International Convention for the Suppression of Acts of Nuclear Terrorism.
2. We pledge to apply all efforts to sign this International Convention on the day of its opening for signature at the United Nations Headquarters in New York on 14 September 2005.
3. We encourage the implementation of all the necessary measures to ratify, accept, approve or otherwise become parties to this International Convention in the shortest possible time.

(...)

Ljubljana 2005 (Border Security and Management Concept: Framework for Co-operation by the OSCE Participating States)

2. The OSCE participating States reaffirm the obligations and commitments on border-related issues that they have undertaken at all levels:

(...)

2.2 At the OSCE level: The participating States reaffirm the norms, principles, commitments and values enshrined in the Helsinki Final Act, all of which apply equally and unreservedly, each of them being interpreted taking into account the others. They reaffirm the principles and commitments contained in the Copenhagen Document 1990, the Helsinki Document 1992 and the Charter for European Security 1999. They recall the action plans, decisions and other relevant agreed OSCE documents which address border-related issues. In particular, strengthening OSCE capacities to promote open and secure borders and enhancing mutually beneficial inter-State co-operation are means to address the threats of terrorism (...) as identified in paragraph 35 of the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century;

(...)

4. The participating States will promote co-operation between their border services, customs authorities, agencies issuing travel documents and visas, and law enforcement and migration agencies, as well as other competent national structures, with a view to achieving the following aims:

(...)

4.2 To reduce the threat of terrorism, including by preventing cross-border movement of persons, weapons and funds connected with terrorist and other criminal activities;

(...)

4.5 To promote dignified treatment of all individuals wanting to cross borders, in conformity with relevant national legal frameworks, international law, in particular human rights, refugee, and humanitarian law, and relevant OSCE commitments;

(...)

Brussels 2006 (Ministerial Statement on Supporting and Promoting the International Legal Framework against Terrorism)

We, the members of the Ministerial Council of the OSCE, reaffirm our strong determination to combat terrorism in all its forms and manifestations, as a crime that has no justification, whatever its motivation or origin and to continue and reinforce OSCE counter-terrorism activities in line with existing OSCE commitments.

(...)

We are convinced of the importance of reinforcing the international legal framework against terrorism, comprised of the universal conventions and protocols related to the prevention and the suppression of terrorism, relevant United Nations Security Council resolutions, the recently adopted United Nations Global Counter-Terrorism Strategy, as well as regional and bilateral legal instruments related to terrorism.

We call on the OSCE participating States to implement the relevant United Nations Security Council resolutions regarding the fight against terrorism.

We welcome the significant progress achieved in the participating States' compliance with the Bucharest Ministerial commitment to become party to the 12 anti-terrorism conventions and protocols, with 46 participating States being party to all 12 instruments that are currently in force.

We call on those OSCE participating States which have not yet done so to make every effort to become party without delay to the universal conventions and protocols against terrorism currently in force, and to implement them, in particular through criminalization of related offences in their national legislation.

We reiterate our call on the OSCE participating States to consider becoming parties to the International Convention for the Suppression of Acts of Nuclear Terrorism and the United Nations Convention against Transnational Organized Crime, as well as the United Nations Convention against Corruption, and support continuing efforts to adopt a comprehensive convention on international terrorism on terms that advance the international community's counter-terrorism objectives.

We call on participating States to consider becoming parties to regional and subregional legal instruments related to terrorism or legal co-operation in criminal matters adopted by organizations to which we belong, as well as — whenever appropriate to fill gaps in existing legal instruments — to conclude bilateral agreements on mutual legal assistance and extradition, in order to be able

to co-operate fully, in accordance with the rules applicable under domestic and international law, in efforts to find and to bring to justice perpetrators, organizers, supporters and sponsors of terrorist acts, on the basis of the principle to extradite or prosecute.

We also will continue to develop interaction and dialogue on the issues of preventing and combating terrorism with the Mediterranean and Asian Partners for Co-operation.

Madrid 2007 (Ministerial Statement on Supporting the United Nations Global Counter-Terrorism Strategy)

(...)

