

## **INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE FINANCING OF TERRORISM**

Following the adoption of the International Convention for the Suppression of Terrorist Bombings, in 1997, and the commencement of discussions on a draft international convention for the suppression of acts of nuclear terrorism, in 1998, in the context of the Ad Hoc Committee established by General Assembly resolution 51/210 and the Working Group of the Sixth Committee, the General Assembly, in its resolution 53/108 of 8 December 1998, decided that the Ad Hoc Committee shall continue to elaborate a draft international convention for the suppression of acts of nuclear terrorism with a view to completing the instrument, shall elaborate a draft international convention for the suppression of terrorist financing to supplement related existing international instruments, and subsequently shall address means of further developing a comprehensive legal framework of conventions dealing with international terrorism, including considering, on a priority basis, the elaboration of a comprehensive convention on international terrorism. The General Assembly further decided that the Ad Hoc Committee, meeting from 15 to 26 March 1999, would devote appropriate time to the consideration of the outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism, and that it shall initiate the elaboration of a draft international convention for the suppression of terrorist financing, with the work continuing in the context of a working group of the Sixth Committee during the fifty-fourth session of the General Assembly from 27 September to 8 October 1999.

The work on the elaboration of the draft convention for the suppression of terrorist financing thus began during the third session of the Ad Hoc Committee (held from 15 to 26 March 1999), on the basis of a working document submitted by France on the draft international convention for the suppression of the financing of terrorism (A/AC.252/L.7 and Corr.1), together with an explanatory note to the draft convention (A/AC.252/L.7/Add.1), taking into account the views expressed by delegations during the debate in the Sixth Committee during the fifty-third session of the General Assembly and the ensuing consultations on the item (see report of the Ad Hoc Committee, A/54/37). The original text of the draft had earlier been submitted by France to the Sixth Committee at the fifty-third session (A/C.6/53/9).

The Ad Hoc Committee transacted its business in the context of a working group of the whole. During the consideration of the draft convention in the Working Group of the Whole, written amendments and proposals were submitted and considered (see report of the Ad Hoc Committee, A/54/37, annex III), as well as oral amendments and proposals. The Working Group of the Whole conducted a first reading of those articles which were unique to the proposed text, namely articles 1, 2, 5, 8, 12, paragraphs 3 and 4, and 17, those articles which were similar, but not identical, to the corresponding provisions of the International Convention for the Suppression of Terrorist Bombings, namely articles 3, 6 and 7, paragraphs 1, 2 and 5 (see i.e. A/AC.252/L.7 and Corr.1), as well as a review of Article 4. The Working Group of the Whole then conducted a second reading of articles 2, 5, 8, 12 and additional provisions, on the basis of a revised text submitted by France (see A/AC.252/1999/WP.45 and report of the Ad Hoc Committee, A/54/37, annex III), as well as of article 17 on the basis of a revised text submitted by France (see A/AC.252/1999/WP.47 and report of the Ad Hoc Committee, A/54/37, annex III), and articles 4 and 7 on the basis of a revised text submitted by Australia (see A/AC.252/1999/WP.51 and report of the Ad Hoc Committee, A/54/37, annex III). Moreover, the coordinators of the informal discussions on articles 1 and 2, and 3 and 6, respectively, presented oral reports to the Working Group of the Whole. Finally, following a completion of the second reading, the Bureau of the Ad Hoc Committee

prepared a discussion paper on articles 3 to 25 (see report of the Ad Hoc Committee, A/54/37, annex I.A) to be a basis for further consideration in the context of the Working Group of the Sixth Committee. In addition, France submitted a working paper on articles 1 and 2 (see report of the Ad Hoc Committee, A/54/37, annex I.B), based on the discussion of those provisions during the informal consultations.

During the fifty-fourth session of the General Assembly, in 1999, The Working Group of the Sixth Committee continued discussions on the draft convention. On the basis of the discussions and informal consultations, as well as written or oral proposals and amendments submitted by delegations, a further discussion paper on articles 5, 7, 8, 12 and 17 was prepared by the Friends of the Chairman for consideration by the Working Group (A/C.6/54/WG.1/CRP.15), and subsequently revised by the Friends of the Chairman (A/C.6/54/WG.1/CRP.15/Rev.1, 2 and 3). A revised text of article 1 was also submitted by the coordinator of the informal consultations (A/C.6/54/WG.1/CRP.32). A revised text of article 2 was orally introduced by the coordinator of the informal consultations, and a discussion paper on the preamble (A/C.6/54/WG.1/CRP.30) and its revision (A/C.6/54/WG.1/CRP.30/Rev.1) were submitted by the delegation of France (see generally, report of the Working Group, A/C.6/54/L.2).

Following discussions of the various revised texts of draft articles, and taking into account the comments by delegations on those texts, the Friends of the Chairman prepared a revised text of the draft convention (A/C.6/54/WG.1/CRP.35 and CRP.35/Rev.1, and report of the Working Group, A/C.6/54/L.2, annex I). The text contained in document A/C.6/54/WG.1/CRP.35/Rev.1 was orally amended, with respect to article 7, paragraph 6, by the coordinator to reflect the agreement in the informal consultations (see report of the Working Group, A/C.6/54/L.2 and the text of proposal contained in A/C.6/54/WG.1/CRP.24). The Chairman of the Working Group also made a statement regarding the term “armed conflict” contained in article 2, paragraph 1 (b), of the draft convention.

At the conclusion of its discussions, the Working Group decided to submit the draft international convention for the suppression of the financing of terrorism (see report of the Working Group, A/C.6/54/L.2, annex I) to the Sixth Committee for discussion and consideration, noting that the Sixth Committee might wish to subsequently submit the draft convention to the General Assembly with a view to its adoption.

On 12 November 1999, the Chairman of the Working Group introduced the report of the Working Group, contained in document A/C.6/54/L.2, to the Sixth Committee. On 18 November, the representative of Canada introduced a draft resolution entitled “International Convention for the Suppression of the Financing of Terrorism” (A/C.6/54/L.16 and Corr.1), to which was annexed the convention on the subject, and orally revised the first preambular paragraph. At the same meeting, the Committee adopted draft resolution A/C.6/54/L.16 and Corr.1, as orally revised, without a vote.

By resolution 54/109 of 9 December 1999, the General Assembly adopted the International Convention for the Suppression of the Financing of Terrorism and requested the Secretary-General to open it for signature at United Nations Headquarters in New York from 10 January 2000 to 31 December 2001. Pursuant to article 26, paragraph 1, the Convention entered into force on 10 April 2002, the thirtieth day following the date of the deposit of the twenty-second instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations.