Introduction

The chapter begins with discussion of the role of Security Council in dealing with terrorism and what actions it has taken in order to tackle this global menace. In other words, the chapter provides an outline of the Security Council’s approach to terrorism. It analyses that the active role of Security Council against terrorism begins mainly after 9/11. The chapter also discusses the evolution of Security Council’s actions against terrorism which highlights its shifting nature, as terrorism become essential item on the Security Council’s agenda after the 1990s in response to specific events. In particular, three cases (the drowning of Pan Am Flights, the attempted assassination of Egyptian President Hosni Mubarak, and the bombings of American embassies). In the aftermath of September 11, 2001 terrorist attacks Council acted immediately and passed numerous significant resolutions such as 1368, 1373, 1377, 1438 etc. In Resolution 1373 (2001) various measures were outlined that necessitate significant actions by the member States. This resolution also establishes the Counter–Terrorism Committee to monitor Member State’s implementation of these measures. Notwithstanding the 13 international treaties that bind only those States that accede to them, this significant resolution for the first time creates obligations for the organization’s 193 member States. Moreover, despite all these efforts there is no comprehensive effective mechanism that resolve the problem of terrorism because many of the provisions are only comprehensive on paper and implemented unevenly in practice. The other major hindrance in the adoption of such mechanism is the monopoly of permanent members in the Security Council.

The Security Council is one of the main organs of the United Nations and is responsible for the maintenance of international peace and security. The powers of Security Council comprises the establishment of peace keeping operations, the establishment of international sanctions, and the approval of military actions through Security Council resolutions. The Security Council is the only body which has the authority to issue resolutions binding on all member States of the United Nations.

The Security Council like the United Nations as a whole was established as a result of World War II to cope with the failings of the League of Nations and in order to maintain international peace and security. The Cold War divisions between the U.S. and the U.S.S.R. hampers the effective working of the body, however it authorized
interventions in the Korean War (1950) and the Congo Crisis (1960) and the peace keeping missions in the Suez Canal crisis (1956) etc. The U.N. Security Council authorized major military and peace keeping missions after the collapse of the Soviet Union in Kuwait, Namibia, Cambodia, Bosnia, Rwanda, Somalia, Sudan and the Democratic Republic of Congo.

The United Nations Security Council consists of fifteen members. Those countries who won World War II such as China, France, Russia, the U.K, and the U.S. were the five permanent members of the Security Council. These permanent members have the power to veto on any substantive resolution of the Security Council as well as on the admission of new member States or candidates for Secretary General. It also has ten non permanent members, elected on a regional basis to serve two year terms. The presidency of the body revolves monthly among its members.

The United Nations Security Council is not an independent actor. It is one of the six main organs of the United Nations (Article 7). As Article 24 (2) of the UN Charter stated, it is to “act in accordance with the Principles and Purposes” of that body. According to Article 1 (1) of the Charter the first purpose of the U.N. is:

To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to the breach of the peace

To those end, “members confer in the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf (Article 24 (1)). This simple provision makes the Security Council different from the League Council, which did not have such precise and distinguished responsibilities. The decisions of the Council are binding unlike that of General Assembly. As Article 25 puts it, “members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.”

The Security Council is completely different from General Assembly and its dual approach (on the one hand resolutions fielded by the Sixth Committee, on the other the ones emanating from the Third Committee), the Security Council has persistently
delivered resolutions which leaves no doubt as to their language, meaning or direction. Of course, the Security Council, being exposed to the mechanism of veto voting (the five Security Council permanent members enjoy a veto), was until 1989 basically a victim of ideological warfare between the two Super Powers—the U.S. the U.S.S.R. The Security Council was basically not able to agree on terrorism related issues until 1989.

**Binding Nature of a U.N. Security Council Resolutions**

The resolutions passed by the U.N. Security Council are binding in nature as the Security Council is charged with the responsibility to ensure international peace and security by the use of force if required. A decision by the Council needs not less than nine supporting members, nevertheless, a motion can be vanquished if any one of the permanent members uses a veto.

According to Article 24 and 25 of the U.N. Charter, the Security Council has extensive authority to take action where it determines that there is a threat to peace. Article 24 states:

> In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on its behalf.

Under Article 25, these decisions are obligatory, as “Members of the United Nations agree to accept and carry out the decisions of the Security Council…” This is an overwhelming grant of power. The outer bond of Council authority is set by the requirement that it act pursuant to maintaining peace and security; however, it is of the Council’s own judgment to “determined the existence of any threat to the peace, breach of the peace, or act of aggression.” When they have determine such a threat, it at their decision to “decide what measures shall be taken in accordance with article 41 and 42 to maintain or restore international peace and security.” Article 41 comprises those measures short of armed force, such as sanctions, while Article 42 allows the carrying out of any “operation by air, sea, or land forces” to enforce the decision. The Charter even gives the authority to the Security Council to take action with quasi judicial powers in settling the disputes between member States as a threat to peace, pre–empting the International Court of Justice (ICJ). These decisions are binding on
Member States as law, even if the Security Council orders breach an obligation of national or international law. There are two possible intrinsic limitations on Council’s power: first the decision must be within the Council’s Ratione Materiae, meaning within the scope of threat to peace and security. Second, assuming the stronger power interpretation of ICJ authority, a resolution should not contravene a fundamental principle of Article 1 of the U.N. Charter.  

**The Evolution of United Nations Security Council’s Counter–Terrorism Programme**

Under the U.N. system the subject of terrorism was mostly assigned to the General Assembly prior to September 11, 2001, showing the structural contrast between the Assembly as the “soft U.N.” and the Council as the “hard U.N.” There has been hardly any scrutiny of the width of Council resolution on terrorism prior to September 11, 2001, inspite of possible importance of Council measures as proof of customary international norms regulating terrorism. Up to late 2001, there was a lack of consistency in the identification of terrorist acts by the U.N. Security Council and resolutions did not impose measures against terrorism, nor did they define it. However, there was a major shift in the approach of Security Council towards terrorism. Since that time the Council has started imposing binding, quasi legislative measures against terrorism in general, and not only to particular incidents. It also considered any of terrorisms a threat to peace and security despite of its sternness, or international consequences.

As it was mentioned earlier that Security Council did not deal with the subject of international terrorism until 1989. In the earlier period the subject of terrorism was mostly handled by the General Assembly, particularly by the Sixth Committee of the General Assembly. The General Assembly sought to promote cooperation between states in the development of legal framework for dealing with terrorism. The chief contribution of the General Assembly has been in writing and adopting numerous conventions that deal with various aspects of acts of terrorism—13 in all. Thus, the event of September 11, 2001 enhanced the Security Council’s response towards global terrorism. Its response after September 11 has become more forceful and comprehensive than it was prior to this deadly event.
Resolution 579 of 1985 was the first Security Council resolution that uses the term “terrorism” as a response to increasing acts of terrorism in the previous years. On the day of resolution 20 people were killed by the Palestinian suicide bomber at the U.S. and Israeli check-in desks at Rome and Vienna airports. Resolution 579 condemned “all acts of hostage taking and abduction” as “manifestation of international terrorism.” Hostage taking and abduction (and impliedly, terrorism) were regarded “offences of grave concern to the international community,” jeopardize human rights and friendly relations. The Security Council passed Resolution 618 in 1988 which condemned the kidnap of a U.N. military observer in Lebanon and demanded his release. The President of Council reported in 1989 that U.N. observer “may have been murdered” and called for international action against hostage taking and abductions “unlawful criminal and cruel acts.” Security Council Resolution 638 was unanimously adopted soon after, condemning hostage taking and abduction in general and demanding the release of all victims. States were urged to become parties to relevant treaties, and to prevent, prosecute and punish all acts of hostage takings and abduction as manifestation of terrorism.

The Security Council passed another resolution on terrorism in 1989, when Resolution 635 was adopted unanimously on Plastic or Sheet Explosives. In Resolution 635 (1989), the Council raised “the implication of acts of terrorism for international security” in the context of detecting plastic explosives. Though not naming the episode, the Resolution was incited by an attack of civilian aircraft over Sahara in which 400 people were killed. The resolution called on States “to prevent all acts of terrorism” and pressed the International Civil Aviation Organization (ICAO) to strengthen its effort to avert terrorism against civil aviation, specifically the drafting of a treaty on plastic explosives, adopted after two years. The Resolution signifies that the unlawful use of plastic explosives may amount to terrorism suggesting a definition based on prohibited means, rather than political motives or intimidatory or coercive aims.

After the Gulf War of 1991, “permanent ceasefire” Resolution wanted Iraq:

….to inform the Council that it will not commit or support any act of international terrorism or allow any organization directed towards the commission of such acts to operate within its territory and to condemn unequivocally and renounce all acts, methods and practices of terrorism.
This obligation was afterward asserted to set up condition of ceasefire in the dispute about disarming Iraq from 1991 to 2003. The Council does not clearly state which action of Iraq constitute terrorism, and the Kuwait invasion was a clear classic case of inter-state aggression. Nevertheless, the Resolution also involved the Hostage Convention of 1979 and criticized the taking of hostages, several of whom were used as human shields. Even now it is uncertain why the Council calls such acts as terrorism rather than as violation of International Humanitarian Law (IHL) or of obligations regarding hostage taking or protected persons.¹¹

On 31rst January 1992, at the U.N. Security Council’s first meetings of heads of state and government, the Security Council’s members “express their deep concern over acts of international terrorism and emphasized the need for the international community to deal effectively with all such acts. In March 1992, the Council therefore took an active action and adopted mandatory sanctions against Libya, which was accused of involvement in the terrorist bombing of two commercial airlines.¹² In the late 1980s there were two major terrorist attacks against Pan Am Flight 103 over Lockerbie, Scotland, in December 1988 and against Union Des Transport Aerians (UTA) Flight 772 in September 1989 over Niger–impelled France, the United Kingdom and the United States to implicate the Security Council in the fight against terrorism.¹³

The Security Council in its January 1992 Resolution 731 put the Libyan government on notice.¹⁴ The resolution requires quick response from Libya failing to which results in heavy sanctions. The Washington made it clear that it would seek the imposition of mandatory sanction—an instrument the Council was more willing to impose since the end of Cold War.¹⁵

In November1993 Resolution 883 constrict the aviation ban and also freeze the Libyan assets and put sanctions on oil transporting equipments. This resolution once more attracted abstention form China and another three members of the Council. It gets less support from European States, which depends on Libyan oil exports. These negotiations on resolution resulted in an agreement that Libya would hand over two suspects for trials under Scottish law in Netherlands. This agreement was enshrined in the Security Council resolution 1192 of 27th August 1998, but the sanctions were not suspended till April 1999 until the Secretary General corroborate that the suspects had
arrived at the Hague. Like the Libya sanctions, the Security Council took measures against Sudan in order to compel the release of suspected terrorist, particularly those involved in the “terrorist assassination attempt” on the President of Egypt Hosni Mubarak, in Addis Ababa in June 1995. Resolution 1054 (20 April 1996) in which China and Russia were absent imposed diplomatic sanctions and travel restrictions on the government officials of Sudan. Further sanctions, which includes an aviation ban, were threatened with resolution 1070 (16 August 1996) again China and Russia abstaining, but these never came into force.  

Table: 5 UN Security Council Resolutions on Terrorism before September 11, 2001

<table>
<thead>
<tr>
<th>Year</th>
<th>Resolution</th>
<th>Content</th>
<th>Vote</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1989</td>
<td>635</td>
<td>On the marking of plastic or sheet explosives for the purpose of detection</td>
<td>Unanimously</td>
<td>Technical</td>
</tr>
<tr>
<td>1991</td>
<td>687</td>
<td>On the restoration of the sovereignty, independence and territorial integrity of Kuwait</td>
<td>12 to 1 (Cuba)a</td>
<td>Terrorism minor issue</td>
</tr>
<tr>
<td>1992</td>
<td>731</td>
<td>On the destruction of Pan American Flight 103 and Union des transports aeriens flight 772</td>
<td>unanimously</td>
<td>Response to terror acts</td>
</tr>
<tr>
<td>1992</td>
<td>748</td>
<td>On sanctions against the Libyan Arab Jamahiriya</td>
<td>10 to 0b</td>
<td>Response to terror acts, sanctions</td>
</tr>
<tr>
<td>1993</td>
<td>883</td>
<td>On the sanctions against the Libyan</td>
<td>11 to 0c</td>
<td>Response to terror act,</td>
</tr>
<tr>
<td>Year</td>
<td>Resolution</td>
<td>Action Description</td>
<td>Votes</td>
<td>Type of Resolution</td>
</tr>
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<tr>
<td>1996</td>
<td>1044</td>
<td>Calling upon Sudan to extradite to Ethiopia the three suspects wanted in connection with the assassination attempt against President Mubarak of Egypt</td>
<td>Unanimously</td>
<td>Response to terror acts</td>
</tr>
<tr>
<td>1998</td>
<td>1189</td>
<td>Concerning the terrorist bomb attacks of 7 August 1998 in Kenya and Tanzania</td>
<td>unanimously</td>
<td>Response to terror acts</td>
</tr>
<tr>
<td>1998</td>
<td>1214</td>
<td>On the situations</td>
<td>Unanimously</td>
<td>Response to</td>
</tr>
</tbody>
</table>
### Table: UN Resolutions on Terrorism

| Year | Resolution | Title                                                                 | Unanimous/Partly | Action
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<tbody>
<tr>
<td>1999</td>
<td>1267</td>
<td>On the measures against the Taliban</td>
<td>Unanimously</td>
<td>Response to terror acts, sanctions</td>
</tr>
<tr>
<td>1999</td>
<td>1269</td>
<td>On the international cooperation in fight against terrorism</td>
<td>Unanimously</td>
<td>General</td>
</tr>
<tr>
<td>2000</td>
<td>1333</td>
<td>On the measures against the Taliban</td>
<td>13 to 0e</td>
<td>Response to terror acts, sanctions</td>
</tr>
<tr>
<td>2001</td>
<td>1363</td>
<td>On the establishment of mechanism to monitor the implementation of measures imposed by Resolution 1267 (1999) and 1333 (2000)</td>
<td>Unanimously</td>
<td>Response to terror acts, sanctions</td>
</tr>
</tbody>
</table>