3. We recognize the leading role of the United Nations in the international efforts against terrorism and support the UN Global Counter-Terrorism Strategy adopted on 8 September 2006 by the UN General Assembly, which we look upon as providing guidance for OSCE counter-terrorism activities, since the Strategy outlines a comprehensive global approach towards countering terrorism by addressing not only its manifestations, but also the conditions conducive to its spread, within a framework based on human rights and the rule of law and complying with all obligations under international law, in particular international human rights law, refugee law and humanitarian law.

4. We recall the comprehensive global approach of the Strategy towards countering terrorism by addressing not only its manifestations, but also the conditions conducive to its spread, including but not limited to, prolonged unresolved conflicts, dehumanization of victims of terrorism in all its forms and manifestations, lack of rule of law and violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance, while recognizing that none of these conditions can excuse or justify acts of terrorism.

(...)

6. We recall the commitment to implement all UN Security Council resolutions related to international terrorism, recognizing that many States continue to require assistance in their implementation.

(...)

8. (...) The OSCE, in particular its participating States (...) will continue to implement counter-terrorism commitments and could focus, albeit not exclusively, on the following activities:

9. The OSCE will continue promoting the international legal framework against terrorism, in particular the universal anti-terrorism conventions and protocols, encouraging participating States to become parties to them and to implement their obligations under these instruments;

(...)

17. The OSCE will continue its activities in countering violent extremism and radicalization that lead to terrorism. Intolerance and discrimination must be addressed and countered by the OSCE's participating States and OSCE's executive structures within their respective mandates. The Permanent Council, with the support of the Secretariat and institutions, will consider in 2008 how

the OSCE, with a multidimensional approach, could contribute to the development of a better understanding of the phenomena of violent extremism and radicalization that lead to terrorism, through sharing of national experiences;

(...)

Helsinki 2008 (Decisions: Decision No. 10/08 on Further Promoting the OSCE's Action in Countering Terrorism)

The Ministerial Council,

(...)

Reaffirming the existing OSCE counter-terrorism commitments and the intention to maintain counter-terrorism activities among the priorities of the OSCE,

(...)

Reiterating the need to address conditions that may foster and sustain terrorism, in particular by fully respecting democracy and the rule of law, by allowing all citizens to participate fully in political life, by preventing discrimination and encouraging intercultural and inter-religious dialogue in their societies, by engaging civil society in finding common political settlement for conflicts, by promoting human rights and tolerance and by combating poverty,

(...)

1. Calls upon the participating States and the OSCE executive structures to continue their efforts aimed at actively contributing to the implementation of the UN Global Counter-Terrorism Strategy and other UN counter-terrorism documents;

2. Calls upon the participating States to continue promoting public-private partnerships with civil society, media, the business community and industry in countering terrorism, including through the dissemination of lessons learned and exchange of relevant information and national best practices both at the OSCE and national, subregional and regional levels, where appropriate;

(...)

4. Calls upon the OSCE participating States to make use of the OSCE executive structures in countering violent extremism and radicalization that lead to terrorism in their respective countries. To this end, participating States are encouraged to continue to exchange ideas and national best practices about their strategies and measures to counter violent extremism and radicalization that lead to terrorism as well as to enhance their co-operation with media, the business community, industry and civil society;

(...)

Athens 2009 (Decisions: Decision No. 3/09 on Further Measures to Support and Promote the International Legal Framework against Terrorism)

The Ministerial Council,

(...)

(...) welcoming the significant progress achieved in connection with participating States becoming party to the 12 universal anti-terrorism conventions and protocols of 1963–1999, as well as the progress in the signing and ratifying of the International Convention for the Suppression of Acts of Nuclear Terrorism (2005),

(...)

Recognizing the need to implement the offence provisions from universal anti-terrorism conventions and protocols into national criminal and, where applicable, also administrative and civil legislation, making them punishable by appropriate penalties, in order to bring to justice perpetrators, organizers, supporters and sponsors of terrorist acts within the rule of law and facilitate international legal co-operation based on the principle “extradite or prosecute”, as required by relevant UN Security Council resolutions and the universal anti-terrorism instruments,

Recognizing also that OSCE participating States may require technical assistance in their efforts with regard to the above,

Recognizing the important role that parliamentarians play in the ratification and national legislative implementation of the universal anti-terrorism conventions and protocols,

Urges those OSCE participating States that have not yet done so to make every effort to become party without delay to the 13 universal anti-terrorism conventions and protocols currently in force and to fully implement their provisions;

Calls on OSCE participating States to consider becoming party to the Amendment to the Convention on the Physical Protection of Nuclear Material (2005), the Protocol to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (2005), and the Protocol to the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf (2005) and to fully implement their provisions thereafter;

Calls on OSCE participating States to consider becoming parties to regional and subregional legal instruments related to terrorism, including to the Council of Europe Convention on the Prevention of Terrorism;

(...)

