



## Security Council

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### **Letter dated 31 August 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council**

I have the honour to refer to the draft resolution contained in document S/2020/852, submitted by Indonesia, in connection with the agenda item “Threats to international peace and security caused by terrorist acts”. In accordance with the voting procedure set out in the letter dated 27 March 2020 (S/2020/253) from the President of the Security Council, a procedure agreed in the light of the extraordinary circumstances caused by the coronavirus disease pandemic, the draft resolution received 14 votes in favour, one against (the United States of America) and no abstentions. The draft resolution has not been adopted owing to the negative vote of a permanent member of the Council.

Pursuant to that procedure, I enclose herewith copies of the related documents:

My letter dated 28 August 2020, addressed to the Permanent Representatives of the members of the Security Council, putting to the vote the draft resolution contained in document S/2020/852 (annex 1 and enclosure);

Letters received in response from the members of the Security Council indicating their national positions on the draft resolution (annexes 2 to 16);

Statements subsequently submitted by members of the Security Council providing explanations of their votes (annexes 17 to 21).

This letter and its enclosures will be issued as a document of the Security Council.

*(Signed)* Dian Triansyah **Djani**  
President of the Security Council



## Annex 1

### **Letter dated 28 August 2020 from the President of the Security Council addressed to the Permanent Representatives of the members of the Security Council**

In accordance with the procedure agreed upon by the Members of the Security Council in the light of the extraordinary circumstances caused by the coronavirus disease pandemic, as set out in the letter dated 27 March 2020 from the President of the Security Council addressed to all members of the Council (S/2020/253), I would like to draw your attention to the following.

The members of the Council have discussed a draft resolution, submitted by Indonesia, in connection with the agenda item “Threats to international peace and security caused by terrorist acts”. That draft resolution, contained in document S/2020/852 and enclosed herein, has been put in blue.

In my capacity as President of the Security Council, I hereby put the above-mentioned draft resolution to a vote. The non-extendable 24-hour voting period for this draft resolution will begin at 2 p.m. on Friday, 28 August 2020 and will expire at 2 p.m. on Monday, 31 August 2020.

Please submit your vote (in favour, against or abstain) on the draft resolution, as well as your possible explanation of vote, by sending a letter signed by the Permanent Representative or Chargé d'affaires a.i. within the non-extendable 24-hour voting period set out above to the Officer-in-charge of the Security Council Affairs Division in the United Nations Secretariat ([montejo@un.org](mailto:montejo@un.org)).

It is my intention to circulate a letter listing the outcome of the vote within three hours of the conclusion of the 24-hour voting period. I also intend to convene a video-teleconference of the Security Council to announce the outcome of the vote shortly after the conclusion of the voting period, on the afternoon of Monday, 31 August 2020.

*(Signed)* Dian Triansyah **Djani**  
President of the Security Council

Enclosure

United Nations

S/2020/852


**Security Council**

 Provisional  
 28 August 2020

Original: English

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**Indonesia: draft resolution**

*The Security Council,*

*Recalling* its resolutions 1267 (1999), 1325 (2000), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), 1989 (2011), 2083 (2012), 2133 (2014), 2161 (2014), 2170 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2214 (2015), 2242 (2015), 2249 (2015), 2250 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016), 2341 (2017), 2347 (2017), 2349 (2017), 2354 (2017), 2368 (2017), 2379 (2017), 2388 (2017), 2396 (2017), 2427 (2018), 2462 (2019), 2482 (2019),

*Reaffirming* that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever and by whomsoever committed and *recognizing* that international cooperation and any measures taken by Member States to prevent and combat terrorism must comply fully with the Charter of the United Nations,

*Reaffirming* that Member States must ensure that any measures taken to counter terrorism comply with all their obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law, *underscoring* that respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing with effective counter-terrorism measures, and are an essential part of a successful counter-terrorism effort, *noting* the importance of respect for the rule of law so as to effectively prevent and combat terrorism, and noting that failure to comply with these and other international obligations, including under the Charter of the United Nations, is one of the factors contributing to increased radicalization to terrorism and fosters a sense of impunity,

*Reaffirming* its respect for the sovereignty, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

*Emphasizing* that terrorism and violent extremism conducive to terrorism cannot and should not be associated with any religion, nationality, or civilization,

*Deeply deploring* the suffering caused by terrorism to victims and their families, expressing its profound solidarity with them, and *acknowledging* the importance of providing them with appropriate support and assistance, and *recognizing further* the

important roles that victims and survivor networks play in countering terrorism and violent extremism conducive to terrorism,

*Recalling* its resolution 2178 (2014) and the definition of Foreign Terrorist Fighters (FTFs), and *expressing* grave concern over the persistent threat posed by FTFs who have joined Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, as designated by the 1267/1989/2253 ISIL (Da'esh) and Al-Qaida Sanctions Committee, potentially returning or relocating, particularly from conflict zones, to their countries of origin or nationality, or to third countries, and *recognizing* the threat of returning or relocating of such FTFs by recruiting for or otherwise providing continued support for Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities,

*Concerned* that FTFs increase the intensity, duration and intractability of conflicts, pose a serious threat to their States of origin, the States they transit and the States to which they travel, as well as States neighbouring zones of armed conflict in which FTFs are active and that are affected by serious security burdens, and *noting* that the threat of FTFs may affect all regions and Member States, even those far from conflict zones, and *expressing* grave concern that FTFs are using their terrorist ideology to recruit and radicalize to terrorism,