Source: [http://www.psqonline.org/article.cfm?IDArticle=18164](http://www.psqonline.org/article.cfm?IDArticle=18164)

a. two abstaining (Ecuador, Yemen)
b. five abstaining (Cape Verde, China, India, Morocco, Zimbabwe)
c. four abstaining (China, Djibouti, Morocco, Pakistan)
d. two abstaining (China, USSR)
e. two abstaining (China, Malaysia)

In October 15, 1999 the Security Council turned its attention to sanctions passing resolutions 1267 unanimously. The resolution inflicted targeted financial sanctions on persons and entities chosen by the Sanctions Committee (created under the resolution) including to an aviation ban. In resolution demand was made that Taliban guarantee territory under their influence was not being used by terrorists and that Osama Bin Laden be extradited to a country in which his trial was made. Certainly, following the bombings of U.S. embassies in Nairobi and Dar es Salaam in August 1998, Bin Laden
was now extremely wanted by the United States. Consequently, resolution 1267 further added with an arms embargo, travel ban and other measures with resolution 1333 (19 December 2000) in which China and Malaysia did not participate. The resolution also set up a Committee of experts to report on the implementation of the sanctions. Undertaking significant changes in this regard, the Security Council unanimously adopted Resolution 1363 on July 2001, establishing a monitoring group based in New York and a Sanctions Enforcement Support Team, including up to 15 persons to be deployed to states flanking Afghanistan. Plans to set the Group and Teams were in progress when the terrorist attacks of 9/11 took place.¹⁷

Before the attacks of September 11, 2001 Security Council had passed 13 resolutions in total that deals with the subject of terrorism. According to United Nations the Security Council has passed resolutions in an average of about one a year. Nevertheless, it was the event of September 11, 2001 after which there was a great increase in terrorism related resolutions passed by the Security Council.¹⁸

**The U.N. Security Council’s Campaign against Terrorism after 9/11**

The U.N. Security Council has been at the centre of the international campaign against terrorism. It has made and it can continue to make important contributions to this effort. Though the issue of terrorism has been high on the agenda of the U.N. Security Council for years it has further intensified its activities against terrorism after 9/11. Since its creation Security Council reacted to numerous terrorists acts but its permanent members did not think of terrorism as threat to international peace and security. A large number of U.N. members shared this opinion, highlighting the fact that this problem is of national level. Further, many States did not ratify the conventions of the General Assembly that deals with the issue of terrorism. Therefore, it can be said that though the Security Council was handling the issue of terrorism but its formal role began after 9/11. Starting in the early 1990s—and directed by the United States the Security Council begin to impose economic sanctions in return to terrorist acts. These sanctions regimes were operative in changing the attitudes of states sponsors of terrorism. They were also important in stigmatizing terrorism as an illegal activity that required to be countered through international actions. After September 11 2001 the U.N. Security Council become still more effective in counter terrorism as it was before 9/11. It has made fight against terrorism a worldwide by
ordering all U.N. members to implement a wide array of measures that will help to prevent terrorist activities. The Security Council also militarized the response to terrorism by legitimizing unilateral military actions by States in response to terrorism.

The attacks of September 11 2001 completely changed the role of United Nations towards terrorism. The U.N. Security Council by using its quasi legislative powers passed Resolution 1368 and 1373, setting up the three pillars of the recent global counter-terrorism system. The first pillar is based on Resolution 1368’s principle that States have a right to self defense when assaulted or intimidated by terrorist groups or state supporters of terrorism. The second pillar is the establishment of a universal counter-terrorism legal framework. The Security Council according to Resolution 1373 required all States to make terrorism illegal act and to ratify all the 13 international conventions on the subject of terrorism. It further obligates all the states to amend their laws of counter-terrorism in conformity with international best practices. It can also be said that Security Council wanted all States to develop their capability in order to fight against terrorism at the national level and also to restrain terrorist groups to operate worldwide. The last pillar is Counter Terrorism Committee (CTC), which was established through Resolution 1373 adopted by the Security Council as a reaction to the 9/11 attacks, and the Counter Terrorism Executive Directorate (CTED), a specialized staff formed in 2004 by the Security Council to support CTC’s endeavours.\textsuperscript{19}

As terrorism become global and threat to international peace and security, States started to support a more muscular approach that allowed for the use of economic sanctions and military force. In 1990s the resolutions of Security Council particularly resolution 1368 codified this approach. For the first time, and unanimously, it recognized the right of States to individual and collective self defense in response to terrorist acts. The pertinent part of the resolution reads as follows:

[The Security Council], [r] recognizing the right of individual or collective self defense in accordance with the Charter.

Unequivocally condemns in the strongest terms the horrifying terrorist attacks which took place on 11 September 2001 in New York, Washington (D.C) and Pennsylavnia and regards such acts, like any act of international terrorism, as a threat to international peace and security.\textsuperscript{20}
Chapter 5

The Security Council considered the attacks of September 11 2001 as a threat to international peace and security, but it did not call for collective action. By applying a States right to self defense, it gives this responsibility to individual States. As a result Resolution 1368 became a very important instrument—if not a blank cheque—legalizing the unilateral use of force in reaction to terrorist acts. The President Vladimir Putin invoked the resolution and its right to individual and collective self defense after one year when he justified Russia’s right to military intervention against Chechen rebels operating in Georgia. 21

For international community and also for the U.S. as a whole the September 11, 2001 attacks were a moment of crises in numerous respects. This is furthermore true of United Nations dealing with terrorism as a threat to international peace and security. The Security Council with a quickness and decisiveness unprecedented in the history of United Nations unanimously adopted Resolution 1368 within 24 hours of the attacks.22 The resolution criticized, in no uncertain terms the attacks of terrorists on the United States:

The Security Council, Reaffirming the principles and purposes of the Charter of United Nations, Determined to combat by all means threat to international peace and security caused by terrorist acts, Recognizing the inherent right of individual or collective self defense in accordance with the charter,…Unequivocally condemns in the strongest terms the horrifying terrorist attacks which took place on 11 September 2001 in New York, Washington (D.C) and Pennsylvania and regards such acts, like any act of international terrorism, as a threat to international peace and security.23