Calls on the OSCE participating States to strengthen inter-State co-operation in promoting the universal anti-terrorism conventions and protocols through sharing technical expertise and tasks the Secretary General with continuing to facilitate inter-State co-operation, including, matching offers and requests for technical assistance between participating States;

Tasks the Secretary General and relevant OSCE executive structures, within available resources with continuing to collaborate with the UNODC in strengthening the legal regime against terrorism by promoting implementation of the universal counter-terrorism instruments, in particular continuing to enhance and streamline, the support provided to the UNODC Terrorism Prevention Programme with regard to:

- Awareness raising and helping build the political will of participating States to become party to the universal anti-terrorism conventions and protocols;
- Providing technical assistance to requesting participating States in drafting anti-terrorism criminal legislation;
- Training of judicial officials in international legal co-operation in criminal matters related to terrorism;

(...)

Astana 2010

9. [I]n today's complex and inter-connected world, we must achieve greater unity of purpose and action in facing emerging transnational threats, such as terrorism (...). Such threats can originate within or outside our region.

2. RESPECTING HUMAN RIGHTS AND THE RULE OF LAW WHILE COMBATING TERRORISM

Madrid 1983 (Questions Relating to Security in Europe: Principles)

The participating States (...) express their determination to take effective measures for the prevention and suppression of acts of terrorism...They agree to do so in conformity with (...) the Helsinki Final Act.

Copenhagen 1990

(6) The participating States (...) recognize their responsibility to defend and protect, in accordance with their laws, their international human rights obligations and their international commitments, the democratic order freely established through the will of the people against the activities of persons, groups or organizations that engage in or refuse to renounce terrorism or violence aimed at the overthrow of that order or of that of another participating State.

Bucharest 2001 (Ministerial Declaration)

3. (...) We reiterate that the struggle against terrorism is not a war against religions or peoples. We reaffirm our commitment to protecting human rights and fundamental freedoms.

4. We are determined to protect our citizens from new challenges to their security while safeguarding the rule of law, individual liberties, and the right to equal justice under law.

Bucharest 2001 (Decision No. 1/01 on Combating Terrorism)

(...) The OSCE participating States will not yield to terrorist threats, but will combat them by all means in accordance with their international commitments (...) They will defend freedom and protect their citizens against acts of terrorism, fully respecting international law and human rights. They firmly reject identification of terrorism with any nationality or religion and reconfirm the norms, principles and values of the OSCE.

Bucharest 2001 (Annex to Decision 1/01 on Combating Terrorism: The Bucharest Plan of Action for Combating Terrorism)

26. Preventing movement of terrorists: Participating States: Will prevent the movement of terrorist individuals or groups through effective border controls and controls on issuance of identity papers and travel documents... Will apply such control measures fully respecting their obligations under international refugee and human rights law.

Porto 2002 (Charter on Preventing and Combating Terrorism)

The OSCE participating States (...)

5. Consider of utmost importance to complement the ongoing implementation of OSCE commitments on terrorism with a reaffirmation of the fundamental and timeless principles on which OSCE action has been undertaken and will continue to be based in the future, and to which participating States fully subscribe;

6. Reaffirm their commitment to take the measures needed to protect human rights and fundamental freedoms, especially the right to life, of everyone within their jurisdiction against terrorist acts;

7. Undertake to implement effective and resolute measures against terrorism and to conduct all counter-terrorism measures and co-operation in accordance with the rule of law, the United Nations Charter and the relevant provisions of international law, international standards of human rights and, where applicable, international humanitarian law;

Maastricht 2003 (OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century)

29. (...) Special attention will be given to capacity building and other assistance in the sphere of counter-terrorism. The important challenge of implementing effective measures against terrorism in full accordance with the rule of law and international law, including human rights law, is also addressed. (...)