*Acknowledging* that returning and relocating FTFs have attempted, organized, planned, or participated in terrorist attacks in their countries of origin or nationality, or third countries, including against "soft" targets, and that the Islamic State in Iraq and the Levant (Da'esh), in particular has called on its supporters and affiliates to carry out attacks wherever they are located,

*Stressing* that Member States have the primary responsibility in countering terrorist acts and violent extremism conducive to terrorism,

*Recalling* the obligation of all Member States, in resolution 1373 (2001), to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and to ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts, *reminding* all States further of their obligations to ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute and to penalize the activities described in paragraph 6 of resolution 2178 (2014) and in paragraph 5 of resolution 2462 (2019) in a manner duly reflecting the seriousness of the offenses, *noting* further that consistent sentencing provides a greater level of transparency and deterrence, and *recognizing* that criminal punishments for terrorism-related crimes, particularly those imposed on FTFs, need to be consistent and reflect the seriousness of the offenses,

*Recognizing* that a comprehensive approach to the threat posed by terrorists, including FTFs, requires addressing the conditions conducive to the spread of terrorism, including by preventing radicalization to terrorism, stemming recruitment, disrupting financial support to terrorists, countering incitement to commit terrorist acts, and promoting political and religious tolerance, good governance, economic development, social cohesion and inclusiveness, gender equality and youth participation, ending and resolving armed conflicts, and facilitating investigation, prosecution, reintegration and rehabilitation,

*Underscoring* the importance of a whole of government and all of society approach and recognizes the important role civil society organizations can play, in contributing to the rehabilitation and reintegration of FTFs, and their accompanying

families, following a robust risk and needs based assessment, as civil society organizations may have relevant knowledge of, access to and engagement with local communities to be able to confront the challenges of recruitment and radicalization to terrorism, and encourages Member States to engage with them proactively when developing rehabilitation and reintegration measures,

*Underlining* the importance of information sharing and mutual legal assistance, in line with applicable international and national law, as reflected in relevant provisions of resolution 2322 (2016),

*Noting* efforts made by an increasing number of regional and sub-regional organizations in countering terrorism and *urging* all relevant regional and sub-regional organizations to enhance coordination and the effectiveness of their counter-terrorism efforts within their respective mandates and in accordance with international law, including relevant Security Council obligations, including with a view to developing their capacity to help their member states in their efforts to tackle the threats to international peace and security posed by acts of terrorism,

*Noting* that beneficiaries of rehabilitation and reintegration programmes present a diversity of vulnerabilities, risks and needs, including psychosocial, educational, and familial, and that these should be assessed on a robust evidence base,

*Reaffirming* that Member States face challenges in obtaining admissible evidence, including digital and physical evidence, from conflict zones that can be used to help prosecute and secure the conviction of FTFs and those supporting FTFs, emphasizing the need to improve the collection, handling, preservation and sharing of information and evidence obtained from conflict zones that may be essential to the investigation, prosecution, adjudication and sentencing of terrorist crimes, *recognizing* that Member States should ensure that all such actions be in accordance with applicable international law and the Charter of the United Nations, *recognizing* the importance of enhanced cooperation and the exchange of information through mutual legal assistance agreements and other frameworks and mechanisms, including on the basis of reciprocity, *noting* the importance of clear legal authorities, regulations and practices for the collection, sharing, and use of this type of evidence in national courts, in full respect for fair trial guarantees of the accused,

*Welcoming* the Madrid Guiding Principles on stemming the flow of foreign terrorist fighters (S/2015/939) and the Addendum to the guiding principles on foreign terrorist fighters (S/2018/1177) and *taking note* of recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism, including the work of the Global Counterterrorism Forum (GCTF), in particular its adoption of the Hague-Marrakech Memorandum Addendum on Good Practices for a More Effective Response to the FTFs Phenomenon, and the Addendum to the GCTF Good Practices on Women and Countering Violent Extremism,

*Recognizing* the differential impacts on the enjoyment of human rights by women and girls of terrorism and violent extremism conducive to terrorism, including in the context of their health, education, and participation in public life, and that they are often directly targeted by terrorist groups, and *expressing* deep concern that acts of sexual and gender-based violence are known to be part of the strategic objectives and ideology of certain terrorist groups, used as a tactic of terrorism, and an instrument to increase their power through supporting financing, recruitment, and the destruction of communities, and further *noting* the Global Counterterrorism Forum's good practices on Women and Countering Violent Extremism, and *recognizing* the important roles played by women in preventing and countering

terrorism and violent extremism conducive to terrorism, and *encouraging* Member States providing technical assistance and capacity building related to this resolution to take this differential impact into account,

*Recalling* resolution 2249 (2015), in which the Security Council condemns in the strongest terms the gross, systematic, and widespread abuses of human rights and violations of international humanitarian law by ISIL, and resolution 2253 (2015), in which the Security Council condemns in the strongest terms abductions of women and children, including by Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, expresses outrage at their exploitation and abuse, including rape and sexual violence, forced marriage, and enslavement by these entities, and notes that any person or entity who transfers funds to ISIL directly or indirectly in connection with such exploitation and abuse would be eligible for listing by the Security Council Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al Qaida and associated individuals, groups, undertakings and entities,

*Acknowledging* that prisons and pre-trial detention settings can serve as potential environments for recruitment by terrorists and terrorist organizations, and *recognizing* the need for a proper risk assessment and monitoring of imprisoned terrorists, including FTFs, in accordance with international law, in particular, as appropriate international human rights law, taking into consideration the United Nations Standard Minimum Rules for the Treatment of Prisoners, or "Nelson Mandela Rules", the United Nations (Bangkok) Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders and other relevant United Nations crime prevention and criminal justice standards and norms, while also *recognizing* that prisons and post release programs may also provide terrorists offenders opportunities for rehabilitation and reintegration to help avoid recidivism,

