

EAS LEADERS' STATEMENT ON COUNTERING THE THREAT OF FOREIGN TERRORIST FIGHTERS AND RETURNEES

WE, the Heads of State and Government of the Member States of the Association of Southeast Asian Nations (ASEAN), Australia, the People's Republic of China, the Republic of India, Japan, the Republic of Korea, New Zealand, the Russian Federation and the United States of America, on the occasion of the 13th East Asia Summit in Singapore on 15 November 2018;

REAFFIRMING our strong condemnation of terrorism in all its forms and manifestations, and that terrorism constitutes a global threat to international peace, and reiterating that terrorism should not be associated with any religion, nationality, ethnic group or civilisation, and acts of terrorism are unjustifiable regardless of their motivations, whenever, wherever and by whomsoever committed;

CONSIDERING the scale and complexity of the terrorist threat faced by the region, which continues to evolve with the ongoing return and relocation of foreign terrorist fighters (FTFs), recruitment of new terrorist fighters and cross border movement of terrorists;

STRESSING that terrorism should not be used for any purpose and can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organisations, in partnership with civil society and the private sector, when appropriate, to impede, impair, isolate, and incapacitate the terrorist threat, while underscoring the leading role of States and their competent agencies in preventing and countering terrorism and violent extremism conducive to terrorism at the national, regional and international levels;

REAFFIRMING our determination to contribute to the effectiveness of the global fight against terrorism on international and regional levels, including in the region, and to prevent, suppress and eliminate international terrorism in accordance with the Charter of the United Nations (UN) while fully implementing the relevant UN Security Council Resolutions (UNSCR), as well as the Global Counter-Terrorism Strategy adopted by the UN General Assembly in 2006;

RECALLING the 2017 Manila Declaration to Counter the Rise of Radicalisation and Violent Extremism and welcoming the 2018 Joint Statement by the ASEAN Defence Ministers on Countering Terrorism in ASEAN;

RECALLING the 2007 ASEAN Convention on Counter Terrorism and the 2017 ASEAN Comprehensive Plan of Action on Counter Terrorism aimed at prevention and suppression of terrorism by addressing conditions conducive to terrorism and disrupting terrorist networks and terrorist financing channels;

RECOGNISING the 2017 ASEAN Declaration on Culture of Prevention for a Peaceful, Inclusive and Resilient, Healthy and Harmonious Society and considering the 2017 Joint Statement on Promoting Women, Peace and Security in ASEAN;

RECALLING the 2014 EAS Statement on the Rise of Violence and Brutality Committed by Terrorist/Extremist Organisations in Iraq and Syria, the 2015 EAS Statement on Countering Violent Extremism, the 2015 EAS Declaration on the Global Movement of

Moderates, the 2017 EAS Leaders' Statement on Countering Ideological Challenges of Terrorism and Terrorist Narratives and Propaganda, and the 2017 EAS Leaders' Declaration on Anti-Money Laundering and Countering the Financing of Terrorism;

NOTING with concern that terrorists craft distorted narratives in order to justify violence, to recruit supporters and FTFs, to mobilise resources, and to garner support of sympathisers, inter alia by exploiting information and communications technologies (ICTs), including the Internet and social media;

RECOGNISING that States have the primary responsibility in countering terrorist acts and violent extremism conducive to terrorism;

STRESSING the necessity to develop international cooperation in counter terrorism, in accordance with international law and the principles of the UN Charter, including the principles of sovereignty, territorial integrity, non-intervention, and political independence of all States, while respecting human rights and fundamental freedoms, as well as noting the Declaration of the EAS on the Principles for Mutually Beneficial Relations, and **REPUDIATING** attempts at the justification of terrorist acts as well as the incitement of and recruitment to commit terrorist acts, which is often carried out through the activities of FTFs;

RECOGNISING the need to address the conditions conducive to the spread of terrorism and violent extremism conducive to terrorism, both internal and external, consistent with applicable international law and ensuring national ownership and recognising that none of these can excuse or justify terrorist acts, further recognising, inter alia, economic development and the promotion and protection of human rights are necessary to achieving the overarching goals of building inclusive and resilient societies;