Sofia 2004 (Ministerial Statement on Preventing and Combating Terrorism)

(...) We re-emphasize our determination to combat terrorism in all its forms and manifestations (...) and to conduct this fight with respect for the rule of law and in accordance with our obligations under international law, in particular international human rights, refugee and humanitarian law.

2. We underscore the leading role of the United Nations in the comprehensive fight against terrorism (...) we support the resolution 2004/87 of the United Nations Commission on Human Rights (...)

We are convinced that respect of human rights and fundamental freedoms is an important element of ensuring peace and stability and prevention of terrorism. We acknowledge that effective prevention of and fight against terrorism require the involvement of civil society in our countries.

Sofia 2004 (Decisions: Decision No. 3/04 on Combating the Use of the Internet for Terrorist Purposes)

(...) Concerned by the extent of use of the Internet by terrorist organizations (...) Decides that participating States will exchange information on the use of the Internet for terrorist purposes and identify possible strategies to combat this threat, while ensuring respect for international human rights obligations and standards, including those concerning the rights to privacy and freedom of opinion and expression;

Brussels 2006 (Ministerial Statement on Supporting and Promoting the International Legal Framework against Terrorism)

(...)

We emphasize that measures to conduct this fight must be undertaken with full respect for the rule of law, and in accordance with our obligations under international law, in particular international human rights, refugee and humanitarian law.

(...)

Madrid 2007 (Decisions: Decision No. 5/07 on Public-Private Partnerships in Countering Terrorism)

(...)

Reaffirming the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law and complying with applicable obligations under international law, in particular international human rights law, refugee law and humanitarian law,

(...)

(...) In this regard, efforts should particularly take due account of:

(...) — Promoting tolerance, human rights, the rule of law, democracy, good governance and inter-cultural dialogue,

— Promoting public awareness and outreach through the media and educational institutions, while respecting cultural and religious diversity,

(...)

Decides to:

1. Task the Secretary General and OSCE institutions to continue to promote the involvement of the private sector (civil society and the business community) in their counter-terrorist activities, where relevant and appropriate;

(...)

Helsinki 2008 (Decisions: Decision No. 7/08 on Further Strengthening the Rule of Law in the OSCE Area)

The Ministerial Council,

(...)

4. Encourages participating States, with the assistance, where appropriate, of relevant OSCE executive structures in accordance with their mandates and within existing resources, to continue and to enhance their efforts to share information and best practices and to strengthen the rule of law, *inter alia* in the following areas:

(...)

- Respect for the rule of law and human rights in the fight against terrorism according to their obligations under international law and OSCE commitments;

(...)

Helsinki 2008 (Decisions: Decision No. 10/08 on Further Promoting the OSCE's Action in Countering Terrorism)

The Ministerial Council,

Re-emphasizing the OSCE participating States' determination to combat terrorism in all its forms and manifestations, as a crime that has no justification, whatever its motivation or origin, and to conduct this fight with respect for the rule of law and in accordance with their obligations under international law, in particular international human rights, refugee and humanitarian law,

(...)

3. PREVENTION OF TERRORISM-RELATED ACTIVITIES ON THE TERRITORY OF PARTICIPATING STATES

Madrid 1983 (Questions Relating to Security in Europe: Principles)

In the context of the combat against acts of terrorism, they will take all appropriate measures in preventing their respective territories from being used for the preparation, organization or commission of terrorist activities, including those directed against other participating States and their citizens. This also includes measures to prohibit on their territories illegal activities of persons, groups and organizations that instigate, organize or engage in the perpetration of acts of terrorism.

Vienna 1989 (Questions Relating to Security in Europe: Principles)

(10) (...) the participating States express their intention
(...)

(10.3.) - to prevent on their territories illegal activities of persons, groups or organizations that instigate, organize or engage in the perpetration of acts of terrorism or subversive or other activities directed towards the violent overthrow of the regime of another participating State;

Istanbul 1999 (Charter for European Security: I. Our Common Challenges)

4. (...) We will enhance our efforts to prevent the preparation and financing of any act of terrorism on our territories and deny terrorists safe havens (...)

