

## **A Partnership to Counter International Terrorism: The UN Security Council and the UN Member States**

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*Following the terrorist attacks of 11 September 2001, the United Nations Security Council passed Resolutions 1368 and 1373 and thereby created the basis of a global counterterrorism system. At the heart of this system lies a partnership between the Security Council and the UN member states—a partnership in which states have been given considerable, independent, operational responsibility. Unfortunately, this system has often been criticized and viewed pessimistically by scholars, who tend to focus primarily on UN bodies and offer little discussion of the key role of states. This article presents a different conceptualization of this counterterrorism system and suggests, through case studies, that it has attained some important objectives in the global struggle against terrorism.*

Before the terrorist attacks of 11 September 2001 (9/11), it was uncertain how the international community might react to such attacks. Attempts had begun in prior decades at the United Nations to define and cope with terrorism, but there were few treaty or legal obligations in place among states that encouraged international cooperation to counteract terrorism. International law had also not clearly delineated how states could react to attacks carried out by terrorist groups operating from safe havens abroad. More noteworthy, most United Nations (UN) member states lacked the legal infrastructure or regulatory capacities to protect themselves from terrorist organizations with global reach. The counterterrorism laws that did exist were often based on competing national assumptions and practices about how best to deal with the problem. These disparities made global counterterrorism cooperation very difficult.<sup>1</sup> Consequently, a global counterterrorism system did not exist, nor were there common international legal foundations on which such a system might be based. Immediately following the 9/11 attacks the UN Security Council, with the United States and other permanent Security Council members playing a leading role, moved into this vacuum and passed several resolutions that established the pillars of a new global counterterrorism system.

With these resolutions, the Security Council legitimated the right of all states to defend themselves by using armed force against terrorist organizations, and if necessary, against

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any states that may support and harbor terrorists. The Council required all member states to ratify all of the international legal instruments dealing with terrorism-related activities negotiated by the UN General Assembly since the 1960s.<sup>2</sup> In addition, the Security Council obligated states to criminalize terrorism and suppress terrorist-related activities. While some states had only to revise their institutional frameworks, the majority of states had to institute many of these laws, regulations and law enforcement standards. To monitor and evaluate states' compliance with its demands, the Security Council created two subsidiary bodies, the Counter-Terrorism Committee (CTC) in 2001 and the Counter-Terrorism Executive Directorate (CTED) in 2004.

Much of the terrorism literature that has emerged in the last decade pays little or no attention to this global counterterrorism system, implying or sometimes suggesting that it is not helpful to the states.<sup>3</sup> With few exceptions,<sup>4</sup> those studies that have actually focused on the new Security Council system offer fundamentally critical and pessimistic analyses.<sup>5</sup> A common conclusion to be drawn from this literature is that the Security Council and its subsidiary bodies do not have the power or the resources to be effective. Consequently, one early study argues that the current system should be transformed into an independent and powerful new international counterterrorism agency.<sup>6</sup> A more recent study also shares this view, and offers the judgment that the existing system is viewed as so weak that it is only "window dressing, having little measurable impact on the enemy."<sup>7</sup>

This article offers a different view. This new global counterterrorism system has achieved important progress in the fight against terrorism, both within states as well as in interstate relations. But, greater optimism is also a result of understanding the system differently than in the studies mentioned earlier. In these studies, the focus of attention is primarily on this system's UN actors, in particular the Security Council and its subsidiary bodies. Whereas these studies present UN member states as peripheral clients or *ad hoc* players in a more hierarchic effort managed solely by the Security Council, this article presents member states as being of equal importance in the system, alongside the Security Council and its subsidiary bodies. Indeed, the central argument is that when the Security Council stepped into the counterterrorism vacuum after the 9/11 attacks, it deliberately created a wider and more complex system based on a counterterrorism partnership between itself and UN member states. Thus, these states were meant to be partners in the system by providing much of the resources and the independent operational power to counteract terrorism. They are, therefore, central players in the new system.

The role played by the Security Council has, of course, been a critical one. It not only supplied and legitimated a strategic counterterrorism vision embodied in the new system, but it also created the subsidiary committees, which still today, after periodic Security Council modifications and several years of functioning, continue to monitor and assist in each state's adoption of the legal standards that are part of the new system. It is a system that no other international body except the Security Council could have authoritatively put into place so quickly. But it was not one in which the Security Council sought day-to-day responsibilities, nor even took a periodic operational enforcement role in directly confronting terrorists. As former UN Secretary General Kofi Annan's Policy Working Group on terrorism has suggested, without the states the UN system would not be effective at suppressing terrorism or stopping its attacks.<sup>8</sup> It may be lamentable for an ideal international order,<sup>9</sup> but it is the case that operational responsibilities have been left by the Security Council to the states, making them partners in the process. When viewed in this way, the post-9/11 Security Council system is not solely a state-centered effort, nor solely a Security Council-centered one. It is a de-centralized combination of both approaches, establishing a division of labor between the Security Council's development

of strategic global counterterrorism interests, and the states' role in the execution of these. Other intergovernmental bodies, as discussed later, play important roles in the system, but this partnership is at the core of this global counterterrorism system.

This article is divided into two parts. Part one explains the global counterterrorism system's legal foundations, its main actors, and the partnership and other relationships that have shaped the system's evolution since its emergence after the 9/11 attacks. Part two presents two examples that support the authors' claims that the system and its partnership have brought about positive results in the global struggle against terrorism.

## **The Global Counterterrorism System**

This section describes the Security Council's post-9/11 approach to countering global terrorism as a system because it has an architecture of multiple and regularly interactive organizational parts, including the Security Council, the member states, and the committees and bodies created to monitor and help coordinate these parts. This system is based on formally defined rights and informal responsibilities related to countering terrorism, as well as the ongoing presence of a professional staff assisting the Security Council and the states, with a decade's worth of experience and longevity. Importantly, there is the presence of a clear common interest of countering terrorism, specifically regarding the struggle against Al Qaeda, which serves to unite these multiple parts around common goals. Finally, there are also additional important UN and other international organizations that form a supportive periphery for this systemic core and that are part of the discussion below.<sup>10</sup>

This global counterterrorism system was created with the passage of two Security Council resolutions. Resolution 1368, was unanimously passed on 12 September 2001, and Resolution 1373 was unanimously passed two and a half weeks later on 28 September. They were triggered by 9/11 and together provide the basis in international law for the system and the partnership that emerged. But the emerging system was also the culmination of a longer, pre-9/11 historical process of dealing with terrorism, which, over time, also helped set the stage for the Security Council to take stronger action.<sup>11</sup>

In the history of the Security Council's decisions on terrorism, the view traditionally taken was that terrorism was a domestic or "local" problem to be solved by the state that was afflicted by it. In 1970 and again in 1985 and 1989, with a growing number of air hijackings, attacks on diplomatic personnel, airports, and ships, the Security Council passed resolutions that condemned terrorism in principle but required little specific action of states.<sup>12</sup> During the 1990s, the Security Council took a tougher stance against terrorism. For instance, it identified Libya, Sudan, and Afghanistan, in separate incidents, as state supporters of terrorism and adopted economic and trade sanctions to be carried out by all member states against the three.<sup>13</sup> These decisions reflected a general pattern which continues in the post-9/11 period, in which the Security Council agrees on a strategic approach and then works through the states, requiring them individually and independently to carry out operations intended to counteract terrorism. Luck describes the system that has emerged since 9/11 in a similar manner when he writes: "The Council's role [is] more in the realm of facilitator, convenor, and legitimator in the longer-term effort to prevent such things from happening in the first place" and adds that it is also "up to the member states, not the Council, to defend against and respond to individual acts of terrorism."<sup>14</sup> The current authors share this perspective. It is, today, a system based on a division of labor in which the Security Council occupies a strategic role of developing the overarching guidelines for how the international community should respond against terrorists and their

activities, while UN member states provide the operational efforts informed by the Security Council's strategies.

### *The System's Core: Actors, Rules, and Partnership*

Resolutions 1368 and 1373 represented a more aggressive and sophisticated continuation of a division of labor between the Security Council and the UN member states begun prior to 9/11. Both resolutions influenced the emerging global counterterrorism system in important ways. In Resolution 1368, the Council reaffirmed the "inherent" right of states to defend themselves from threats, individually or collectively. Secondly, in an enabling step that more broadly empowered states, terrorism groups with global reach were seen as a "threat to international peace and security." By identifying international terrorism as such a threat, Resolution 1368 determined that states have a right to use force to defend themselves.<sup>15</sup> While the UN Charter of 1945 recognized a state's "inherent right" of self-defense against armed attack, such attacks were thought most likely to come from other states.<sup>16</sup> Thus, Resolution 1368 broadened this "inherent right," to include terrorist organizations,<sup>17</sup> and imparted to member states the authority to put into operation their own enforcement actions, alliance-making, diplomacy, and intelligence-gathering, to hold such parties "accountable." As Oudraat has observed, in Resolution 1368 the Security Council gave a "blank check" to states targeted by terrorists to respond with independent military and related operations against terrorist organizations without its further approval.<sup>18</sup>

Third, and going further in this direction of empowering states, Resolution 1368 stressed that all parties, including states, that are guilty of "aiding, supporting, harboring" terrorism may also "be held accountable" for their actions. This resolution, therefore, was warning active state sponsors of terrorism that they could be the legitimate target of military responses from victimized states. A fourth noteworthy aspect of Resolution 1368 is something that it did not mention. Significantly, it did not call for a Security Council–led, collective, military enforcement mission. It was, as Oudraat has suggested, leaving such operations independently to the member states. Resolution 1368 was continuing the pattern of an operational role lying with the states, begun prior to 9/11.

Resolution 1368 also stressed the Security Council's determination to counter the threat of terrorism "by all means" and to "take all necessary steps" to deal with this problem.<sup>19</sup> This suggested the possibility of additional resolutions to counter the threat of terrorism. In this way, the Security Council adopted Resolution 1373. Building on Resolution 1368's condemnation of terrorism as a "threat to international peace and security," the Security Council required all states to criminalize terrorism, to ratify the 12 conventions on terrorism-related activities and to enact a set of common counterterrorism laws.<sup>20</sup> This template of laws specifically sought to prevent the following activities by terrorist organizations: collection and control of funds and financial accounts, the recruitment of new members, the acquisition of weapons, the use of safe havens, and movement across borders. Resolution 1373 also obligated all member states to use these laws to help other state's investigations of terrorist acts.<sup>21</sup> Finally, all states were, as is discussed more fully below, required to report back to the Security Council on their progress toward fulfilling the obligations of 1373 within 90 days.<sup>22</sup>

Resolution 1373 additionally created a new Security Council subsidiary body called the Counter-Terrorism Committee (CTC). The purpose of the CTC was to be the Security Council's eyes and ears, monitoring and assisting states with their adoption and implementation of Resolution 1373's required legal framework. The membership of the CTC is made up of special representatives of the fifteen governments serving on the Security Council at any given time, and was initially given a small staff to assist it. Subsequently, in

2004, as the CTC's administrative load grew, a larger staff organization of counterterrorism experts, called the Counter-Terrorism Committee Executive Directorate, or more normally referred to as the "CTED" (pronounced "see-ted"), was created by Resolution 1535 to provide needed assistance for the CTC.<sup>23</sup> The CTED, which is directly responsible to the CTC, is made up of a staff of approximately 40 members, most with professional specializations in one of the legal fields of counterterrorism enunciated by Resolution 1373.<sup>24</sup> The CTC/CTED, as it is normally referred to, was also mandated to cooperate with other Security Council bodies, UN organs, programs and agencies, and other intergovernmental organizations to encourage cooperation on counterterrorism efforts.

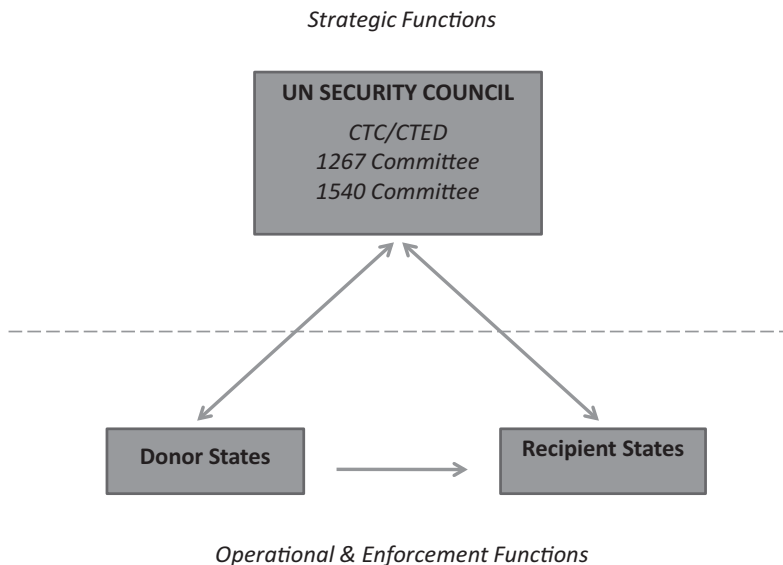
Additionally, there are two other Security Council subsidiary bodies dealing with counterterrorism that work in cooperation with the CTC/CTED and with the states. The first of these is the "1267 Committee" (established by Security Council Resolution 1267), sometimes called the Al Qaeda Committee, which was created after the East African U.S. embassy bombings by Al Qaeda in 1999, to maintain a list of those organizations or individuals associated with Al Qaeda, and to freeze their assets and ban their travel.<sup>25</sup> This Committee was held over to be a part of the post-9/11 system which emerged. The second of these bodies is the "1540 Committee" (created by Security Council Resolution 1540), to monitor member states' efforts to prevent terrorists from acquiring weapons of mass destruction.<sup>26</sup> It was created by the Security Council in 2004, after exposure of Pakistani scientist A.Q. Khan's illicit nuclear proliferation network. Although these two bodies are an integral part of the Security Council's counterterrorism efforts, the CTC/CTED by virtue of its much larger budget, staff size, and breadth of responsibilities and interactions with member states, sits at the center of this system.

The Security Council not only established a global counterterrorism system, but it also has encouraged a partnership to emerge between itself and the UN member states. Partnerships are often thought of as voluntary associations of more-or-less equal parties, and while the relationship between the Security Council and the member states is not normally described as a partnership in most interactions, this is nonetheless the type of relationship that has emerged in practice in most counterterrorism matters. Resolution 1368, gave states significant independent authority to react to terrorism attacks. While Resolution 1373 obligated states to adopt a new set of legal standards, the Security Council, via the CTC/CTED and the other subsidiary committees, has managed the relationship with the states in a consensual manner, approximating a voluntary partnership of equals.<sup>27</sup> While there may have been differences, the CTC/CTED has opted not to force states to bend to its view. Nor has the CTC/CTED ever publicly identified (in UN-speak, "named and shamed") any country to force acceptance of its position on any disagreements. While it writes and speaks frankly and sometimes bluntly in its interactions, the CTC/CTED has been widely praised for taking the high road of consultative interaction, and for maintaining an awareness of states operational independence in the spirit of partnership.<sup>28</sup>

Furthermore, in this partnership, the power and capacity of each side has been further augmented in this consensual style by the open recognition and sharing of credit for successful interdependent responsibilities. For example, the position of the Security Council and its CTC/CTED in the eyes of states have been augmented because successful state regulatory operations are elevated to universal law enforcement "best practices" patterns, that are publicly recognized by the CTC/CTED. This, of course also encourages further active state participation in, and "ownership" of, the system. Also, in line with this spirit of cooperation, the CTED's program of country visits, carried out by the CTED's personnel, discussed in detail below, relies on invitations by states for such visits, rather than being required to host them by the Security Council and its bodies.

Perhaps most importantly, the cooperative approach of the CTC/CTED-state's relationship has paid off for both sides in the technical aid giving process. Many states have needed support in applying the legal standards of Resolution 1373 because of already weak or nonexistent law enforcement infrastructure. Immediately after 9/11 professional and expert advice came very quickly from the CTC and subsequently from the expanded professional staff of the CTED. But, an important limitation in the Security Council's reactions to the 9/11 attacks was that it did not explain how to provide material assistance to states that lacked the resources to comply with the Security Council's demands. Subsequent Security Council Resolutions, such as 1377, passed in November, 2001, addressed this shortcoming.<sup>29</sup> In 1377 the Security Council agreed that the CTC would provide assistance to states in *finding* financial assistance from potential donors. The Security Council also asked other international, regional, and UN organizations to provide help with this problem. But essentially states were left with this important responsibility. It was not only a testimony to states important and independent role in the system that was emerging, but it put additional weight and responsibility on the emerging of the CTC/CTED-state partnership.

Wealthy, developed states donated such aid, and needy states sought out opportunities for support. For most of its existence since 2004, the CTED has played an important role in smoothing the way for this technical aid process by helping to link together what became known in the language of the system as "recipient" and "donor" states. This distinction between states is reflected in Figure 1. A formal Directory of Information and Assistance, or what is also referred to as the "Technical Assistance Matrix," was subsequently instituted and maintained by the CTC/CTED to help aspiring recipient states seek out technical assistance. The matrix provides specific governmental contact points in donor states (such as Australia, Canada, France, Germany, Italy, Japan, Russian Federation, Spain, Switzerland, United Kingdom, and United States), and numerous international and regional organizations where assistance might be requested. This type of aid system has



**Figure 1.** The system's core.

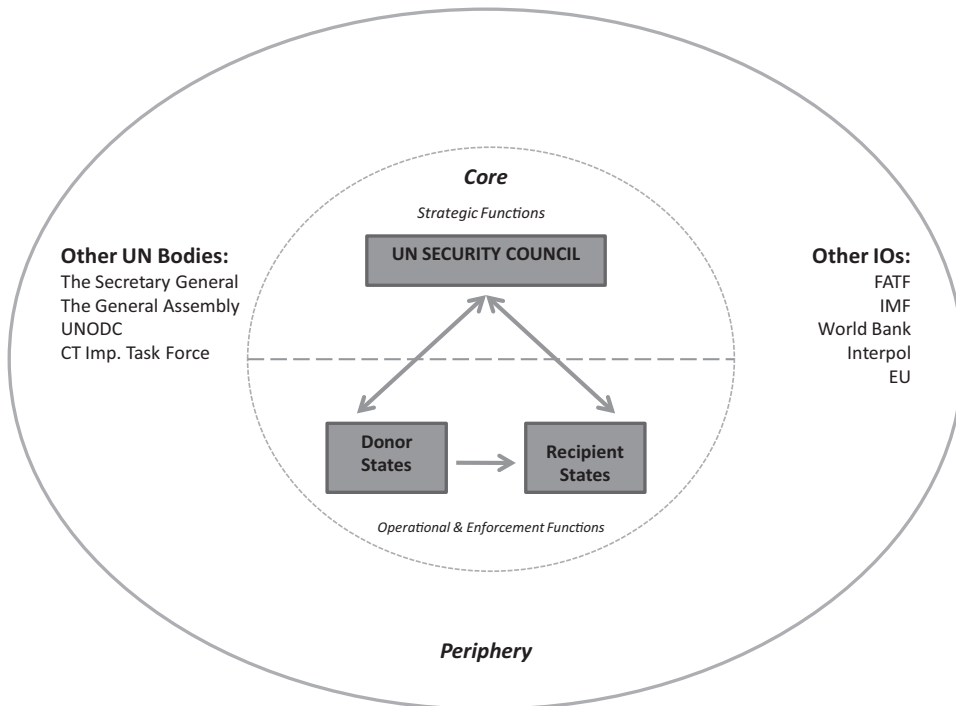
brought criticism from some recipient states, because of the lack of political independence of the aid dissemination process. Nonetheless, it is a sign of the cooperative ease and consensual nature of the CTC/CTED-state relationship that this system has remained in place and functioned successfully.<sup>30</sup>

Taken together, Resolutions 1368 and 1373, and the consensual nature of the relationship between states and the Security Council's CTC/CTED, have not only established a universal global approach to terrorism, but as part of this system the Security Council and the CTC/CTED have created a consensual kind of interaction. Certainly, relations between the Security Council and the member states in other issue areas are not that of partners. But as suggested earlier, in this case, the labor is shared and divided to achieve common goals, and the tone of interaction is that of cooperating partners. Figure 1 provides a visual representation of this complex partnership, and of the systemic interactions of the core components.

### *The System's Evolution and the Contributions of Other Actors*

In subsequent years, as the law writing and adoption process has been largely accomplished, the CTC/CTED has evolved and has been given additional responsibilities by the Security Council to monitor and assist states' efforts to counterterrorism. In 2005, as mentioned earlier, the CTED staff embarked on a program of "country visits," where they have been invited in to consult with state counterterrorism organizations and legal programs that have developed as part of the Security Council's demands. By 2008, in partnership with other intergovernmental organizations, CTED was invited to visit 35 states, primarily in developing regions, and by December of 2010, as the pace of visits increased, a total of 56 states had been visited. As mentioned earlier, the CTC/CTED has also created a "best practices" directory to further help states' efforts to meet the Security Council's requirements. These best practices are drawn by intergovernmental organizations involved in counterterrorism-related activities and from member states' experiences dealing with terrorism. In addition, the CTC/CTED has inaugurated a program of Preliminary Implementation Assessments (PIAs) to provide a common evaluation program that not only inform states of how successful they are being in their efforts to comply with the Security Council's requirements, but it also suggests how they can enhance their compliance efforts. It has also begun working with states to encourage regional cooperation on different counterterrorism activities.<sup>31</sup>

All three of the Security Council's counterterrorism committees, 1267-Al Qaeda, 1373-CTC, and 1540-WMD, coordinate efforts with one another. There are also other UN bodies that have become more actively engaged in countering terrorism, such as the UN Office of Drugs and Crime—Terrorism Prevention Branch (UNODC-TPB). But perhaps the most extensive and significant addition to UN efforts occurred in 2006, with the General Assembly's adoption of a global counterterrorism strategy. The strategy reflects what one UN official refers to as a political decision by the General Assembly to "buy in" to the Security Council's counterterrorism efforts. The General Assembly's strategy is built around the Security Council's approach found in Resolutions 1368 and 1373, and its other subsidiary committees. But it also added significant special programmatic attention regarding many states' need to end the conditions that encourage terrorism, and for states to pay special attention to the maintenance of human rights while combating terrorism. Subsequently, the UN Secretary General created the Counter-Terrorism Implementation Task Force to bring all of the UN bodies and agencies, including the CTC/CTED, together to share ideas and coordinate approaches on the terrorism issue. Further, the CTED added a



**Figure 2.** The system's core and periphery.

Senior Human Rights official to its professional staff in 2005. Thus, while the CTC/CTED is still separately managed by the Security Council, its approach to countering terrorism has been broadened to include the General Assembly's concerns.<sup>32</sup>

The CTC/CTED and the UN member states also pay special attention to coordinating their combined and respective efforts with other significant international organizations that lie outside of the UN system. While these organizations are described in Figure 2 as "peripheral," by virtue of being formally located outside of the UN system, these organizations are also enormously important. In coordination with the CTC/CTED, such organizations provide important training, regional briefings, specific technical advice, material aid, and a setting for international coordination among states. The coordination effort includes regional intergovernmental bodies such as the European Union (EU), the African Union (AU), and the Association of Southeast Asian Nations (ASEAN), as well as such sub-regional organizations such as the South Asian Association for Regional Cooperation (SAARC) or the Caribbean Community (CARICOM). This category of more peripheral system organizations also includes such specialized functional organizations as the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO), Interpol, and such banking and financial organizations as the International Monetary Fund (IMF), the World Bank (IBRD), the Financial Action Task Force (FATF), and the Egmont Group.<sup>33</sup> These organizations are often brought in, sometimes in combination, to help in a CTED-sponsored workshop of regional states to explain the details and importance of such things as "know-your-customer" standards, the organization and use of "freeze and seize" actions of suspected terrorist bank accounts, and the most effective means of arrest and prosecution where circumstances warrant. Of course, such security organizations as the North Atlantic



Treaty Organization (NATO), may also provide supportive assistance to states, particularly in matters related to Resolution 1368. All of these international organizations now focus on countering terrorism and have developed their own programs, committees, and offices, in order to help in the effort to suppress terrorists' access to various international functions. It is a process that began occurring in a wide range of legal and legislative areas established by Resolutions 1368 and 1373. This periphery of other UN and international organizations are visually presented in Figure 2.

As the evolving of CTC/CTED responsibilities and programs and the large number of international organizations with counterterrorism units, programs, and responsibilities suggests, the system which grew up in the aftermath of 9/11, is complex and is primarily coordinated through voluntary cooperation and diplomacy among the many UN and international bodies and states involved. Its combined importance in counterterrorism should not be underestimated. However, the organizational "core" of this international effort that has emerged, by virtue of its coordinating role and direct relationship with all states regarding Resolution 1373's requirements, remains the Security Council's partnership, through its subsidiary committees and the CTED, with the UN member states.

### **An Assessment of the System's Effectiveness**

Starting with the approval of Resolutions 1368 and 1373 in September 2001, the Security Council's global counterterrorism system, and the partnership at its core, is now a decade old. However, evaluation of it is an exercise that is made difficult by the secrecy of most interactions between and among states, and between the CTC/CTED and the states. Also, the use of any information about individual cases from which one might infer systemic interpretations is also of limited value because of the variety of national situations encountered and the large number of UN member states involved (there were 190 UN member states in 2001).<sup>34</sup> Nevertheless, relying on the available public information and data allows some analysis, and it is used in providing the two cases that follow. The first case uses both the country reports of UN member states to the CTC/CTED concerning the legal standards required by Resolution 1373, as well as the call in Resolution 1368 to adopt important UN General Assembly legal Conventions regarding the suppression and criminalization of terrorism. Together, these records of member state reaction to UN decisions provide the basis for a useful perspective on evolving member state attitudes about terrorism and the importance of countering it. The second case provides a specific regional focus on how Middle East Arab States are reacting to the global counterterrorism system's regulation of regional financial institutions and arrangements. Together, these two cases provide some insight into how the system and partnership are functioning.

### ***The Global Counterterrorism System and Member State Responses***

A focus on the member state adoption of the legal framework found in Resolution 1373, and the required reporting to the CTC/CTED in its monitoring role, provides an initial place to start an evaluation of the system. On this measure, the public record is helpful. Resolution 1373 required all states to reply to the CTC within 90 days regarding the "steps they have taken to implement this resolution," and to submit any ensuing reports according to a schedule adopted by the CTC. These initial "country reports" often included scores of pages of carefully and densely written explanations of a state's regulatory and legislative changes, and discussions about why the state felt that such changes may or may not have been necessary, regarding Resolution 1373's requirements. In return, though its response

**Table 1**  
Country reports submitted to the CTC/CTED (2001–2009) regarding Resolution 1373

Number of reports submitted	Number of states	Total evaluated by the CTC/CTED
1	17	17
2	34	72
3	26	78
4	46	184
5	56	281
6	13	78
Totals:	193	710

to the states' reports was never made public, the CTC provided its advisory, corrective, and implicitly critical feedback (which is probably why it has never been made public), asking for additional responses to problems that it identified in these initial reports. This, in turn made subsequent reports from most states necessary. The first reports, then, initiated an ongoing written dialogue between CTC/CTED and state counterterrorism officials, and established a pattern in the public record, that occurred over several years, of state responses to the CTC.<sup>35</sup> This record, because the authors only have the states' responses and not the comments of the CTC, makes it difficult to draw specific conclusions about individual states or common problem areas. However, when taken together and viewed from an overarching perspective, this dialog allows the drawing of some conclusions about states' responses to, and possible underlying reactions to, the principle and importance of countering terrorism that may have occurred as a result of the new UN system.