Immediately after 9/11 both United Nations General Assembly and Security Council adopted resolution and strongly criticized the acts of terrorism and pushing all States to cooperate with each other and to bring the organizers, perpetrators and sponsors of 9/11 to justice. Resolution 1368 (12 September 2001) was the first to include acts against terrorism into the right of self defense.24 This resolution also, “calls on all states to work together urgently to bring to justice the perpetrators, organizers and sponsors of these terrorist attacks.” and “calls also on the international community to redouble their effort to prevent and suppress terrorist acts. This resolution laid the establishment for the new, more pushy concentration of the Security Council on international terrorism. Most importantly, it “reaffirmed the inherent right of self defense in accordance with Article 51 of the U.N. Charter,” and for the first time represented that self defense was recognized by the Security Council as a legal
response towards terrorism. Jane Boulden and Thomas G. Weiss argues that by unambiguously confirming a member state’s right to self defense, the Security Council would “effectively opt out of subsequent decision making and leave the military response to the United States.” Indeed while Resolution 1368 increased American influence by asserting the right of self defense, the member States of the Security Council also mainly rejected that argument as legitimate justification for attacking Iraq in 2003. This is significant because it brings to light that Security Council had become a forum for discussing the issues of self defense.  

Table: 6 UN Security Council Resolutions on Terrorism after September 11, 2001

<table>
<thead>
<tr>
<th>Year</th>
<th>Resolution</th>
<th>Content</th>
<th>Vote</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>1373</td>
<td>On the threats to international peace and security caused by terrorist acts</td>
<td>Unanimously</td>
<td>General/ response to terror acts</td>
</tr>
<tr>
<td>2001</td>
<td>1377</td>
<td>On the adoption of declaration on the global efforts to combat terrorism</td>
<td>Unanimously</td>
<td>General/ response to terror acts</td>
</tr>
<tr>
<td>2002</td>
<td>1438</td>
<td>On the bomb</td>
<td>Unanimously</td>
<td>Response to</td>
</tr>
<tr>
<td>Year</td>
<td>Resolution</td>
<td>Details</td>
<td>Vote</td>
<td>Response to</td>
</tr>
<tr>
<td>------</td>
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<td>------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>2002</td>
<td>1440</td>
<td>On condemning the act of taking hostages in Moscow, Russian Federation, on 23 October on 2002</td>
<td>Unanimously</td>
<td>Response to terror acts</td>
</tr>
<tr>
<td>2002</td>
<td>1450</td>
<td>Condemning the terrorist bomb attack in Kikambala, Kenya, and the attempted missile attack on airliner departing Mombasa, Kenya, 28 November 2002</td>
<td>14 to 1 (Syria)</td>
<td>Response to terror acts</td>
</tr>
<tr>
<td>2002</td>
<td>1452</td>
<td>On the implementation of measures imposed by para. 4 (b) of Resolution 1267 (1999) and para. 1 and 2 (a) of Resolution 1390 (2002)</td>
<td>Unanimously</td>
<td>General</td>
</tr>
<tr>
<td>2003</td>
<td>1455</td>
<td>On the</td>
<td>Unanimously</td>
<td>general</td>
</tr>
<tr>
<td>Year</td>
<td>Resolution No.</td>
<td>Title of Resolution</td>
<td>Adopted by</td>
<td>Type of Resolution</td>
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</tr>
<tr>
<td>2003</td>
<td>1456</td>
<td>On combating terrorism</td>
<td>Unanimously</td>
<td>General</td>
</tr>
<tr>
<td>2003</td>
<td>1465</td>
<td>On the bomb attack in Bogota, Columbia</td>
<td>Unanimously</td>
<td>Response to terror act</td>
</tr>
<tr>
<td>2004</td>
<td>1516</td>
<td>On bomb attacks in Istanbul, Turkey on 15 and 20 November 2003</td>
<td>Unanimously</td>
<td>Response to terror act</td>
</tr>
<tr>
<td>2004</td>
<td>1526</td>
<td>Threats to international peace and security caused by terrorist acts and measures against Al Qaeda and the Taliban</td>
<td>Unanimously</td>
<td>General/response to terror act, sanctions</td>
</tr>
<tr>
<td>2004</td>
<td>1530</td>
<td>On the bomb attacks in Madrid, Spain</td>
<td>Unanimously</td>
<td>response to terror act</td>
</tr>
<tr>
<td>Year</td>
<td>Resolution</td>
<td>Title</td>
<td>Adoption</td>
<td>Type</td>
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<tr>
<td>2004</td>
<td>1535</td>
<td>On the revitalization of the Security Council Committee established pursuant to Resolution 1373 (2001) concerning counter-terrorism</td>
<td>Unanimously</td>
<td>General</td>
</tr>
<tr>
<td>2004</td>
<td>1540</td>
<td>On the non-proliferation of nuclear, chemical and biological weapons</td>
<td>Unanimously</td>
<td>General</td>
</tr>
<tr>
<td>2004</td>
<td>1566</td>
<td>On the international cooperation in the fight against terrorism</td>
<td>Unanimously</td>
<td>General</td>
</tr>
<tr>
<td>2005</td>
<td>1611</td>
<td>On the bomb attacks in London on July 2005</td>
<td>Unanimously</td>
<td>Response to terror acts</td>
</tr>
<tr>
<td>2005</td>
<td>1617</td>
<td>On the international cooperation in fight against</td>
<td>Unanimously</td>
<td>General</td>
</tr>
</tbody>
</table>
It may be argued that almost all of the resolutions before and after September 11 have been reactive in nature (69 percent of resolutions before September 11 and 55 percent of those after), as a reaction to particular terrorist acts. Nevertheless, there are big disparities: before September 11, only some of the terrorist attacks were in fact referred to the United Nations Security Council. In the previous years, however, the Security Council condemned and handled almost all terrorist attacks such as in Bali, Kenya, Bagota, Istanbul, Madrid and London. But prior to September 11 only selective cases were referred to the Council by the member States, it shows that the Council has been more unbiased and comprehensive since September 11. Another discrete difference is the apparent consensus in the Council. Before September 11, 19 of 20 resolutions (62 percent) were adopted unanimously. After September 11, 19 of 20 resolutions (95 percent) were adopted unanimously. The big question is that how long this consensus will go through; however the endeavours of Security Council since September 11 have been much more systematized, concentrated, and prominent than they were in the earlier period. It can be said that earlier efforts of the Security Council towards terrorism were more event driven and it regards terrorism as an adhoc issue, but the event of September 11 had made the approach of Security Council towards terrorism more comprehensive and central. After September 11 resolutions carry more importance and clout, frame the work of the U.N. organs on terrorism, and provide a framework and guidance for action for most of the member States of the U.N.26
Resolution 1373 and the CTC (Counter–Terrorism Committee) Globalizes Fight against Terrorism

Another revolutionary resolution after 9/11 was Resolution 1373, which was unanimously adopted on 28 September 2001. It was adopted after two weeks of September 11 attacks which was introduced by the United States in United Nations Security Council. This resolution reinforced and widened the scope of terrorism. It imposed a number of binding commitments on all member States of the United Nations. These obligations wanted all States to forbid both active and passive assistance to terrorists, to deny terrorist financing, and to freeze the assets of terrorist and their supporters. Furthermore, states required to deny safe havens to terrorists, to intensify their vigilance against passport and identification forgery, to constrict their border controls and to work towards increasing international cooperation against terrorism. This was an unprecedented and far reaching resolution, which imposed on all States obligations that are usually contained only in treaties. In contrast to all the 13 conventions on terrorism, which are binding on only on those states that ratify them Resolution 1373 established for the first time uniform obligations for all 193 member states.

