OSCE

Organization for Security and Co-operation in Europe
T r a n s n a t i o n a l   T h r e a t s   D e p a r t m e n t

Online Expert Forum on "Strengthening Public-Private Partnerships in Preventing and Countering Hostage-Taking and Kidnapping for Ransom (KFR)"
Concept Paper

1. Executive Summary

The hostage-taking and kidnapping for ransom (KFR) of foreigners, international employees, and locals by terrorist groups allows terrorists to gain funds for their activities. TNTD/ATU, contributing to the international efforts in this direction, will organise an online expert forum to explore ways to strengthen public-private partnerships on KFR and to find mechanisms for further engagement with civil society, the business community and humanitarian organisations. The forum will be set up in POLIS, for two weeks in September 2015 (TBD). Afterwards, the results will be used to establish an online e-learning module.

This hostage-taking and KFR trend has increased in recent years, especially, among ISIL, Al-Qaeda and Al-Qaeda affiliated groups in different parts of the world, chiefly in Africa, and Middle Eastern countries.[1] The UN Committee 1267 Monitoring Team, referring to information obtained from Member States reports that a total of 1,283 kidnappings were motivated by terrorism.[2] The same Committee reports that ISIL itself made up to $45 million per year from kidnapping for ransom.[3] People working in high risk areas, inter-alia, staff from regional and international organizations, personnel from civil society, the business community and humanitarian organisations often face the greatest risk from hostage-taking and KFR. The international community is seeking ways and tools to counter this phenomenon. The adoption of the UN Security Council Resolution 2133[4] strongly calls upon member states to prevent terrorists from benefiting directly or indirectly from ransom payments and encourages UN Member States to develop policies to better prevent kidnappings committed by terrorist groups, and encourages private sector partners to adopt or to follow relevant guidelines and good practices for preventing and responding to terrorist kidnappings without paying such ransoms. According to the Resolution, all responses must comply with the rule of law and with all obligations under international law, including international human rights, refugee and humanitarian law.

2. Legal Basis

In addition to *UNSCR2133*[5] *above,* the most prominent international frameworks addressing the issue of kidnapping and hostage-taking are the *International Convention against the Taking of Hostages (1979) and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973).* The *International Convention for the Suppression of the Financing Terrorism (1999)* is also another applicable framework to confront hostage-taking and *KFR.* The above-mentioned conventions call upon UN Member States to make punishable the offences determined in the documents, and encourages further the exchange of relevant information.

---

[1] UN Committee 1267 Monitoring Team Reports, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/815
[2] UN Committee 1267 Monitoring Team Report, S/2014/41, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/41
[3] UN Committee 1267 Monitoring Team Report S/2014/815, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/815
[4] UNSCR 2133, http://www.un.org/en/sc/documents/resolutions/2014.shtml
[5] Supplementary to that, recently the UN Security Council adopted the *Resolution 2195 (Threats to International Peace)* in December 2014, which recalls the resolution 2133 (2014) and strongly condemns the incidents of kidnapping and hostage-taking committed by terrorist groups.

The GCTF *Algiers Memorandum on Good Practices for Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists*[6] recommends promoting dialogue with relevant private sector entities, and intensifying the information sharing among the private sector and law enforcement and intelligence services. Moreover, it encourages all states to use the non-binding good practices in line with applicable international and domestic laws and expresses commitment to work together and with other partners to combat hostage-taking and KFR.

The OSCE Permanent Council Decision 1063 -- *OSCE Consolidated Framework for the Fight against Terrorism*[7] -- as the core counter-terrorism framework of the OSCE encourages further establishment of public-private partnerships (hereinafter PPPs) between the state authorities, the private sector (business community), as well as civil society and the media. The Decision also promotes further collaboration with the OSCE Partners for Co-operation.

The recently adopted Ministerial Declaration 6/14 *On the OSCE Role in Countering Kidnapping and Hostage-taking Committed by Terrorist Groups in the Context of the Implementation of UN Security Council Resolution 2133*[8] calls upon Participating States (pS) to strengthen PPPs with the business community to respond to kidnapping and hostage-taking. It calls on the OSCE executive structures to encourage public-private dialogue and co-operation relevant to hostage-taking and kidnapping committed by terrorist groups, particularly between State institutions and relevant businesses and civil society organizations working (or active) in high-risk areas. The same document encourages all stakeholders to share experiences through the exchange of information which may lead to better initiatives and support the continuation of capacity-building for all practitioners.

3. Some Key Actions Taken Including the OSCE

First, the OSCE held discussions on this topic during a counter-terrorism conference (28-29 April 2014, Interlaken, Switzerland) and a counter-terrorism expert workshop (16-17 September 2014, Valletta, Malta). The idea of promoting and strengthening PPPs was one of the main recommendations in both activities. The Swiss "Chairmanship Interlaken Recommendations"[9] to the pS, Partners for Co-operation and, the OSCE executive structures, *inter-alia* TNT/ATU, accentuated the need to strengthen PPPs and facilitate the PPP dialogue and tightly cooperate with States, business communities and civil society organisations working in high risk areas to counter KFR. The involvement of the media in the monitoring process of the anti-terrorism and KFR efforts was highlighted.