Of the 190 UN member states in 2001, 97 states met the resolution's first deadline of 31 December 2001, with the vast bulk of the remaining states turning in reports by February 2002. Further, all remaining states turned in these first reports by the end of 2002. Subsequently, over the six years from 2001 through 2006, a virtual annual reporting process emerged, creating six phases (approximately 6 years long overall) of reporting between the states and the CTC/CTED. As Table 1 illustrates, by the vantage point of mid-2007, the following record had emerged: 13 states have each submitted a total of six reports, while 56 have concluded the process with only five reports. Forty-six countries only submitted four reports, 26 turned in three, and another 34 submitted just two reports. The remaining 17 countries, out of the original 190, handed in just one report. By the end of this 6-year process, the CTC/CTED had evaluated a total of 710 country reports, and an additional 34 addenda or corrections sent from 30 of these states.<sup>36</sup> All countries completed the reporting process. These documents, generated by Resolution 1373, are part of a public data bank highlighting the steps states have taken in order to strengthen their counterterrorism capacities. Copies of these documents may be found at the CTC/CTED's website.<sup>37</sup>

Even a casual reading of the country reports indicates that they varied widely in length and style of responses by country. In general, small and less developed states submitted fewer reports, and larger more developed states submitted more reports. It is interesting to note that all of the Security Council's permanent members turned in 4 or 5 reports.<sup>38</sup> Why did so many states submit so many reports to the CTC/CTED? It is important to emphasize

that states were not required to submit additional reports, but many states did so “at their own behest” because of “the importance they attach” to countering the threat of terrorism.<sup>39</sup>

Given countries’ willingness to engage with the CTC/CTED and to comply with the Security Council’s demands, are these measurements of the system’s effectiveness? Similarly, has this dialog enhanced interstate cooperating in the global struggle against terrorism? The data in Table 1 does not provide direct answers. However, it is worth noting that states take the responsibility of changing their laws very seriously, and are unlikely to engage the CTC/CTED, and the Security Council for which it speaks, in a superficial manner, or with other intent. Thus, the data presented in Table 1, in most cases probably suggests a high level of member state interest in criminalizing and suppressing terrorism.<sup>40</sup> At the very least, given the figures found in Table 1, the authors feel comfortable in concurring with David Cortright’s similar evaluation, though made with much less data in 2004, when he wrote,

The CTC had received high levels of cooperation from UN member state. . . . The cooperative approach embodied in the UN counter-terrorism program has helped to develop and strengthen international norms . . . [and created and sustained] international momentum to strengthen counter-terrorism efforts. . . . The high levels of member state response to CTC requests confirm the importance many states attach to compliance with the UN counter-terror program.<sup>41</sup>

The continued dialog between states and the CTC/CTED in the years since Cortright’s 2004 evaluation provides much additional data that further suggests, if his observations were accurate then, that given the passage of further time, the point may be made even more strongly. Additionally, several scholars in other security-related analyses use the phrase “norm entrepreneurs” in referring to those organizations and individuals who make the case to the international community for new norms and ways of understanding and reacting to international problems.<sup>42</sup> If Cortright’s views, as well those offered here, are accurate, the CTC/CTED, operating as a representative of the Security Council, may also be reasonably referred to as a “counterterrorism norm entrepreneur.”

Resolutions 1368 and 1373 also obligated all states to ratify the General Assembly’s international legal instruments dealing with terrorism activities. As noted by Hilde Haaland Kramer and Steve Yetiv’s research, a majority of states’ complied with the Security Council’s demands.<sup>43</sup> Table 2 illustrates the level of state ratification of the *International Convention for the Suppression of Terrorist Bombings* (1997) and the *International Convention for the Suppression of the Financing of Terrorism* (1999).

In relation to Kramer and Yetiv’s analysis, Sollier, a staff member of CTED during this period, further argues that the approval of the *International Convention for the Suppression of Financing of Terrorism*, by more than three-quarters of the UN members is particularly noteworthy since this convention includes a definition of terrorism (Art. 2.1, b), which has been difficult for the General Assembly to negotiate. The acceptance of this Convention, with its provision of a shared concept of terrorist financing, what is necessary to regulate and stop it, as well as an understanding of what is meant by terrorism, represents a further endorsement for the systemic counterterrorism that is reflected in Tables 1 and 2.<sup>44</sup>

Taken together, the implications of Tables 1 and 2, show that important changes at the national and international level in attitudes about counterterrorism may well be taking place since the adoption of Resolutions 1368 and 1373. To further show the relevance of

**Table 2**

States' ratification of the 1997 International Convention for the Suppression of Terrorist Bombings and the 1999 International Convention for the Suppression of Financing Terrorism.<sup>45</sup>

Year	Bombings convention	Financing convention
1998	0	0
1999	0	0
2000	2	2
2001	19	19
2002	48	48
2003	45	45
2004	27	27
2005	15	15
2006	6	6
2007	8	8
2008	5	5
2009	3	3
2010	2	2
Total	170/192	180/192

these probable developments, the next section analyzes Arab states' efforts to implement counterterrorism financing laws and regulations.

### *Middle Eastern Arab State Implementation of Counterterrorism Financing Regulations*

An important facet of the global counterterrorism system since its inception following 9/11 has been the focus on financial regulation. Resolution 1373, with its requirements concerning domestic legal standards, was the legal vehicle that required all states to adopt such laws. By embracing these obligations, the Security Council sought to not only strengthen states' capacity to fight terrorism at the national level, but it also expected to establish the foundations of a universal and comprehensive legal infrastructure that would spearhead and support independent global cooperation among states in the financial fight against terrorism.

Financial regulation offers an interesting study of how this regulation came to be included in Resolution 1373. This resolution called on states to freeze all terrorist accounts and funds. This standard mirrored the concerns of the United States, at the time. The Bush administration had ordered federal agencies to follow the "money trail" and determine how Al Qaeda funded the 9/11 operations.<sup>46</sup> The success of this investigation made the United States a sponsor and strong advocate of Resolution 1373.<sup>47</sup> Because the American investigators demonstrated that Al Qaeda transferred funds through banks in different jurisdictions, the international community realized the importance of enacting a new set of global standards that would protect the global financial systems from terrorists' use and abuses. According to Navias,

The central hub of [Al Qaeda's financial] network was located in the loose banking arrangements in a number of developing states in North Africa and the [Persian] Gulf but extended to financial networks situated in Europe and North America. The interconnectedness of the laxer, less regulated banking and finance frameworks in the developing world with the more orderly complexes in Europe and North America confirmed that internationally the financial system was vulnerable to penetration by terrorist organizations intent upon supporting worldwide operations, including operations in areas where financial controls were thought rigorous.<sup>48</sup>

For its part, the USA PATRIOT Act, passed a month after Resolution 1373, included a new set of laws to protect the U.S. banking system and to give the government the authority and tools to examine financial transactions. These U.S. laws also reflected the international Financial Action Task Force's (FATF) already existing forty recommendations on money laundering and the FATF's nine special recommendations against terrorism financing adopted in early October 2001.<sup>49</sup> As multiple studies, including the Middle East cases discussed below, suggest, the financial regulatory standard of Resolution 1373, the USA PATRIOT Act, and the FATF's recommendations, have subsequently emerged and empowered states all over the globe,<sup>50</sup> undermining terrorists' ability to exploit global financial networks and making international cooperation on counterterrorism easier between and among states.