1. *Emphasizes* its decision in resolution 1373 (2001) that all Member States shall ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in support of terrorist acts is brought to justice;

2. *Recalls* its decision that all Member States shall ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute and to penalize the activities described in paragraph 6 of resolution 2178 (2014), and in paragraph 5 of resolution 2462 (2019) in a manner duly reflecting the seriousness of the offenses;

3. *Calls upon* Member States to assess and investigate suspected individuals whom they have reasonable grounds to believe are terrorists, including suspected FTFs and their accompanying family members, entering those Member States' territories, to develop and implement comprehensive risk assessments for those individuals, and to take appropriate action, including by considering appropriate prosecution, rehabilitation, and reintegration measures and *emphasizes* that Member States should ensure that they take all such action in accordance with applicable international law, in particular international human rights law, international humanitarian law and international refugee law;

4. *Reaffirms* that those responsible for committing or otherwise responsible for terrorist acts, and violations of international humanitarian law or violations or abuses of human rights in this context, must be held accountable;

5. *Calls upon* Member States to analyze the application of national criminal charges related to terrorism, to consider whether they result in the application of criminal sentences that duly reflect the gravity of the offense, while treating those convicted of terrorism acts humanely and respecting their human rights, and provide for the rehabilitation and reintegration of prisoners into society where possible in

order to reduce recidivism, and encouraging Member States to share with each other relevant experiences regarding the application of criminal sentences for terrorism offences, the rehabilitation of persons convicted of committing terrorism offences and measures that should be undertaken to reintegrate individuals into society, including appropriate conditions of court-supervised release;

6. *Emphasizes* that women associated with FTFs returning or relocating to and from conflict may have served in many different roles, including as supporters, facilitators, or perpetrators of terrorist acts, and may require special focus when developing tailored prosecution, rehabilitation and reintegration measures;

7. *Stresses* the importance of assisting children associated with FTFs who may be victims of terrorism, and to do so taking into account gender and age sensitivities;

8. *Calls upon* all Member States, to develop and implement comprehensive and tailored prosecution, rehabilitation and reintegration measures for persons who are engaged in terrorism-related activity, including FTFs and, as needed, accompanying family members, including a robust risk and needs based assessment, through:

(a) Developing long-term methods to counter violent extremism conducive to terrorism, and incitement to commit terrorist acts, while recognizing that individual measures taken to implement comprehensive prosecution, rehabilitation and reintegration should inform each other and be mutually reinforcing, and evidence-led, as well as undertaking to understand the vulnerabilities that lead to individuals' radicalization to terrorism, and updating national counter-terrorism strategies accordingly;

(b) Developing measures that are comprehensive and tailored to individuals, taking into account gender and age sensitivities and related factors, comprehensive screening and risk and needs assessments, the severity of the crime(s) committed, available evidence, intent and individual culpability and overlapping roles/experiences, available support networks, the public interest and other relevant considerations or factors, including ongoing conflict or insecurity, as appropriate, and that are in compliance with, applicable international law, including international human rights, international humanitarian law, and international refugee law, and domestic law;

(c) Encouraging a proactive whole of government approach and recognizing the role that can be played by families and civil society organizations, including in women, cultural, education, health and social welfare sectors, as well as by different forms of vocational training and economic empowerment, victim groups and local communities and religious leaders, as appropriate, particularly during reintegration, so that partners in civil society and communities are given appropriate support while assisting in implementation of rehabilitation and reintegration programs, consistent with applicable international law, including international human rights, international humanitarian law, and international refugee law, and domestic law;

(d) Urging Member States to support the full, effective and meaningful participation and leadership of women and women's organizations in developing, implementing, monitoring, and evaluating rehabilitation and reintegration measures to counter terrorism and violent extremism which can be conducive to terrorism, including through countering incitement to commit terrorist acts, and in creating counter narratives and other appropriate interventions and building their capacity to do so effectively, and further to address the conditions conducive to the spread of terrorism and violent extremism which can be conducive to terrorism, consistent with the United Nations Global Counter-Terrorism Strategy;

9. *Calls upon* Member States, including through their central authorities and, where appropriate, with the assistance of the United Nations Global Counter-Terrorism Coordination Compact Entities, including the United Nations Office on Drugs and Crime (UNODC) and other expert bodies that support capacity building, to share best practices and technical expertise with a view to improving the collection, handling, preservation, sharing and use of relevant information and evidence, consistent with domestic and international law, including information and evidence obtained in conflict zones in full compliance with international law, including the Charter of the United Nations, in order to ensure the effective investigation and prosecution of those who have committed terrorist crimes, including FTFs returning and relocating to and from conflict zones;

10. *Calls upon* Member States to provide successful psycho-social care for children affiliated with FTFs, including evidenced-based trauma care and empirically-supported programs to resocialize children back into the society, and *recognizing* that youth-led initiatives in these communities can play a vital role in fostering this inclusiveness, in cases involving children, considering that they may be especially vulnerable to radicalization to terrorism and in need of particular social support, such as post-trauma counselling, and also considering their possible status of victims of terrorism and fully respecting and promoting their rights, taking into account the best interests of the child, in a manner consistent with applicable international law, including the Convention on the Rights of the Child, for parties to this Convention;

11. *Encourages* Member States to support targeted education-based initiatives that build critical thinking skills which can also enable youth to recognize, reject, and refute terrorist ideology, including by investing in leadership exchanges and programs aimed at partnering with children around the world, such as peer to peer programs, including those where students develop and implement online campaigns and content to counter violent extremism conducive to terrorism;

12. *Calls upon* Member States to develop and implement risk assessment tools to identify individuals who demonstrate signs of radicalization to terrorism and develop intervention programs, including with a gender perspective, as appropriate, before such individuals commit acts of terrorism, in accordance with applicable international law, and domestic law, and without resorting to profiling based on any discriminatory grounds prohibited by international law, including by:

(a) Involving professionals in risk and needs assessments who have relevant expertise and access to continuous training, development and re-evaluation, and strengthening capacity building and technical assistance in this regard;

(b) Developing standardized methodology and mechanisms to evaluate risk and needs assessment tools;

(c) Putting in place effective oversight mechanisms to ensure the accountability of professionals involved in risk and needs assessments, the transparency of the assessment process;

(d) Sharing relevant experiences and expertise with other States, regional organizations, multilateral forums and civil society organizations;

13. *Urges* Member States to ensure that all measures taken to counter terrorism comply with their obligations under international law, including international humanitarian law, international human rights law and international refugee law, and urges States to take into account the potential effects of counterterrorism measures on exclusively humanitarian activities, including medical activities, that are carried



out by impartial humanitarian actors in a manner consistent with international humanitarian law;

14. *Stresses* the importance of ensuring that efforts to implement “Disarmament, Demobilization and Reintegration” (DDR) programmes are conducted in accordance with relevant Security Council resolutions and relevant international instruments relating to counter-terrorism;

15. *Recognizes* the significant challenge of radicalization to terrorism and terrorist recruitment in prisons and *acknowledges* the need to seek to prevent prisons from serving as potential incubators for radicalization to terrorism and terrorist recruitment, and to make efforts to ensure that prisons can serve to rehabilitate and reintegrate prisoners which may contribute to reducing recidivism and to preventing further terrorist radicalization in prisons;

16. *Calls upon* Member States to put emphasis on the aspect of countering radicalization to terrorism in rehabilitation and reintegration programs as part of comprehensive measures in countering terrorism;

17. *Encourages* Member States to take all appropriate actions to maintain a safe and humane environment in prisons, develop tools that can help address radicalization to terrorism and terrorist recruitment, in line with their obligations under international law and taking into account, the relevant guidance developed by the UNODC, and explore ways to prevent, within their prison systems, radicalization to terrorism, and to promote rehabilitation and reintegration of convicted terrorists, as well as to impede cooperation and transfer of skills and knowledge between terrorists and other criminals, while respecting international human rights law;

18. *Encourages* all Member States to cooperate in efforts to address the threat posed by FTFs, including by bringing them to justice, preventing the radicalization to terrorism and recruitment of FTFs and accompanying family members, particularly accompanying children, including by facilitating the return of the children to their countries of origin, as appropriate and on a case by case basis, preventing FTFs from crossing their borders, disrupting and preventing financial support to FTFs, and developing and implementing prosecution, rehabilitation and reintegration strategies, and in this regard *welcomes* the ongoing efforts of Member States aimed at bringing FTFs to justice in a manner consistent with international law, including through international cooperation and regional partnerships;

19. *Encourages* Member States to develop programs to promote continuity, and sustainability between criminal justice-based rehabilitation and reintegration programs and post-release and rehabilitation and reintegration programs, including, where appropriate, information-sharing, and monitoring and evaluation mechanisms, while respecting applicable international law, including international human rights law;

20. *Recognizes* the role of regional and subregional organizations and mechanisms, consistent with Chapter VIII of the Charter of the United Nations, in contributing to the effective implementation of Security Council resolutions, in strengthening the capacities of Member States, in facilitating technical assistance and information sharing, and in developing comprehensive and coherent regional counter terrorism strategies, and *encourages* them to keep the Counter-Terrorism Committee (CTC) informed of relevant developments in this regard, including through potential briefings to the Committee;

21. *Request* relevant United Nations entities, and calls upon international, regional and sub-regional organizations, and Member States to identify mechanisms and to provide technical assistance and capacity building, to Member States, upon

their request, to support them in developing and implementing comprehensive and tailored prosecution, rehabilitation and reintegration strategies, and *encourages* the CTC, with the support of Counter-Terrorism Executive Directorate (CTED) and relevant United Nations entities, including the United Nations Office of Counter-Terrorism (UNOCT), and other members and observers of the United Nations Global Counter-Terrorism Coordination Compact, as appropriate to continue working together to facilitate technical assistance and capacity building and to raise awareness in this area;

22. *Recalls* its decision in resolution 1373 (2001) that Member States shall afford one another the greatest measure of assistance in connection with criminal investigations or proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, and further underscores that this includes physical and digital evidence, underlines the importance of fulfilling this obligation with respect to such investigations or proceedings involving FTFs, while respecting human rights and fundamental freedoms and consistent with obligations under domestic and applicable international law; and *urges* Member States to act in accordance with their obligations under international law in order to find and bring to justice, extradite or prosecute any person who supports, facilitates, participates or attempts to participate in the direct or indirect financing of activities conducted by terrorists or terrorist groups;

23. *Calls upon* all Member States to refrain from depriving a person alleged to have committed terrorist acts of his/her nationality, if such deprivation would render him/her stateless, consistent with applicable domestic and international law;