Bucharest 2001 (Annex to Decision No. 1/01 on Combating Terrorism: The Bucharest Plan of Action for Combating Terrorism)

24. Suppressing the financing of terrorism. Participating States: Will, within the framework of the United Nations Convention on the Suppression of Financing of Terrorism and UNSCR 1373 (2001), take action to prevent and suppress the financing of terrorism, criminalize the wilful provision or collection of funds for terrorist purposes, and freeze terrorist assets also bearing in mind UNSCR 1267 (1999). Will, in accordance with their domestic legislation and obligations under international law, provide early response to requests for information by another participating State and relevant international organizations.

25. Participating States/Secretariat: (...) Will consider how the OSCE may contribute, within the framework of its work on transparency and the fight against corruption, to the wider international effort to combat terrorism. Will consider taking on a catalytic role in providing targeted projects for the training of the personnel of domestic financial institutions in counter-terrorism areas, *inter alia* on monitoring of financial flows and on prevention of money laundering. Participating States will participate constructively in the forthcoming negotiations at the United Nations on a global instrument against corruption, with a view to their early and successful conclusion.

26. Preventing movement of terrorists: Participating States: Will prevent the movement of terrorist individuals or groups through effective border controls and controls on issuance of identity papers and travel documents, as well as through measures for ensuring the security of identity papers and travel documents and preventing their counterfeiting, forgery and fraudulent

use. Will apply such control measures fully respecting their obligations under international refugee and human rights law. Will, through the proper application of the exclusion clauses contained in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, ensure that asylum is not granted to persons who have participated in terrorist acts. Will provide for the timely detention and prosecution or extradition of persons charged with terrorist acts, in accordance with their obligations under international and national law.

Porto 2002 (Charter on Preventing and Combating Terrorism)

The OSCE participating States, firmly committed to the joint fight against terrorism,

8. Reaffirm that every State is obliged to refrain from harbouring terrorists, organizing, instigating, providing active or passive support or assistance to, or otherwise sponsoring terrorist acts in another State, or acquiescing in organized activities within its territory directed towards the commission of such acts;
(...)

24. Recognize the need to complement international co-operation by taking all necessary measures to prevent and suppress, in their territories through all lawful means, assistance to, and the financing and preparation of, any acts of terrorism, and to criminalize the wilful provision or collection of funds for terrorist purposes, in the framework of their obligations under the International Convention for the Suppression of the Financing of Terrorism and relevant Security Council resolutions;

4. EXTRADITION AND PROSECUTION OF PERSONS IMPLICATED IN TERRORIST ACTS

Vienna 1989 (Questions Relating to Security in Europe: Principles)

(10) (...) the participating States express their intention
(...)

(10.5) - to ensure the extradition or prosecution of persons implicated in terrorist acts and to co-operate closely in cases of conflict of jurisdiction where several States are concerned, acting in both respects in accordance with the relevant international agreements;

Budapest 1994 (Decisions: IV. Code of Conduct on Politico-Military Aspects of Security)

6. The participating States (...) will, in particular, take steps to fulfil the requirements of international agreements by which they are bound to prosecute or extradite terrorists.

Bucharest 2001 (Annex to Decision No. 1/01 on Combating Terrorism: The Bucharest Plan of Action for Combating Terrorism)

19. Supporting law enforcement and fighting organized crime: Participating States: (...) Will afford one another the greatest measure of assistance in providing information in connection with criminal investigations or criminal extradition proceedings relating to terrorist acts, in accordance with their domestic law and international obligations.

Porto 2002 (Charter on Preventing and Combating Terrorism)

The OSCE participating States, firmly committed to the joint fight against terrorism,
(...)

10. Will take appropriate steps to ensure that asylum is not granted to any person who has planned, facilitated or participated in terrorist acts, in conformity with relevant provisions of national and international law (...)
(...)