The penetration and use of the global financial system by Al Qaeda to support its 9/11 terrorists presented an opportunity to states not only to stop such actions in the future, but also to use such information to trace and locate terrorist organizations, their members, sympathizers, and resources. Thus, banks and other private financial services institutions were quickly brought into the regulatory process by states everywhere, with little apparent resistance. Sollier, a CTED staff member, makes it clear why this was the case:

No banking institution wants to lay itself open to prosecution for complicity in the financing of terrorism or even, in good faith, to allow terrorist organizations or individuals to maintain accounts. Similarly, states which, five years after the adoption of binding Security Council resolutions, have failed to adopt prudential legislation or to criminalize the financing of terrorism find themselves in a tenuous diplomatic position and subject to international pressure that may be quite strong, particularly after a country visit by the [CTC/CTED] or an international financial institution such as the FATF, IMF, or the World Bank. Some 40 countries are currently in this position; most, but not all of them, are small states.<sup>51</sup>

In this case the authors are particularly interested in seeing how readily the twelve Arab states of the Middle East region and their banks have implemented these regulations and worked with the CTC/CTED and other states and organizations of the international system. This is important in evaluating the system's effectiveness, because it is from these twelve states that the bulk of funds came into the international banking system that were used to support the 9/11 attacks. These states have also been a particular focus of attention of the efforts of the United States and the European Union aimed at stopping further terrorist penetration and use of the international financial system.<sup>52</sup> Consequently, Table 3 looks at the implementation record of this group of twelve states by using six different measurements of the steps they have taken. Thus, Table 3 provides a useful comparative

**Table 3**

Middle East Arab States' compliance with anti-money laundering and counterterrorism financing standards<sup>53</sup>

Country	1999 Convention	AML Law	CTF Law	FIU	Egmont	Mutual evaluation
Bahrain	Y	Y	Y	Y	Y	Y
Egypt	Y	Y	Y	Y	Y	Y
Iraq	N	Y	Y	Y	N	N
Jordan	Y	Y	Y	Y	N	Y
Kuwait	N	Y	N	Y	N	Y
Lebanon	N	Y	Y	Y	Y	Y
Oman	N	Y	Y	Y	N	N
Qatar	Y	Y	Y	Y	Y	Y
Saudi Arabia	Y	Y	Y	Y	Y	Y
Syria	Y	Y	N	Y	Y	Y
UAE	Y	Y	Y	Y	Y	Y
Yemen	Y	Y	N	Y	N	Y
Total Y	8/12	12/12	10/12	12/12	6/12	10/12

“Y” stands for “yes” and “N” for “no.”

overview of these twelve states' readiness to adopt the financial regulations of the new counterterrorism system.

The first measurement of readiness to adopt the new system analyzed here is the ratification of the *International Convention for the Suppression of the Financing of Terrorism*. Seven out of twelve Arab states have ratified the convention. Some states, like Lebanon, have not signed the instrument, but have adopted most of the Convention's provisions. The main objection is the Convention's definition of terrorism,<sup>54</sup> which contravenes the definition used by the Organization of the Islamic Conference (OIC), elaborated in its *Convention on Combating International Terrorism*. This definition clearly distinguishes “freedom fighters” from “terrorists,” stipulating that: “Peoples struggle including armed struggle against foreign occupation, aggression, colonialism, and hegemony, aimed at liberation and self-determination in accordance with the principles of international law shall not be considered a terrorist crime.”<sup>55</sup> This stance has been a source of contention between Arab and Western states for many years. Even Arab state signatories of this Convention have expressed reservations with the international convention's definition.<sup>56</sup>

The next two measurements focus on Middle East Arab states' willingness to adopt anti-money laundering laws (AML—column 2), and counterterrorism finance laws (CTF—column 3). As noted in Table 3, all twelve Arab states have criminalized money laundering, while only nine have outlawed counterterrorism financing. This latter example, again suggests the important distinction between “terrorist” and “freedom fighter,” noted earlier, that some Arab states carry to this discussion.

In line with the Security Council's request that states reform their institutions according to best practices, the next two demands are the establishment of financial intelligence units (FIU—column 4), where all twelve states have set up such units, and these units' eventual membership into the Egmont Group (column 5), an intergovernmental body that brings together officials of many national FIUs and where special advanced membership standards

must be met by such units. This requirement helps explain why only six states have achieved this standard. FIUs play an important role in the struggle against terrorism financing as these specialized agencies, with the cooperation of banks and other financial institutions, monitor financial transactions and investigate suspicious activities, giving law enforcement personnel and judicial officials the tools to arrest and prosecute individuals suspected of carrying out financial crimes.<sup>57</sup> Because financial criminals tend to commit offenses in multiple jurisdictions, participation in the Egmont Group allows FIUs to establish a close working relationship with other FIUs. This not only leads to information sharing, but to the development of joint efforts to address these crimes.

Table 3's sixth measurement is the number of the twelve Arab countries that have agreed to permit officials from financial intergovernmental organizations and other states to evaluate their compliance efforts (Mutual Evaluation—column 6). The creation of the regional FATF organization known as the Middle East and North Africa Financial Action Task Force (MENAFATF) in 2004, with its eighteen members, including all twelve Arab states of Table 3, has begun this type of outside evaluation. So far, nine of the twelve states listed in Table 3 have undergone these mutual evaluations. These exercises not only demonstrate these states' willingness to comply with international standards, but they help these countries pinpoint weaknesses in their counterterrorism financing systems. These evaluations also help these countries get the necessary technical and financial assistance from donor states to secure their compliance with Security Council's demands.

Multiple interviews with Arab state bankers and government regulators have made it very clear that many of these changes are a product of the existence of the financial requirements made of states in Resolution 1373, and related international organizations such as the FATF and the MENAFATF. The message from the executives in banks and financial institutions in the Middle East is that their "reputation" is paramount and playing by the international rules created in the post-9/11 world is a very large part of this "reputation."<sup>58</sup> While many states still have much to do to fully comply with the Security Council's demands regarding counterterrorism financing, a snapshot of the Middle East region, as illustrated in Table 3, shows that global pressure and the international community's assistance have helped these states to enact new laws and generally make progress in establishing new institutions to safeguard the region's financial systems.

## Conclusion

As noted in the introduction, most terrorism scholars have paid little attention to the Security Council's counterterrorism efforts. Those that have studied these efforts have been very critical, often decrying the Security Council's unwillingness to create a new intergovernmental counterterrorism organization. This article has argued that these assessments are not only overly pessimistic, but that they also are influenced by a misunderstanding of how the global counterterrorism system works. These studies pay too much attention to this system's UN actors, in particular the Security Council and the CTC/CTED, while treating UN member states as peripheral clients or *ad hoc* players in a more hierarchic system, managed by the Security Council. Thus, in the view of this article these studies are based on an incomplete understanding of the existing system. The authors present member states as being of equal importance in the system with considerable operational responsibility, alongside the Security Council and its assisting bodies. Indeed, the central argument has been that the Security Council deliberately created a wider system based on a counterterrorism partnership between itself and the states. Consequently, states are central players in this new system.