24. *Calls upon* Member States to consider ratifying and using applicable international, regional and bilateral instruments to which they are parties, including the international instruments relating to terrorism, as a basis for mutual legal assistance, in accordance with resolution 2322 (2016), and, as appropriate, for extradition in terrorism cases, consistent with international human rights law, international humanitarian law and international refugee law, *encourages* Member States to cooperate, on the basis of reciprocity or on a case-by-case basis, in the absence of applicable conventions or provisions, and *emphasizes* the need for Member States to act in accordance with their obligations under national legislations and international law in order to find and bring to justice, extradite or prosecute terrorist suspects;

25. *Calls upon* Member States to establish, where possible, mechanisms and legal frameworks for joint investigations and to develop the capacity to enhance the coordination of such investigations, ensuring that national mechanisms are in place to allow for international cooperation, with full respect to their obligations under international law, including, as appropriate, the creation and/or use of joint investigation mechanisms, and bilateral and multilateral arrangements for international cooperation;

26. *Notes* that some Member States may face technical assistance and capacity building challenges when implementing this resolution, and encourages the provision of assistance from donor states, upon their request, to help address such gaps and *further Encourages* relevant United Nations entities, including the UNOCT, UNODC, and other members and observers of the United Nations Global Counter-Terrorism Coordination Compact, as appropriate to further enhance, in close consultation with the CTC and CTED, the provision and delivery of technical assistance to States, upon request to better support Member States' efforts to implement this resolution;

27. *Directs* the CTC, with the support of the CTED and in coordination with other relevant UN entities, to further identify and examine Member States' efforts in

developing and implementing comprehensive and tailored prosecution, rehabilitation and reintegration strategies, in accordance with national laws and practices, with the aim of identifying good practices, gaps and vulnerabilities in this field, including related to development and implementation of Disarmament, Demobilization and Reintegration (DDR) programmes and their compliance with relevant Security Council resolutions and international instruments relating to counter terrorism, and, in this regard, *requests* CTED, in accordance with Security Council resolution 2395 (2017), and in cooperation with the UNOCT and other members and observers of the United Nations Global Counter-Terrorism Coordination Compact, as appropriate, to further integrate consideration of prosecution, rehabilitation and reintegration strategies into its country assessments and analyses and to identify emerging trends and gaps in this regard;

28. *Directs* the CTC, with the support of CTED, in coordination with UNOCT and other members and observers of the United Nations Global Counter-Terrorism Coordination Compact, as appropriate, to hold by the end of December 2021 an Open Briefing on steps Member States have taken to implement strategies related to Prosecution, Rehabilitation and Reintegration;

29. *Decides* to remain seized of this matter.

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## Annex 2

### **Letter dated 31 August 2020 from the Permanent Representative of Belgium to the United Nations addressed to the President of the Security Council**

I refer to the letter by the President of the Security Council dated 28 August 2020, relating to the draft resolution on prosecution, rehabilitation and reintegration (S/2020/852).

In accordance with the procedure set forth for the adoption of draft resolutions under the current extraordinary circumstances caused by the coronavirus disease pandemic, Belgium votes in favour of the draft resolution.

*(Signed)* Philippe **Kridelka**  
Ambassador  
Permanent Representative of Belgium to the United Nations

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**Annex 3****Letter dated 28 August 2020 from the Permanent Representative of China to the United Nations addressed to the President of the Security Council**

I thank you and your team for the continued strong support in facilitating the voting procedure.

Please kindly be informed that China votes in favour of the draft resolution (S/2020/852), submitted by Indonesia in connection with the agenda item “Threats to international peace and security caused by terrorists acts”.

*(Signed)* **Zhang Jun**  
Ambassador  
Permanent Representative of China to the United Nations

**Annex 4**

**Letter dated 31 August 2020 from the Special Envoy to the Security Council of the Dominican Republic addressed to the President of the Security Council**

I refer to your letter dated 28 August 2020, regarding draft Security Council resolution S/2020/852, under the agenda item “Threats to international peace and security caused by terrorist acts”.

Upon instructions from my Government, the delegation of the Dominican Republic votes in favour of the above-mentioned draft resolution.

*(Signed)* José **Singer Weisinger**  
Ambassador

Special Envoy to the Security Council of the Dominican Republic

**Annex 5****Letter dated 31 August 2020 from the Chargé d'affaires of Estonia to the United Nations addressed to the President of the Security Council**

I have the honour to inform the Council, in accordance with the relevant provisions of the Charter of the United Nations, that my delegation votes in favour of draft resolution S/2020/852, submitted by Indonesia, in connection with the agenda item "Threats to international peace and security caused by terrorist acts".

(Signed) Gert **Auväart**  
Counsellor

Chargé d'affaires of Estonia to the United Nations

**Annex 6**

**Letter dated 31 August 2020 from the Deputy Permanent Representative and Chargé d'affaires a.i. of France to the United Nations addressed to the President of the Security Council**

[Original: French]

In reference to the letter dated 28 August 2020 from the President of the Security Council inviting the members of the Council to vote on the draft resolution (S/2020/852) submitted by Indonesia in connection with the agenda item "Threats to international peace and security caused by terrorist acts", France votes in favour.

*(Signed)* **Nathalie Broadhurst Estival**

Ambassador

Deputy Permanent Representative and Chargé d'affaires a.i. of France  
to the United Nations



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**Annex 7****Letter dated 31 August 2020 from the Chargé d'affaires a.i. of Germany to the United Nations addressed to the President of the Security Council**

It is my honour to write to you in response to the letter dated 28 August 2020 from the President of the Security Council initiating a written voting procedure in line with the agreement reached between members of the Security Council.