Resolution 1373 also made many provisions of two important conventions binding on all States, i.e. the Convention for the Suppression of Terrorist Bombing (1997) which came into force in May 2001, and the 1999 Convention on the Suppression of Financing of Terrorism, which before September 11 had not yet came into force. Several States had not signed or ratified these conventions. For example United States had not ratified it.

Counter Terrorism Committee was created through Resolution 1373, which was formed as a Committee of the whole, comprising of all 15 members of the United Nations Security Council. It gets main concern under the United Nations and was depicted by Kofi Annan as the “Centre of global efforts to fight against terrorism.” The main work of the CTC (Counter Terrorism Committee) has been to reinforce the Counter–terrorism capacity of the member States of the United Nations. Its task, wrote one observer, is to “raise the average level of government performance against terrorism across the globe.” The Committee acted as a “switch board,” helping to facilitate the provision of technical assistance to countries requiring help to execute
counter-terrorism mandates. It also tried to synchronize the counter-terrorism endeavours of numerous international, regional, and sub-regional organizations inside and outside of the U.N. system.\textsuperscript{29}

Counter-Terrorism Committee was instituted to monitor the implementation process. Security Council elected Jeremy Greenstock, who was the United Kingdom’s permanent representative as the first Chairman of the Counter-Terrorism Committee. He emphasized on the technical nature of the Counter-Terrorism Committee. Policy assessment of compliance problems would continue to be in the hands of the Council. In his words the tasks of Counter-Terrorism Committee (CTC) “were to monitor, to be analytical and to report facts to the Security Council for consideration.” He said “[I]t is not the primary purpose of the Counter-Terrorism Committee to get into the politics of what is happening in the short term.” The Committee was created “to help the world system to upgrade its capability, to deny space, money, support, haven to terrorism, and to establish a network of information-sharing and cooperative executive action.”\textsuperscript{30}

A multi-stage programme was initiated by the CTC. In the first stage the CTC reviewed existing legislative and executive measures in member States to combat terrorism. Resolution 1373 directed States to provide the CTC with reports by December 27, 2001 and the second stage focused on institutional mechanism and assistance.\textsuperscript{31}

Since its creation, the CTC has had a mixed record in sponsoring counter-terrorism cooperation. The CTC has taken part in creating and sustaining international impetus to reinforce counter-terrorism endeavours. The CTC has set up political and legal authority for the United Nations counter-terrorism endeavours and has promoted the creation of specialized systems for synchronizing the worldwide efforts against terrorism. International norms have developed and strengthen through the cooperative approach embodied in U.N. counter-terrorism programme. The CTC wanted to focus on the less contentious parts of counter-terrorism for example, by working to reinforcing states counter-terrorism infrastructure and increase counter-terrorism cooperation among states and organizations. It deliberately evades politically charged discussions of definition and root causes. It has sought to work with every state to help detect their capacity gaps, to serve as a switch-board between contributors and
intended states, and decrease replication and overlap among potential assistance providers. The most significant thing about the CTC is that it has received and reviewed more than 600 reports from members and is therefore carrying out the first worldwide audit of counter-terrorism capacities.\textsuperscript{32}

Up to January 2002, 117 reports had been received by the CTC from all states, which was by all historical standards a notable response. There was an increase in numbers by December 2002 i.e. 175. Recently, the Committee had asked for follow up reports and engaged several countries in dialogue about them.\textsuperscript{33}

The Counter Terrorism Committee supported many States to modify anti money laundering laws and evolve additional legislative restrictions on the financing of terrorism. Consequently, countries such as United Arab Emirates and Kuwait have adopted anti–terrorist financing legislation. Many countries were also assisted by the CTC in keeping large control over informal banking system such as hawala or Hindi that have been exploited by the terrorist. Moreover, partly as a consequence of CTC’s encouragement, the number of countries that are party to all international treaties on terrorism has increased from two in September 2001 to more than seventy in 2006. Though Counter−Terrorism Committee has got large scale support from all member states of the United Nations, but it also faced significant challenges. The Security Council has developed a wide counter−terrorism legal framework successfully that enforce responsibility on all 193 member States of the United Nations, but it has not developed an effective operational framework. Consequently, after many years of September 11 attacks, though it was successful in its task to some extent but still CTC has not created a counter−terrorism programme that was able to implement it’s far reaching legal mandate.\textsuperscript{34}

The main problem with the CTC was lack of implementation process. To deal with many legislative problems and capacity gaps the CTC required efficient resources which it does not have in real sense. Therefore, the Counter Terrorism Committee, despite of having large staff but with no independent budget is undertaking a heroic but losing struggle.

Further than these implementation problems, there are two major problems that obstruct implementation of the resolution. First, although there was a general declaratory consensus on the significance of banning terror, States persistently have
different views on the accurate nature of these threats who should be tagged as “terrorist” as opposed to “freedom fighter.” Second States vary on what to do with the State that does not conform to resolution 1373. The CTC has astutely refused to get involved in making judgments about political compliance. In paragraph 8 of resolution 1373, the Council “expresses its determination to take all necessary steps in order to ensure the full implementation of this resolution, in accordance with its responsibilities under the Charter.” Nevertheless, these steps are not spelled out. In theory, the Security Council in order to deal with non compliance has a complete range of coercive tools at its disposal. In practice, there is a possibility that the appraisal of compliance and response to non compliance will be taken by individual States without the recommendation of the Council. Washington’s letter to the Security Council describing its action against Al Qaeda and the Taliban implied that action might be taken against other targets. In the same way, in its letter to the Security Council in September 2002 and other international organizations, Russia alleged that Georgia was not following Resolution 1373 and that Moscow could as a result invoke its right to individual self defense. In a televised statement on the first anniversary of September 11, Putin warned Georgia “that Russia would defend itself in line with the United Nations Charter and its resolution if the Georgian government fails to end rebel raids into Chechnya across the borders.”