The authors believe their description of this global counterterrorism system is an important contribution to the debate on the Security Council's counterterrorism efforts. However, an additional contribution is the two case studies presented, which show that the partnership has produced positive developments. By requiring all states to adopt a universal legal counterterrorism framework into domestic law, the Security Council has not only strengthened states' counterterrorism capacity, but as the case studies suggest it has also encouraged interstate cooperation on this important issue. There are no doubt differences in the seriousness with which states pursue their counterterrorism efforts, but it also seems likely that the combined work of the partnership and periphery organizations have brought progress toward the common goal of combating terrorism. These changes also suggest that the norms that inform how states think about terrorism and the threats posed by it are also changing. For these contributions, the recognition of the system, and the partnership it has created between the states and the Security Council, should surely be encouraged.

## Notes

1. Karin von Hippel, "Improving the International Response to the Transnational Terrorist Threat," in Jane Boulden and Thomas Weiss, eds., *Terrorism and the UN: Before and After September 11* (Bloomington: Indiana University Press, 2004), pp. 108–111; and Ilias Bantekas, "The International Law of Terrorist Financing," *American Journal of International Law* 97(2) (2003), pp. 315–316; and Martin S. Navias, "Finance Warfare as a Response to International Terrorism," *Political Quarterly*, 73(s1) (2002), pp. 60–62.

2. In 2001, states were required to ratify 12 conventions dealing with terrorism-related activities. The 13th convention was completed in 2005 and states have to also ratify it.

3. John B. Taylor, *Global Financial Warriors* (New York: W.W.Norton, 2007); Bruce Hoffman, *Inside Terrorism*, 2nd edition (New York: Columbia University Press, 2006); and Richard Clarke, *Against all Enemies: Inside America's War on Terror* (New York: Free Press, 2004).

4. For exceptions, see, for instance: Kathryn Gardner, "Fighting Terrorism the FATF Way," *Global Governance: A Review of Multilateralism and International Organizations* 13(3) (2007), pp. 325–345; Anne L. Clunan, "U.S. and International Responses to Terrorist Financing," in Jeanne K. Giraldo and Harold A. Trinkunas, eds., *Terrorism Financing and State Responses: A Comparative Perspective* (Palo Alto, CA: Stanford University Press, 2007), pp. 274–275; Bantekas, "The International Law of Terrorist Financing"; and Navias, "Finance Warfare as a Response to International Terrorism."

5. Harris O. Schoenberg, *Combating Terrorism: The Role of the United Nations* (New York: Center for UN Reform Education), pp. 85–87; Edward Luck, "The US, Counterterrorism, and a Multilateral Alternative," in Boulden and Weiss, eds., *Terrorism and the UN*, p. 83; Chantal Oudraat, "The Role of the Security Council," in Boulden and Weiss, eds., *Terrorism and the UN*, pp. 163 and 166; Alistair Millar and Eric Rosand, *Allied Against Terrorism: What's Needed to Strengthen Worldwide Commitment* (New York: Century Foundation Press, 2006), pp. 16–17 and 25; Andrea Bianchi, "Assessing the Effectiveness of the UN Security Council's Anti-terrorism Measures: The Quest for Legitimacy and Cohesion," *European Journal of International Law* 17(5) (2006), pp. 881–919. A recent critical view was offered by Martin Scheinin, Special Rapporteur to the General Assembly, *Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism*. Available at <http://www.un.org/sc/ctc/>; or UN Document: A/65/258. A notable exception to this critical systemic perspective is found in Hilde Kramer and Steve Yetiv, "The UN Security Council's Response to Terrorism: Before and After September 11, 2001," *Political Science Quarterly* 122(3) (2007), pp. 409–432.

6. Oudraat, "The Role of the Security Council," pp. 164–166.

7. Millar and Rosand, *Allied Against Terrorism*, p. 4.

8. Cited in Edward Luck, *UN Security Council: Practice and Promise* (New York: Routledge, 2006), p. 108.



9. See, for example, *ibid.*, pp. 109–110.
10. Borrowing from sociological analyses, a system is defined as “any set or group of elements or parts (e.g. an organism or machine) organized for a definite purpose and in relation to an external environment.” For more on this definition see, “System” in David Jary and Juli Jar, eds., *Collins Dictionary of Sociology*, 2nd edition (London: HarperCollins Publishers, 1995), p. 675.
11. Kramer and Yetiv, “The UN Security Council’s Response to Terrorism,” p. 421.
12. Luck, *UN Security Council: Practice and Promise*, pp. 95–101.
13. David Cortright and George Lopez, *The Sanctions Decade: Assessing UN Strategies In the 1990s* (Boulder, CO: Lynne Reiner, 2000).
14. Luck, *UN Security Council: Practice and Promise*, pp. 109–110.
15. UN Security Council, “Resolution 1368,” S/RES/1368, 12 September 2001, para. 1. Available at <http://daccessdds.un.org/doc/UNDOC/GEN/N01/533/82/PDF/N0153382.pdf?OpenElement>
16. See, UN Charter, Chapter VII, Article 51.
17. For a similar reading of Resolution 1368, see: Bardo Fassbender, “The UN Security Council and International Terrorism,” in Andrea Bianchi with Yasmin Naqvi, ed., *Enforcing International Law Norms Against Terrorism* (Portland, OR: Hart Publishing, 2004), pp. 87–89.
18. Oudraat, “The Role of the Security Council,” p. 160.
19. UN Security Council, “Resolution 1368.”
20. UN Security Council, “Resolution 1373,” S/RES/1373, 28 September 2005. Available at <http://daccessdds.un.org/doc/UNDOC/GEN/N01/557/43/PDF/N0155743.pdf?OpenElement>
21. *Ibid.*, para. 2.
22. *Ibid.*, para. 6.
23. It was established by UN Security Council, “Resolution 1535,” S/RES/1535 (26 March 2004). Available at <http://daccessdds.un.org/doc/UNDOC/GEN/N04/286/41/PDF/N0428641.pdf?OpenElement>
24. For more information on the CTC’s and CTED’s composition and objectives, see <http://www.un.org/sc/ctc/aboutus.html>. For an organizational chart of the CTC and the CTED, refer to <http://www.un.org/sc/ctc/documents/CTEDorgchart.pdf>
25. Information on this Committee can be found at <http://www.un.org/sc/committees/1267/index.shtml>
26. Information on the 1540 Committee is available at <http://www.un.org/sc/1540>
27. This is based on various interviews with staff at the CTC, the CTED, and the UN Secretariat, from 2006 to 2011. Sometimes the private tone of CTC/CTED personnel is that of frustration and complaint about the fact that they are to operate without absolute insistence that their view must prevail with the states.
28. Eric Rosand, “Security Council Resolution 1373, the Counter Terrorism Committee, and the Fight Against Terrorism,” *American Journal of International Law* 97(2) (2003), pp. 93–94.
29. UN Security Council, “Resolution 1377,” S/RES/1377 (12 November 2001). Available at <http://daccessdds.un.org/doc/UNDOC/GEN/N01/633/01/PDF/N0163301.pdf?OpenElement>
30. To see this Matrix, refer to <http://www.un.org/sc/ctc/matrix/mindex.html>. For a recent discussion of the technical aid process and the role of the CTC/CTED, see <http://www.un.org/sc/ctc> and find CTC report to the Security Council: S/2010/616.
31. Country visits have become a staple feature of CTED activities, and help not only states, but New York–based staff efforts, providing them with useful experiences to inform their own work, as well as face to face contacts in the member states. For information on these visits see <http://www.un.org/sc/ctc>, and see especially the CTC report submitted to the Security Council: S/2010/616. For information on best practices, see <http://www.un.org/sc/ctc/practices.html>. Information on PIAs may also be found here.
32. For more information on this Task Force, see <http://www.un.org/terrorism/cttaskforce.shtml>. Also for a discussion of Human Rights concerns and the UN’s counterterrorism efforts, see E. J. Flynn, “The Security Council’s Counter-Terrorism Committee and Human Rights,” *Human Rights Law Review*, 2007 (Oxford University), pp. 1–14. Personal discussion also occurred with E. J. Flynn in April 2008.