The vote of the Federal Republic of Germany on the draft resolution submitted by Indonesia, in connection with the agenda item "Threats to peace and security caused by terrorist acts", as contained in document S/2020/852, is as follows:

The Federal Republic of Germany votes in favour of the above-mentioned draft resolution.

*(Signed)* Guenter **Sautter**

Ambassador

Chargé d'affaires a.i. of the Federal Republic of Germany to the United Nations

## Annex 8

### **Letter dated 28 August 2020 from the Permanent Representative of Indonesia to the United Nations addressed to the President of the Security Council**

I am writing in reference to my letter as the Permanent Representative of Indonesia to the United Nations, in my capacity as the President of the Security Council, dated 28 August 2020, regarding the draft resolution on prosecution, rehabilitation and reintegration (S/2020/852) submitted under the agenda item “Threats to peace and security caused by terrorist acts”.

I hereby indicate that Indonesia votes in favour of the above-mentioned resolution.

*(Signed)* Dian Triansyah **Djani**

Ambassador  
Permanent Representative of Indonesia to the United Nations

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**Annex 9****Letter dated 28 August 2020 from the Permanent Representative of the Niger to the United Nations addressed to the President of the Security Council**

I am writing in response to the letter dated 28 August 2020 from the President of the Security Council calling on the members of the Security Council to express their votes on the draft resolution (S/2020/852), submitted by Indonesia under the item “Threats to international peace and security caused by terrorists acts”.

In accordance with the agreed temporary procedures for the adoption of resolutions during the coronavirus disease pandemic restrictions, I have the honour to indicate that the Republic of the Niger decides to vote in favour of the said draft resolution.

*(Signed)* Abdou **Abarry**  
Ambassador  
Permanent Representative of the Niger to the United Nations

**Annex 10**

**Letter dated 31 August 2020 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council**

I have the honour to acknowledge receipt of your letter of 28 August 2020, on the beginning of the voting procedure for the draft resolution in connection with the agenda item “Threats to international peace and security caused by terrorist acts” (S/2020/852).

In accordance with the procedure for the adoption of draft resolutions of the Security Council in place during the restrictions on movement in New York due to the coronavirus disease pandemic, outlined in the letter dated 27 March 2020 from the President of the Security Council (S/2020/253), I have the honour to inform you that the Russian Federation votes in favour of the draft resolution S/2020/852.

*(Signed)* Vassily **Nebenzia**  
Ambassador

Permanent Representative of the Russian Federation to the United Nations

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**Annex 11****Letter dated 28 August 2020 from the Permanent Representative of Saint Vincent and the Grenadines to the United Nations addressed to the President of the Security Council**

I have the honour to refer to the draft resolution (S/2020/852), submitted by Indonesia, in connection with the agenda item “Threats to international peace and security caused by terrorist acts”.

In that respect, I wish to inform you that Saint Vincent and the Grenadines votes in favour of the above-mentioned draft resolution.

*(Signed)* Inga Rhonda **King**  
Ambassador  
Permanent Representative of Saint Vincent and the Grenadines  
to the United Nations

## Annex 12

### **Letter dated 28 August 2020 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council**

I refer to your letter dated 28 August 2020 regarding the draft resolution concerning “Threats to international peace and security caused by terrorist acts”, as contained in document S/2020/852.

The delegation of the Republic of South Africa votes in favour of the above-mentioned draft resolution.

(Signed) Jerry Matthews **Matjila**  
Ambassador

Permanent Representative of South Africa to the United Nations

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**Annex 13****Letter dated 30 August 2020 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council**

Further to the letter dated 28 August 2020 emanating from the Permanent Representative of Indonesia, in his capacity as President of the Security Council, regarding the draft resolution submitted by Indonesia in connection with the agenda item “Threats to international peace and security caused by terrorist acts”, as contained in document S/2020/852, I would like to inform you that Tunisia votes in favour of the draft resolution.

*(Signed)* **Kais Kabtani**  
Ambassador  
Permanent Representative of Tunisia to the United Nations

**Annex 14**

**Letter dated 31 August 2020 from the Chargé d'affaires of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council**

With reference to the letter from the President of the Security Council of 28 August, the United Kingdom votes in favour the draft resolution S/2020/852 in connection with the agenda item “Threats to international peace and security caused by terrorist acts”.

*(Signed)* Jonathan Allen  
Ambassador  
Chargé d'affaires of the United Kingdom of Great Britain  
and Northern Ireland to the United Nations



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**Annex 15****Letter dated 30 August 2020 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council**

On the draft resolution submitted by Indonesia in connection with the agenda item “Threats to international peace and security caused by terrorist acts” (S/2020/852), the United States of America votes “No”.

**Kelly Craft**  
Ambassador  
Permanent Representative of the United States of America  
to the United Nations

**Annex 16**

**Letter dated 31 August 2020 from the Permanent Representative of Viet Nam to the United Nations addressed to the President of the Security Council**

In reference to the letter of the President of the Security Council of 28 August 2020 relating to the draft resolution under the agenda item entitled “Threats to international peace and security caused by terrorist acts”, as contained in document S/2020/852, I would like to hereby inform you that Viet Nam votes in favour of said draft resolution.