The GCTF's 5th Ministerial Plenary, held September 23, 2014, discussed further efforts to implement the GCTF *Algiers Memorandum*, including the development of a set of highly interactive training modules. The developed training modules touch upon the outreach of the private sector[10] and the cooperation with media[11] to prevent hostage-taking and KFR using the best practices of some countries. Further, the International Institute for Justice and the Rule of Law (Valletta, Malta) in the period of 14-16 October 2014 conducted a workshop on implementing the *Algiers Memorandum.*

Following the adoption of the *UNSCR 2133*, the UN conducted a "Special meeting on kidnapping for ransom and hostage-taking committed by terrorists" (New York, November 24, 2014). Current challenges were explored during the meeting, several national responses were presented, and

---

[6] GCTF (Global Counter Terrorism Forum)"Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists", https://www.thegctf.org/documents/10162/159874/Algiers+Memorandum-English.pdf
[7] Permanent Council Decision PC.DEL/1063, http://www.osce.org/pc/98008?download=true
[8] Ministerial Council Decision MC.DOC/6/14, http://www.osce.org/cio/130551?download=true
[9] The Chairmanship Interlaken Recommendations, http://www.osce.org/cio/118156?download=true
[10] For instance, the U.S. Secretary of State has established the Overseas Security Advisory Council (OSAC) to promote an open dialogue between the U.S. Government and the American private sector on security issues abroad. With a constituency of 4,600 U.S. companies and other organizations with overseas interests, OSAC operates an Internet web site, www.osac.gov, which is one of its principal means of information exchange with the private sector and as well with diplomatic missions.
[11] The training module advises close cooperation with the media during and after the hostage-taking and kidnapping, explaining to the media the objectives and engagement in the spirit of working together and not "influencing" kidnappers, and to set an objective (determine if the hostage is alive, get information from local communities/trusted third parties, etc.).

further cooperation among UN Member States for the prevention and combating of hostage-taking and KFR was discussed.

OSCE's efforts culminated in the Ministerial Declaration 6/14 On the OSCE Role in Countering Kidnapping and Hostage-taking Committed by Terrorist Groups in the Context of the Implementation of UN Security Council Resolution 2133. This declaration specifically encourages close co-operation, communication, information sharing and networking among all relevant actors, such as through national contact points as appropriate, during hostage-taking and KfR incidents committed by terrorist groups. It also underscores the importance of capacity-building for all practitioners. The same document calls upon pS to strengthen Public-Private Partnerships (PPPs) with the business community to respond to kidnapping and hostage-taking. It calls on the OSCE executive structures to encourage public-private dialogue and co-operation relevant to hostage-taking and kidnapping committed by terrorist groups, particularly between State institutions and relevant businesses and civil society organizations working (or active) in high-risk areas.

4. Online Expert Forum on "Strengthening Public-Private Partnerships in Countering Hostage-Taking and Kidnapping for Ransom (KFR)"

4.1. Online Expert Forum

Following legal frameworks provided above, and the actions taken by the OSCE and other international and regional organizations, the Transnational Threats Department (TNTD), in co-operation with relevant OSCE structures, will organise an online expert forum entitled "Strengthening public-private partnerships in countering Hostage-Taking and Kidnapping for Ransom (KFR)".

The online expert forum is envisaged for experts from OSCE participating States, mainly from civil society, the business community, and humanitarian organisations as well as relevant UN entities and other international and regional organizations and finally experts and contact points in participating States, and Partners for Co-operation. TNTD/ATU will strive to also engage experts from the non-OSCE area with KFR expertise.

4.2. Objective and topics to be discussed:

The objective is to strengthen PPPs in the prevention and combating of hostage-taking and KFR in compliance with international human rights standards.

The topics of this online forum are (1) to identify training components and training opportunities for civil society, business circles, humanitarian organizations, state officials and international/regional organizations staff in order to prevent and countering actual terrorist hostage-taking and kidnapping; (2) to further sharing state/civil society/NGOs' experience in providing support to the victims of kidnapping and hostage-taking and to identify best practices in this area; and (3) to discuss on the role of media in preventing and countering terrorism kidnapping and hostage-taking in line with international media ethic codes and freedom of expression standards and in this area to identify recommended practices by experts.

4.3. Expected Results:

(1) Training components and training opportunities for civil society, business circles, humanitarian organizations, state officials and international/regional organizations staff are identified and listed;
(2) State/civil society/NGOs' practices and experience in providing support to the victims of kidnapping and hostage-taking are identified and listed.
(3) Recommendations are identified and drafted in relation to the role of media in preventing and countering terrorism kidnapping and hostage-taking in line with international media ethic codes and freedom of expression standards.