Thus, the Resolution 1373 has made fight against terrorism a global one by guiding the member states to take similar legislative and administrative measures to combat terrorism at national and international level. But the technical assistance which the Counter–Terrorism Committee was expected to provide is minimal due to lack of resources. The CTC was not authorized to invoke sanctions or penalties for non compliance. The financial and safe havens provisions of resolution 1373 needed monitoring and enforcement abilities that many countries do not own and may be very expensive for them to acquire. Most of the assistance to Counter–Terrorism Committee comes through bilateral channels. Consequently, it will be adhoc and selective.

It is important to mention that within the ambit of technical assistance, the CTC established two programmes: the CTC Assistance Matrix and the Directory. The Matrix acts as a centralized, comprehensive indicator of State’s assistance needs and provides information on assistance programmes known to the CTC. The Directory is a
compilation of information on standards, best practices and sources of assistance in the area of counter-terrorism. These two facilities assist the implementation of resolution 1373 by providing States with pool of information.\textsuperscript{36}

The staff of the Counter−Terrorism Committee mostly engages in paper work, responding and analyzing to hundreds of written reports in a process that created a response backlog in New York and reporting fatigue in State capitals. In the first three years of its work, the Committee solely relied on the reports from member states and do not have autonomous means of finding out whether countries were truly implementing counter−terrorism mandate as a whole. In 2005 the Counter−Terrorism Executive Directorate initiated a continuing programme of site visits that has included missions to Morocco, Albania, Kenya, Thailand, the Former Yugoslav Republic of Macedonia, and Jordan to assess implementation needs. Site visits can considerably increase the Committee’s ability to evaluate counter−terrorism needs, although they need a higher level of preparation and follow through.\textsuperscript{37}

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<td>The Committee was established on 15 October 1999 under resolution 1267 which previously imposed sanctions measures on Taliban-controlled Afghanistan for its support of Osama Bin Laden and Al-Qaida. The sanctions regime was modified and strengthened by subsequent resolutions, including resolution 1333 (2000), 1390 (2000), 1455 (2003), 1526 (2004), 1617 (2005), 1735 (2006), 1822 (2008) and 1904 (2009). On 17 June 2011, with the adoption of resolutions 1988 (2011) and 1989 (2011), the Security Council split the 1267 Committee into two Committees, namely, the Al Qaida Sanctions Committee and the 1988 Sanctions Committee. The names of individuals and entities on the Al-Qaida Sanctions List against whom the 3</td>
<td>Following the adoption of resolution 1368 (2001), in the wake of the attacks of 11 September 2001, the Security Council adopted resolution 1373 (2001) which, <em>inter alia</em>, requires States to combat terrorism through a series of actions that are best carried out through the adoption of laws and regulations and the establishment of administrative structures. Resolution 1373 (2001) also called upon states to work together to prevent and suppress terrorists</td>
<td>On 28 April 2004, the Security Council unanimously adopted resolution 1540 (2004) under Chapter VII of the Charter. The resolution requires all states to establish domestic controls to prevent access by non-state actors to nuclear, chemical and biological weapons and their means of delivery and to take effective measures to prevent proliferation of such items and establish appropriate controls over related materials. The mandate</td>
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sanctions measures (assets freeze, travel ban and arms embargo) continue to be applied by all States can be found at: http://www.un.org/sc/committees/1267/airo_sanctions_list.shtml.

The Al-Qaida Sanctions Committee continues to oversees the implementation by UN Member States of these 3 sanctions measures; considers names submitted for listing and de-listing as well as any additional information on listed individuals and entities; and considers exemptions to the assets freeze and travel ban, measures. Since, March 2009, the Committee has made accessible on its website, narrative summaries of reasons for listing for the individuals and entities on the Al-Qaida Sanctions List.

The Security Council also recognized the need for the 1988 Sanctions Committee to maintain contact with the Al-Qaida Sanctions Committee, the CTC and the 1540Committee, particularly given the continuing presence and negative influence on the Afghan conflict by Al-Qaida, and any cell, affiliate, splinter group or derivative thereof.

acts, including through increased cooperation. It also established the CTC to monitor implementation of the resolution by all States and to increase the capability of States to fight terrorism. In carrying out its mandate, The CTC liaises with international, regional and sub regional organization and devotes substantial attention to facilitating the provision of assistance to those States that require such assistance for the effective implementation of the resolution. The CTC conducts visits to Member States and works closely with donors, organizations and recipient States regarding the facilitation of technical assistance and capacity-building. The CTC is also mandated to maintain a dialogue with States on the implementation of resolution 1624 (2005) on prohibiting incitement to commit terrorists acts of committee was extended by resolution 1673 (2006) and April 2008, by resolution 1810 (2008) until April 2021. While reaffirming the provisions of resolution 1540 (2004), the Council decided that the Committee shall intensify its effort to promote full implementation of the resolution by all States and encouraged the submission of reports and additional information on such implementation and assistance requests. The Committee cooperates with international, regional and sub-regional organizations, and acts as clearing house to match offers and requests for assistance to States to implement the resolution. The Committee submitted in July 2008, its second report to the Security Council on State’s compliance with the resolution through the
and promoting dialogue and understanding among civilizations. The CTC developed a Preliminary Implementation Assessment (PIA) and a Technical Guide to assist States identify steps that should be taken to implement Security Council resolution 1373 (2001) effectively.

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<td>The Al-Qaida Sanctions Committee is assisted by a Monitoring Team of 8 experts established under resolutions 1526 (2004) with expertise related to activities of the Al-Qaida organization and/or the Taliban, including: counter-terrorism and related legislation; financing of terrorism and international financial transactions, including technical banking expertise; alternative remittance systems, charities, and use of couriers; border enforcement, including port security; arms embargoes and export controls; and drug trafficking. The Team is ready to assist Member States on any issue related to the Al-Qaida sanctions regime and can be contacted by email at: <a href="mailto:1267mt@un.org">1267mt@un.org</a>. The Monitoring Team has been extended under resolution 1989 (2011) to continue to assist the Al Qaida and the Counter-Terrorism Committee (CTC) to monitor the implementation of resolution 1373 (2001) and effectively continue its capacity building work. The mandate of CTED was extended until 31 December 2013 under resolution 1963 (2010). The CTED is</td>
<td>The CTC was originally assisted by a group of 10 experts. Subsequently, in seeking to revitalize the CTC, the Security Council established the Counter-Terrorism Committee Executive Directorate (CTED) pursuant to resolution 1535 (2004), in order to enhance the ability of the CTC to monitor the implementation of resolution 1373 (2001) and effectively continue its capacity building work. The mandate of CTED was extended until 31 December 2013 under resolution 1963 (2010). The CTED is</td>
<td>The 1540 Committee is assisted by an Expert Group has developed a ‘matrix’ to examine the status of Member States’ implementation of the resolution. The filled elements of the matrix draw upon legislative and enforcement measures provided in the national reports, as complemented by official information made available in the websites of governments and international intergovernmental organizations, and through dialogue with States.</td>
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Sanctions Committee and under resolution 1988 (2011) to also support the 1988 Sanctions Committee for a period of 18 months until 31 December 2012.

headed by an Executive Director’s office; the Assessment and Technical Assistance Office (ATAO), comprising the Head of Office, three Geographical Clusters and five thematic Working Groups, including a Senior Human Rights Advisor. CTED’s Administration and Information Office (AIO), comprises of the Head of Office and support staff. CTED can be contacted by e-mail at: cted@un.org.