*(Signed)* **Dang Dinh Quy**  
Ambassador  
Permanent Representative of Viet Nam to the United Nations

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**Annex 17****Statement by the Permanent Representative of Belgium to the United Nations, Philippe Kridelka**

Belgium would like to thank the Indonesian presidency for its considerable efforts to reach a consensus on the important topic of prosecution, rehabilitation and reintegration of foreign terrorist fighters. This is an essential theme in our joint fight against terrorism. That is why Belgium voted in favour of draft resolution S/2020/852, on prosecution, rehabilitation and reintegration, alongside our European partners, which are members of the Security Council: the E-3 — Germany, France and the United Kingdom — and Estonia. However, Belgium believes that it is a very long and perfectible text and wishes to express its deep concerns on two major issues.

First, Belgium recognizes the need to develop specific rehabilitation, reintegration programmes for men and women suspected of being linked to a terrorist organization. At the same time, Belgium is convinced that it is of utmost importance to differentiate the status of children from those of adults and to primarily treat them as victims of terrorism, who — if suspected of crimes — should go through a distinct process from adult foreign terrorist fighters. The obligation to treat children differently and protect them when they are part of a criminal justice process derives from international law, and more particularly the Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules). Belgium regrets that the draft resolution voted on today does not sufficiently reflect this aspect.

Secondly, Belgium considers that the fight against terrorism can be successful only if it is part of a comprehensive, whole-of-society approach and complies with human rights and international humanitarian law, which constitute a leading principle in all four pillars of the United Nations Global Counter-Terrorism Strategy. Belgium would therefore strongly encourage the involvement of and coordination among all United Nations Global Counter-Terrorism Coordination Compact entities. In addition, Belgium wants to recognize the importance of the work of such entities as UNICEF and UN-Women, and more particularly the United Nations High Commissioner for Human Rights, including in the fields of counter-terrorism and combating violent extremism. Belgium underlines the importance of the role of the Office of the High Commissioner for Human Rights in assessing the implementation of the Council's resolutions on counter-terrorism from a human rights angle in order to help the Council develop a clearer, more balanced United Nations architecture in the counter-terrorism domain.

**Annex 18****Statement by the Permanent Mission of France to the United Nations**

[Original: French]

France reaffirms its commitment to the fight against terrorism at a time when this threat, in particular that of foreign terrorist fighters, persists. Draft resolution S/2020/852, which the Council just voted on, provided concrete responses to address it. It would have allowed us to strengthen our collective efforts to ensure that members of terrorist groups responsible for crimes, particularly sexual crimes, were brought to justice. It gave special attention to the victims of terrorism. It was also aimed at strengthening efforts to provide a response, as well as prosecution, rehabilitation and reintegration efforts adapted to the profile of and threat posed by the individuals concerned. Finally, the text reaffirmed that the fight against terrorism, radicalization and violent extremism must be carried out in accordance with international human rights law, international humanitarian law and refugee law.

France commends Indonesia's efforts, which made it possible to arrive at a balanced text, and regrets that this draft resolution could not be adopted.

For the first time since the adoption of resolution 1373 (2001), on counter-terrorism, the consensus that prevailed in the work of the Security Council on counter-terrorism has been shaken. However, time should not be at the division. France will continue to work with its partners to ensure that the Security Council provides a strong and effective response to the threat posed by the terrorism for international peace and security.

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**Annex 19****Statement by the Permanent Representative of Indonesia to the United Nations, Dian Triansyah Djani**

Indonesia regrets that the Security Council failed to adopt draft resolution S/2020/852, on the prosecution, rehabilitation and reintegration (PRR) of terrorists, owing to a non-concurrence vote by a permanent member of the Council.

As a country that has been a victim of, as well as on the front line of the fight against terrorism, Indonesia fails to understand why, when the world continues to be besieged by the grave threat of terrorism to international peace and security, an important initiative that has added value in addressing this serious threat has not enjoyed acceptance in the Council, owing to the incomprehensible view of one.

The draft resolution is intended to provide clear guidance for Member States to develop and implement comprehensive PRR strategies, construct a strong prosecution aspect, provide clear and practical rehabilitation and reintegration elements by developing long-term methods to counter violent extremism conducive to terrorism. It is also aimed at encouraging a proactive whole of Government approach and recognizing the role that can be played by families and civil society organizations, religious leaders, including urging full participation and the leadership of women.

The draft resolution calls upon Member States to address conditions conducive to the spread of terrorism, including by preventing radicalism and encouraging close collaboration, capacity-building and sharing experience with prosecution, rehabilitation and reintegration measures, including criminal investigation, joint investigation and preventing radicalization in prisons. The draft resolution also calls on member States to develop risk and assessment tools, standard methodology and oversight mechanisms.

PRR itself is an integral part of a comprehensive approach in addressing the threat posed by terrorists. This approach is instrumental in the overall counter-terrorism effort and, therefore, should be one of the priorities of the Security Council. Without comprehensive prosecution, rehabilitation and reintegration measures, there are significant risks that terrorists may fall into endless cycle of recidivism.

A PRR draft resolution, if adopted, would become a key tool for the Council and all member States of the United Nations, as well as the United Nations system, to establish a comprehensive and long-term strategy in countering terrorist acts and violent extremism conducive to terrorism and preventing the recurrence of terrorist acts.

Therefore, the Council's failure to adopt this important draft resolution not only paralyses our collective efforts to confront the threat of terrorism but, most important, also sends a damaging signal that the Council, for the first time, is not united in the fight against the scourge of terrorism.

As a matter of fact, Indonesia's initiative on a PRR draft resolution enjoys the overwhelming support of almost all Council members. This is a clear and strong testament to the value and substance that it offers.

While the majority of members concur with this important initiative, regrettably there is a member of the Council that has an opposing view on what is best for the world and on how the Council should move forward. The wisdom of the many seems to be disregarded.