18. Undertake to fulfil their obligation, in accordance with the United Nations conventions, protocols and Security Council resolutions, as well as other international commitments, to ensure that terrorist acts and activities that support such acts, including the financing of terrorism, are established as serious criminal offences in domestic laws;

19. Will work together to prevent, suppress, investigate and prosecute terrorist acts, including through increased co-operation and full implementation of the relevant international conventions and protocols relating to terrorism;

Ljubljana 2005 (Decisions: Decision 4/05 on Enhancing Legal Co-operation in Criminal Matters to Counter Terrorism)

The Ministerial Council,

Determined to reinforce OSCE counter-terrorism activities in accordance with international law and in line with existing OSCE commitments,

Recalling United Nations Security Council resolutions 1373 (2001), 1566 (2004) and 1624 (2005), which call upon all States to become party as soon as possible to the relevant international conventions and protocols relating to terrorism, and to co-operate fully in the fight against terrorism, as well as relevant OSCE counter-terrorism commitments,

Recalling also United Nations Security Council resolution 1631 (2005), in particular where it urges “all relevant regional and subregional organizations to enhance the effectiveness of their counter-terrorism efforts within their respective mandates, including with a view to develop their capacity to help Member States in their efforts to tackle the threats to international peace and security posed by acts of terrorism”,

Welcoming the ongoing efforts within the United Nations to finalize, on an expedited basis, the draft comprehensive convention on terrorism,

Recognizing that the above-mentioned conventions and protocols represent a universal legal regime against terrorism and, in the absence of bilateral treaties on mutual legal assistance and extradition, could together with the UN Convention against Transnational Organized Crime (Palermo convention) serve as a basis for legal co-operation,

(...)

Decides that the participating States should co-operate actively and fully among themselves, in accordance with applicable rules under domestic and international law, in efforts to find and to

bring to justice perpetrators, organizers, supporters and sponsors of terrorist acts, on the basis of the principle to extradite or prosecute;

(...)

Tasks the Secretary General to organize for requesting participating States, in close co-operation with the UNODC, national training workshops for prosecutors and judicial officials on issues of extradition and mutual legal assistance in criminal matters, in particular those related to terrorism.

Brussels 2006 (Ministerial Statement on Supporting and Promoting the International Legal Framework against Terrorism)

(...)

We call on participating States to consider becoming parties to regional and subregional legal instruments related to terrorism or legal co-operation in criminal matters adopted by organizations to which we belong, as well as — whenever appropriate to fill gaps in existing legal instruments — to conclude bilateral agreements on mutual legal assistance and extradition, in order to be able to co-operate fully, in accordance with the rules applicable under domestic and international law, in efforts to find and to bring to justice perpetrators, organizers, supporters and sponsors of terrorist acts, on the basis of the principle to extradite or prosecute.

(...)

Madrid 2007 (Ministerial Statement on Supporting the United Nations Global Counter-Terrorism Strategy)

(...)

13. Participating States will co-operate fully in the fight against terrorism, in accordance with their obligations under international law, in order to find, deny safe haven to and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates in or attempts to participate in the financing, planning, preparation or perpetration of terrorist acts or provides safe havens. Participating States will take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum seeker has not planned, facilitated or participated in the commission of terrorist acts. They will ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

(...)

Athens 2009 (Decisions: Decision No. 3/09 on Further Measures to Support and Promote the International Legal Framework against Terrorism)

The Ministerial Council,

(...)

Recognizing the need to implement the offence provisions from universal anti-terrorism conventions and protocols into national criminal and, where applicable, also administrative and civil legislation, making them punishable by appropriate penalties, in order to bring to justice perpetrators, organizers, supporters and sponsors of terrorist acts within the rule of law and facilitate international legal co-operation based on the principle “extradite or prosecute”, as required by relevant UN Security Council resolutions and the universal anti-terrorism instruments,

Recognizing also that OSCE participating States may require technical assistance in their efforts with regard to the above,

5. COUNTERING THE USE OF THE INTERNET FOR TERRORIST PURPOSES

Sofia 2004 (Decisions: Decision No. 3/04 on Combating the Use of the Internet for Terrorist Purposes)

The Ministerial Council,

(...) Concerned by the extent of use of the Internet by terrorist organizations:

- To identify and to recruit potential members,
- To collect and transfer funds,
- To organize terrorist acts,
- To incite terrorist acts in particular through the use of propaganda,

Decides that participating States will exchange information on the use of the Internet for terrorist purposes and identify possible strategies to combat this threat (...)

Brussels 2006 (Decisions: Decision No. 7/06 on Countering the Use of the Internet for Terrorist Purposes)

The Ministerial Council,

(...)