Measures

The Al-Qaida Sanctions Committee monitors a sanctions regime which requires all UN Member States to:

1. Freeze without delay, the funds and other financial assets or economic resources of the individual and entities designated on the Al-Qaida Sanctions List. There is no requirement to seize or confiscate/forfeit these assets, funds and resources.
2. Prevent the entry into or the transit through their territories of the individuals designated on the Al-Qaida Sanctions List. There is no requirement to arrest or prosecute these individuals.
3. Prevent the direct or indirect supply, Legal institutional and practical measures related to resolution 1373 (2001), including their related technical assistance measures, fall under the following categories:

1. Counter-terrorism law and practice (e.g. international counter-terrorism instruments)
2. Financial law and practice (e.g. international

Resolution 1540 (2004), in its paragraphs as numbered below, requires:

1. States to refrain from providing any support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical, biological weapons and their means of delivery.
2. States to adopt and enforce appropriate
sale, or transfer, from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related material of all types, including military equipment, spare parts and individuals and entities on the Al-Qaida Sanctions List. All three measures preventive in nature and are not reliant on criminal standards set out under national laws. More information can be found on the Committees website at: http://www.un.org/sc/committees/1267/index.shtml.

3. Customs and border controls
4. Police and law enforcement
5. Immigration law and practice prevent movement of terrorists
6. Extradition law and practice (e.g. mutual legal assistance)
7. Training and capacity-building for the judiciary
8. Expert monitoring and illegal arms trafficking
9. Civil aviation security
10. Maritime security
11. Transportation security
12. Military-counter-terrorism training

effective laws and controls which prohibit non State actors to: conduct such activities or use weapons and their means of delivery, in particular for terrorist purposes; and attempts to engage, participate in as an accomplice, assist or finance such activities.

3. States to take and enforce effective domestic control measures: account for secure, physically protect such weapons, delivery means, and related materials (3a-b); improve border and customs controls to detect, deter, prevent and combat shipment, and end-user controls; and enforce criminal and civil penalties (3c-d). In paragraph 9 and 10, States are called upon to promote dialogue and cooperation on non-proliferation and take cooperative action to prevent Illicit trafficking of such weapons,
Unavoidably, the establishment of three Committees and a working Group concerning terrorism has prompted calls for discussion and coordination. Although there are likeness in the monitoring and the reporting requirements of several resolutions, there is an apparent distinction between the 1267 Committee and other Committees. The main goal of these Committees is to monitor reporting by member states as they fulfill the domestic conditions of the resolutions, and to give assistance to States requiring it. On the contrary, 1267 is mainly punitive in its purpose, seeking to control Al-Qaeda capability to plan and finance its activities. The Resolution 1540 and its Committees are actually about the weapons of mass destruction and the requirement to protect related facilities and material instead of terrorism as such, while the concentration of 1566 Working Group is on measures that eventually support the CTC procedure. Then in total, the work divided into two streams: “the hub and spoke process of the CTC committee, based Resolution 1373 with additional issue areas added on by other resolutions, and the sanctions regime, initially established under Resolution 1267, expanded and amended over time.”

The possibility and desirability of formal connection and coordination, thus, is comparatively low. Matching the punitive, controlling nature of sanctions with the State support oriented endeavours of the CTC may really be more of an obstruction than a help to both. Briefing the Council for the last time, the outgoing Chair of the CTC, Ambassador Loj, stated that one of the major challenges was the need to get away from ‘seemingly endless reporting.’ She notes that “the reality was that states felt less inclined to work with the Committee because it was not clear how the information they provided was used. It appeared as if providing information only led to requests for more information.”

The trend of Committee has brought with it a new level of institutionalization within the process of Council, specifically with the 1267 Monitoring Group and the creation
of the CTED (Counter-Terrorism Executive Directorate). A related development is the use of experts to support and strengthen the capability of the Committee to carry out its work sufficiently. This shows that the recognition of the level of detail and expertise needed to deal with the works at hand. The use of outside experts is a significant development in larger sense. As the number of issues on the agenda of the Council has increased (from traditional peacekeeping to ongoing conflict, to post conflict peace building, for example), the requirement for analytical support and gathering of information has increased. In terms of the growth of the Security Council process, therefore, this progress might act as an imperative example that may be used in other issue areas.40

**Other Important Resolutions of Security Council following 9/11**

The role of Security Council enhanced towards terrorism following 9/11 and the most important resolution after 9/11 was Resolution 1373. This resolution represents a new factor in the attitude of the Security Council that is the imposition of obligation on all Member States. Thus, the process of implementing Resolution 1373 and completing the mandate of CTC includes three stages: stage A examines whether a state has essential legislation required to combat terrorism, with emphasis on terrorist financing. The next stage B, explores the whole anti–terrorist programme of State, mainly examining the work of executive machinery and what it is doing in this regard in order to prevent terrorist recruitment, movement, safe havens, and whatever else may assist terrorists or their organizations. The final stage C, concentrates on monitoring the compliance and implementation of Resolution 1373, which comprises ratifying international conventions and protocols relating to terrorism, enhance information sharing etc.

The Security Council in order to deal with the global issue of terrorism established 1267 Committee also known as Al Qaeda/Taliban Sanctions Committee. The main aim of this Committee is to address the terrorist threats posed by the Taliban–controlled Afghanistan. The work of this committee further enhanced following the event of September 11, 2001 to handle the global Al Qaeda threat. At present it monitors the implementation of financial, travel, and arms sanctions against Al Qaeda, Taliban and their other members. To support the Committee in its work the Security Council established eight persons Analytical Support and Sanctions
Monitoring Team to “collate, assess, monitor and report on steps being taken to implement and enforce the sanctions measures against those on the list and to propose new measures to address the emerging Al-Qaeda threat.”

The Security Council was required to revitalize the Counter–Terrorism Committee by providing it additional resources and authority thus, on March 26, 2004 Resolution 1535 was adopted by the Security Council. This resolution established the CTED (Counter–Terrorism Executive Directorate). The main task of the CTED is to help the CTC (Counter–Terrorism Committee) in carrying out its responsibilities. After long delays mainly due to the cumbersome budget of the U.N. and personnel processes, in the fall of 2005, the CTED became fully staffed with its twenty experts after 18 months since its establishment. This big group of experts made possible for the CTC to start site visits and to ascertain more successfully the areas in which states required assistance. But due to the lack of adequate resources neither the CTC nor CTED provide the technical assistance as required by the States. Consequently, even if the CTC successfully find out the gaps to be filled still it mostly depends on donors to come forward to deliver the essential aid.

The costs of improving administrative systems and getting and maintaining technical equipment can be substantial. Several States, mainly in the developing world do not require financial, technical and human resources to execute counter terrorism laws and necessitate help in acquiring these capabilities. This law impelled debate of a possible multilateral trust fund to assist such endeavours. Early in the CTC process the United Kingdom motivated the Committee and the Al Qaeda, Taliban Sanctions Committee to develop the idea of a specialized Technical Assistance Fund. The Secretary General Kofi Annan in 2002 recommended that the U.N. Development Programme (UNDP) might play a role in getting such fund, but no action was taken.

On October 2004 the Security Council adopted Resolution 1566 as a reaction to the dreadful terrorist attack, carried out on a school in Beslan in the Russian Federation by pro independence Chechen rebels. This resolution comprises certain important novelties. The definition of terrorism was offered by this resolution and also strongly recommended to the Counter–Terrorism Committee to start a number of visits to member States, as an additional measure in order to check the extent of compliance with Resolution 1373, and established a Working Group to broaden the list of terrorist
individuals and organizations to others that are solely connected with Al Qaeda and the Taliban, as well as consider the possibility of setting up an international compensation fund for terrorist victims and their families. Another important resolution 1540 which was adopted by the Security Council on April 2004 aimed at preventing member States from giving any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery. Furthermore, the resolution includes a number of measures to hamper the proliferation of weapons of mass destruction.\footnote{44}

The Security Council in the following resolution urged member States to take action against groups and organizations involved in terrorist acts that were not subject to the 1267 Committee’s review. Resolution 1566 (2004) established the 1566 Working Group made of entire members of the Council to suggest practical measures against such individuals and groups, as well as to delve into the possibility of setting up a compensation fund for those who become the target of terrorist.\footnote{45}

The next Resolution 1624 adopted by the Security Council on 14 September 2005 on one of those rare events when the body held a meeting at the head of State level three in its total history. This meeting was a reaction against the tragic event that is the terrorist attacks against the public transport system in London on 7th July. This resolution comprises two new aspects of terrorism. Firstly, it provides for and urges actions by the State against “the incitement to commit a terrorist act, or act which necessarily be forbidden by law. Secondly, it calls on all States to ‘enhance dialogue and broaden understanding between civilizations.’\footnote{46}

these resolution were also related for extending the mandate of Counter–Terrorism Committee Executive Directorate (CTED).

The most recent Resolution 2133 is adopted by the Security Council at its 7101st meeting on 27 January 2014. The Security Council in this resolution regards terrorism as a threat to international peace and security and should be combated by all means with the Charter of United Nations; threat to international peace and security caused by terrorist acts. It obligates member States to prevent and suppress the financing of terrorist acts. It also condemns the acts of kidnapping and taking of hostages and encourages the work of Counter–Terrorism Committee (CTC) established pursuant to Resolution 1373 (2001). 51

Two another recent resolutions of the Security Council adopted against terrorism were Resolution 2170 (2014) 52 and Resolution 2178 (2014). The Resolution 2178 was adopted on 24 September 2014 for addressing the growing issue of foreign terrorist fighters (FTF). 53 This resolution wanted countries to take some specific steps to address the FTF threats, including to prevent suspected FTF from entering or transiting their territories and to execute legislation to put on trial the FTFs. It also called on states to take on various steps to improve international cooperation in this area, such as sharing information on international or criminal investigations, interdictions and prosecutions. In this resolution, for the first time ever the Council underscores that Countering Violent Extremism (CVE) is an important element of a response to the FTF phenomenon. Resolution 2178 also focuses on existing U.N. counter–terrorism bodies on the FTF threat, provides a framework for long term monitoring and assistance to countries in their endeavours to address this threat. 54

**Concluding Observations**

Thus, the Security Council in its action particularly after 9/11 has been coherent in its condemnation of terrorism and firm in the adoption of numerous measures and also searches different means and methods to combat terrorism. All the resolutions of Security Council have been passed unanimously by its permanent members as well as the non permanent members adds further significance to it. The members of Security Council under Chapter VII adopted different measures and made these measures mandatory for all member States. Therefore, the acknowledgement of self defense as
a State’s legal response to terrorism, the far reaching obligations put on member States by Resolution 1373, and the formation of and response to the CTC are all first in the history of United Nations. The nature of resolutions has also changed, now more emphasis is on how to fight terrorism in general than to only criticizing particular acts.

Although the Security Council members adopted numerous measures against terrorism following 9/11 and they did so under Chapter VII of the UN Charter in order to make these measures obligatory for all member States, still there are number of problems which need to be resolved. In the Security Council there is a monopoly of permanent members which hampers the successful implementation of resolutions. Every member of the Council is concerned about its own national interest than those of the whole community of States. Many resolutions passed by the Security Council face the problem of violation and non-compliance. For example, the Resolution 1368 legalizes the unilateral use of force against terrorist attacks. The United States considers of this resolution as a blank cheque and misused it on many occasions in the name of self defense.

Moreover, it is difficult to implement the United Nations counter-terrorism measures. The financial and safe haven measures of Resolution 1373 entail monitoring and enforcement capabilities at the domestic level that many countries do not have and that may also be very expensive to acquire. The response of Security Council is inadequate. In case of Counter-Terrorism Committee there is a need of sufficient resources and adequate financial assistance so that it may be able to provide required technical assistance. Due to the lack of resources, most of the assistance to CTC (Counter-Terrorism Committee) come through bilateral channels, therefore it will be adhoc and selective. Thus, it is the responsibility of all permanent members of the Security Council and particularly the United States as being the most powerful country of the world to make it an effective instrument in the fight against terrorism.
Notes


http://chinesejil.oxfordjournals.org/content/4/1/141.full (assessed on June 12, 2014), 1:12 p.m.

4 Ibid.

5 SC Res 618 (1988), Preamble and paras 1-2, respectively

6 SC Pres Stat (31 July 1989), para. 3.


8 Ibid., para 4-5.

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11 Ibid.


15 Chantal de Jonge Oudraat, n. 11, p. 156.


17 Peter Romaniuk, n. 15, pp. 55-54.


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33 Chantal de Jonge Oudraat, n.12, p. 162.

34 David Cortright, George A. Lopez, n. 32, p.162.

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40 Ibid. p. lxi


42 David Cortright, George A. Lopez n. 32, p.27.

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http://usun.state.gov/briefining/statements/232071.htm (assessed on 30 August, 2014)
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