33. See for instance, the Financial Action Task Force's nine special recommendations on terrorism financing. To access more information, on these recommendations, see [http://www.fatf-gafi.org/document/9/0,2340,en\\_32250379\\_32236920\\_34032073\\_1\\_1\\_1\\_1,00.html](http://www.fatf-gafi.org/document/9/0,2340,en_32250379_32236920_34032073_1_1_1_1,00.html). For a good analysis of the FATF's work, see Kathryn Gardner, "Fighting Terrorism the FATF Way."

34. It is important to note that the CTC/CTED try to balance between the UN's transparency rules and states' desire for secrecy. While states' reports to the CTC/CTED are publicly available, the CTC/CTED's responses are confidential.

35. UN Security Council, "Resolution 1373," S/RES/1373 (2001), para. 6.

36. In addition, in 2006, the Security Council passed Resolution 1624 ordering all states to adopt laws criminalizing the incitement of terrorism and requiring states to send supplementary reports to the CTC/CTED on their plans to fulfill this obligation. By September 2007, the CTC/CTED received 84 reports. For more information, see UN Security Council, "Resolution 1624," S/RES/1624 (14 September 2005). Available at <http://daccessdds.un.org/doc/UNDOC/GEN/N05/510/52/PDF/N0551052.pdf?OpenElement>

37. The following is a link to the reports: <http://www.un.org/sc/ctc/countryreports.shtml>

38. In fact, China submitted five reports, while France, Russia, and the United States handed in four. For copies, refer to note 37.

39. E-mail exchange with a CTED official (17 March 2011).

40. The public reports, press conferences, and other writings of related UN officials give little indication of such problems with states. For example, see Joel Sollier, *The United Nations Security Council and the Effort to Combat Money Laundering and the Financing of Terrorism* (a personal manuscript of a senior CTED official), pp. 6–8. An English language copy can be obtained from the authors of the present article.

41. David Cortright, "Can The UN Battle Terrorism Effectively?," *USA Today*, January 2005.

42. Keith Krause, "Facing the Challenge of Small Arms: The UN and Global Security Governance," p. 31; Andrew Mack and Kathryn Furlong, "When Aspiration Exceeds Capability: The UN And Conflict Prevention," p. 72; and Ramesh Thakur, "Developing Countries and the Intervention-Sovereignty Debate," p. 204; all of which are found in Richard M. Price and Mark W. Zacher, *The United Nations and Global Security* (New York: Palgrave MacMillan, 2004).

43. Kramer and Yetiv, "The UN Security Council's Response to Terrorism," pp. 415–416.

44. Sollier, *The United Nations Security Council*, p. 8.

45. UN Treaty Collection Database. Available at <http://treaties.un.org/pages/UNTSONline.aspx?id=1> (accessed in 10 March 2011).

46. Taylor, *Global Financial Warriors*, p. 12.

47. Navias, "Finance Warfare as a Response to International Terrorism," pp. 57–58.

48. Indeed, the Bush administration made it clear that the passage of the USA PATRIOT Act brought the United States into compliance with Resolution 1373's demands.

49. See, for instance, Beth Elise Whitaker, "Compliance Among Weak States: Africa and the Counter-Terrorism Regime," *Review of International Studies*, 36(3) (2010), pp. 639–662; Carlos L. Yordán, "Enacting Counter Terrorism Financing Laws in the UAE and Bahrain: The Fusion of Global Pressures, Regional Dynamics, and Local Interests," Ninth Mediterranean Research Meeting, European University Institute (Florence, Italy: March 2008). Available at <http://ssrn.com/abstract=1288629>; Alice Hills, "Trojan Horses? USAID, Counter-Terrorism and Africa's Police," *Third World Quarterly* 27(4) (2006), pp. 629–643; and Kim Lane Scheppele, "Other People's Patriot Acts: Europe's Responses to September 11," *Loyola Law Review* 50(1) (2004), pp. 89–148.

50. Sollier, *The United Nations Security Council*, p. 8.

51. On the financing of the 9/11 terrorist attacks, see: National Commission on Terrorist Attacks Upon the United States, "Monograph on Terrorist Financing—Staff Report to the Commission" (2004). Available at [http://govinfo.library.unt.edu/911/staff\\_statements/911\\_TerrFin\\_Monograph.pdf](http://govinfo.library.unt.edu/911/staff_statements/911_TerrFin_Monograph.pdf)

52. See Article 2 of the International Convention for the Suppression of the Financing of Terrorism (1999). Available at <http://www.un.org/law/cod/finterr.htm>

53. The following sources were used to construct this table: Country Reports to the CTC/CTED; Moyara de Moraes Ruehsen, "Arab Government Responses to the Threat of Terrorist Financing," in Jeanne K. Giraldo and Harold A. Trinkunas, eds., *Terrorism Financing and State Responses: A Comparative Perspective* (Palo Alto, CA: Stanford University Press, 2007), pp. 158–159. Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report—Vol. II Money Laundering and Financial Crimes* (Washington, DC: US Department of State, 2010). Available at <http://www.state.gov/p/inl/rls/nrcrpt/2010/index.htm>

54. For example, Bahrain's antiterrorism law, enacted in 2006, uses the IOC's definition. See U.S. Department of State, *U.S. Department of State Country Reports on Terrorism 2006—Bahrain*, 30 April 2007. Available at <http://www.unhcr.org/refworld/docid/4681086d28.html>

55. For more information, on the Egmont Group's ascension process, refer to [http://www.egmontgroup.org/files/library\\_egmont\\_docs/procedure\\_for\\_being\\_recognised.pdf](http://www.egmontgroup.org/files/library_egmont_docs/procedure_for_being_recognised.pdf)

56. Based on interviews with executives of financial institutions and government regulators in Dubai, UAE in December 2007.

57. Clunan, "U.S. and International Responses to Terrorist Financing," pp. 274–275.

58. For a copy of this document, refer to <http://www.oic-un.org/26icfm/c.html>

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