Our collective endeavour to achieve a meaningful Council resolution on PRR should not end here and now. It is our view that in future this important issue will

continue to gain the respect and support of all members of the Council, noting that what is at stake is the safety and security of humankind.

Let it be known that the world would have been safer had this draft resolution been adopted, and yet we lost a valuable opportunity by not doing so today.

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**Annex 20****Statement by the Permanent Mission of the Russian Federation to the United Nations**

The Russian Federation voted in favour of the draft resolution on “Threats to international peace and security caused by terrorist acts”, submitted by Indonesia (S/2020/852).

In doing so, we were guided by the necessity to maintain the unity and effectiveness of the Security Council when it comes to addressing the pressing challenges posed by terrorism, particularly the activities of foreign terrorist fighters (FTFs).

Allow me to express our appreciation to our Indonesian colleagues for their efforts to ensure the added value of a new decision of the Security Council dedicated to the issues of the prosecution, rehabilitation and reintegration (PRR) of FTFs and their family members. Although the Security Council, in its resolutions 2178 (2014) and 2396 (2017), already provided detailed recommendations to Member States on the development of national PRR strategies, we agreed to elaborate on those provisions with a view to ensuring accountability for terrorists and strengthening international cooperation in that regard.

Unfortunately, this endeavour did not prove to be as successful as we had hoped. Most important, the present draft resolution (S/2020/852) fails to recognize the primary importance of measures aimed at repatriating FTFs from conflict zones, namely, in Syria and in Iraq. We call on all Member States to enhance efforts aimed at returning their nationals, whether involved in terrorist activities or accompanying terrorists, and to abide by their obligations to bring these individuals to justice. For these purposes, it is absolutely crucial to utilize the existing treaties on mutual legal assistance and extradition more effectively and introduce expedited and simplified procedures for the transfer of terrorists while adhering to the principle “extradite or prosecute” and ensuring the inevitability of punishment.

It is worth underlining in this regard that the principle of the inevitability of punishment must be also applied to the family members of FTFs whenever there is sufficient proof of their guilt. Respective penal measures cannot be substituted for by non-custodial rehabilitation and reintegration programmes. All such efforts should be undertaken in prisons.

It is true that many States face challenges in obtaining admissible evidence from conflict zones, which may be instrumental in securing convictions that duly reflect the seriousness of offences. The present draft resolution reflects on this issue in general terms. However, we wish to specifically stress several fundamental principles that must be fully observed when States consider the involvement of the military in the process of the collection, sharing and use of evidence.

First and foremost, based on the principles of respect for the sovereignty and territorial integrity of States, the authority to collect information and evidence under these exceptional circumstances cannot be delegated to any military personnel in areas of armed conflict. The deployment of a military contingent must be supported by clear legal authorities and regulations. A troop-sending State must receive explicit consent from a troop-receiving State for these purposes. Otherwise, there should be an international legal mandate, namely, on the basis of a Security Council decision. Moreover, the collection of evidence by the military should be in line with national legislation and international law, while the authority to engage in the aforementioned activities should be specifically stated in the mandate provided to them.

## **Annex 21**

### **Statement by the Permanent Mission of the United States of America to the United Nations**

There is no nation on Earth more committed to confronting and defeating terrorism than the United States of America. Under the leadership of President Trump, the United States has crushed the Islamic State in Iraq and the Sham (ISIS) and taken out its leader, Abu Bakr Al-Baghdadi. In January, the United States rid the world of another dangerous terrorist — Iranian Quds Force leader Qasem Soleimani.

The Trump Administration will not waver in the fight against terrorism or give in to half-measures that leave in place the seeds of future terror. While we firmly believe that the Security Council has a critical role to play in countering terrorism, it has fallen far short of its responsibilities today.

The Indonesian draft resolution before us (S/2020/852), supposedly designed to reinforce international action on counterterrorism, was worse than no resolution at all. This draft resolution was meant to address the prosecution, rehabilitation and reintegration of terrorists, including foreign terrorist fighters and their accompanying family members. And yet it fails to even include reference to the crucial first step — repatriation to countries of origin or nationality.

The United States provides the example here, bringing back our citizens and prosecuting them where appropriate. All nations need to take responsibility for their citizens who engage in terror. As Secretary Pompeo has said, “We want every country to take their citizens back. That is step one. It is imperative that they do so”.

Our veto today should come as no surprise. Just last week I told the Council how disappointed we were by the obstruction of any efforts to discuss repatriation in this text. I will remind members now of what I said then: the world is watching.

It is incomprehensible that other members of the Council could have been satisfied with a draft resolution that ignores the security implications of leaving foreign terrorist fighters to plot their escape from limited detention facilities and abandoning their family members to suffer in camps without recourse, opportunities or hope.

If, as this draft resolution suggests, the goal of the Council is to address the drivers of terrorism, how can we ignore these obvious breeding grounds for the next generation of ISIS fighters?

I continue to be astonished by the rule of expediency that so often afflicts the Council. Far too often, a problem deferred or obscured is a problem supposedly solved.

Terrorist fighters and their families are easily ignored if they are someone else’s problem. But I tell the Council now, and I say this with absolute conviction: failing to address head-on the importance of repatriation will inevitably perpetuate the problem of terrorism.

As Secretary of State Pompeo has said, “We must make sure that ISIS never again flourishes and that work begins with carrying out justice against those who deserve it”.

This draft resolution fails badly in that crucial objective, and the United States will not participate in such a cynical and wilfully oblivious farce.