Remaining gravely concerned with the growing use of the Internet for terrorist purposes (...)

Reaffirming in this context the importance of fully respecting the right to freedom of opinion and freedom of expression, which include the freedom to seek, receive and impart information, which are vital to democracy and in fact are strengthened by the Internet (...) and the rule of law,

Recognizing that United Nations Security Council resolution 1624 (2005) calls upon States to take measures that are necessary and appropriate, and in accordance with their obligations under international law, to prohibit by law incitement to commit a terrorist act or acts and to prevent such conduct,

Reaffirming our commitments under the United Nations Global Counter-Terrorism Strategy, in particular “to coordinate efforts at the international and regional level to counter terrorism in all its forms and manifestations on the Internet” and “to use the Internet as a tool for countering the spread of terrorism, while recognizing that States may require assistance in this regard”,

(...)

Recalling the Council of Europe's Convention on Cybercrime (2001), the only legally binding multilateral instrument that specifically addresses cybercrime by, *inter alia*, providing for a common legal framework for international co-operation between States parties to this Convention in combating cybercrime, and its Additional Protocol concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems,

Recognizing the commitment by the G8 Summit (St. Petersburg, Russian Federation, 16 July 2006) to effectively counter attempts to misuse cyberspace for terrorist purposes, including incitement to commit terrorist acts, to communicate and plan terrorist acts, as well as recruitment and training of terrorists, and in particular noting the role of the G8 24/7 Computer Crime Network for countering criminal conduct in cyberspace,

(...)

Taking into account different national approaches to defining "illegal" and "objectionable" content and different methods of dealing with illegal and objectionable content in cyberspace, such as the possible use of intelligence collected from Internet traffic and content to closing websites of terrorist organizations and their supporters,

Concerned with continued hacker attacks, which though not terrorism related, still demonstrate existing expertise in the field and thus providing a possibility of terrorist cyber attacks against computer systems, affecting the work of critical infrastructures, financial institutions or other vital networks,

1. Decides to intensify action by the OSCE and its participating States, notably by enhancing international co-operation on countering the use of the Internet for terrorist purposes;
2. Calls on participating States to consider taking all appropriate measures to protect vital critical information infrastructures and networks against the threat of cyber attacks;
3. Calls on participating States to consider becoming party to and to implement their obligations under the existing international and regional legal instruments, including the Council of Europe's Conventions on Cybercrime (2001) and on the Prevention of Terrorism (2005);
4. Encourages participating States to join the G8 24/7 Computer Crime Network and to nominate an appropriate unit/contact person for this network for the purpose of streamlining international law enforcement co-operation on combating the criminal misuse of cyberspace and in criminal cases that involve electronic evidence, as appropriate;
5. Calls on participating States, when requested to deal with content that is illegal under their national legislation and is hosted within their jurisdiction, to take all appropriate action against such content and to co-operate with other interested States, in accordance with their national legislation and the rule of law, and in line with their international obligations, including international human rights law;
6. Invites participating States to increase their monitoring of websites of terrorist/violent extremist organizations and their supporters and to invigorate their exchange of information in the OSCE and other relevant fora on the use of the Internet for terrorist purposes and measures taken to

counter it, in line with national legislation, while ensuring respect for international human rights obligations and standards, including those concerning the rights to privacy and freedom of opinion and expression, and the rule of law. Duplication of efforts with ongoing activities in other international fora should be avoided;

7. Recommends participating States to explore the possibility of more active engagement of civil society institutions and the private sector in preventing and countering the use of the Internet for terrorist purposes;

(...)

9. Tasks the Secretary General to promote, notably through the OSCE Counter-Terrorism Network, the exchange of information on the threat posed by the use of the Internet for terrorist purposes, including incitement, recruitment, fund raising, training, targeting and planning terrorist acts, and on legislative and other measures taken to counter this threat.

Madrid 2007 (Ministerial Statement on Supporting the United Nations Global Counter-Terrorism Strategy)

(...)

14. Remaining seriously concerned about the use of the Internet for terrorist purposes, the OSCE participating States will continue the exchange of information about this threat, and take other measures in accordance with Ministerial Council Decision No. 7/06 on countering the use of the Internet for terrorist purposes;

(...)