RECALLING the UNSCR 2396 (2017), which focuses on FTFs returning from conflict zones and builds on the UNSCR 2178 (2014), which expressed grave concern over the acute and growing threat posed by FTFs, namely individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, including in connection with armed conflict, and in this regard noting that the threat of FTFs may affect all regions and States, even those far from conflict zones;

EXPRESSING grave concern that FTFs, especially those returning or relocating from conflict zones, in particular those who have joined entities such as the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), the Al-Nusrah Front (ANF) and other cells, affiliates, splinter groups or derivatives of Da'esh, Al-Qaida or other terrorist groups as designated pursuant to the relevant UNSCRs, may be seeking to return to their countries of origin or nationality, or to relocate to third countries, and recognising that the threat of returning or relocating FTFs includes, among others, such individuals supporting terrorism, and in this regard, emphasising the urgent need to strengthen efforts to address the threat of FTFs;

RECOGNISING that FTFs pose a menace to the security and stability of the region and noting that their activities negatively affect tolerance, progress and prosperity as well as social cohesion of all countries in the region;

UNDERLINING the importance of strengthening international cooperation, consistent with applicable international and domestic laws, to address the threat posed by FTFs, including on information sharing, border security, investigations and obtaining evidence, judicial processes, extradition, improving prevention and addressing conditions conducive to the spread of terrorism, countering incitement to commit terrorist acts, preventing radicalisation to terrorism and recruitment of FTFs, disrupting and preventing financial support to FTFs, prosecution and rehabilitation of FTFs, and efforts to reintegrate FTFs and their accompanying family members into society;

RECOGNISING the need to address the linkages between terrorism and transnational organised crime;

DO HEREBY DECIDE TO:

1. **INTENSIFY** our efforts to effectively implement the UNSCR 1373 (2001), 1624 (2005), 2170 (2014), 2178 (2014), 2309 (2016), 2341 (2017), 2354 (2017), and 2396 (2017), as well as the United Nations Global Counter-Terrorism Strategy;
2. **TAKE** measures, consistent with international law, including applicable international human rights law, international refugee law, and international humanitarian law to address all drivers conducive to terrorism, both internal and external, in a balanced manner as set out in the United Nations Global Counter-Terrorism Strategy;
3. **ENHANCE** collaboration, consistent with applicable international and domestic laws, with relevant key stakeholders such as the private sector and civil society, to promote a culture of prevention and to counter the ideological challenges of terrorism and terrorist narratives and propaganda, including through the use of ICTs with the view to support, foster and contribute to local, national, regional and global efforts against terrorism;
4. **ENHANCE** efforts and increase practical work of ASEAN-led mechanisms, including the EAS, ASEAN Regional Forum (ARF) and ASEAN Defence Ministers' Meeting-Plus (ADMM-Plus) and support the implementation of the ASEAN Comprehensive Plan of Action on Counter Terrorism in fighting terrorism and violent extremism with a view to countering the menace of FTFs and returnees, as appropriate, as well as welcome the efforts of the EAS participating countries to increase ASEAN capacity-building in this area;
5. **PROMOTE** and empower public participation, including youth, women, families, religious, cultural and education leaders, and community groups, in strengthening inclusive prevention efforts against terrorism and violent extremism, including to enhance dialogue and broader understanding, promote moderation, respect, pluralism and coexistence, disseminate positive messages of tolerance and alternative narratives, and foster an environment that is not conducive to terrorism;
6. **REAFFIRM** that those responsible for committing or otherwise responsible for terrorist acts must be held accountable and in this regard, EAS participating countries will respectively establish domestic laws and regulations sufficiently robust to provide the ability to prosecute and to penalise the criminal activities of FTFs in a

manner duly reflecting the seriousness of the offence, while respecting applicable international obligations;

7. **STRENGTHEN** inter-agency assistance and cooperation, consistent with applicable international and domestic laws, to support our efforts aimed at countering the incitement and recruitment of others to commit terrorist acts, and effective criminal investigation and prosecution of any person who supports, facilitates, participates or attempts to participate in the financing and fundraising, planning, perpetration, or commission of terrorist acts, or provides safe havens, and including FTFs, including where applicable on the basis of the obligations to extradite or prosecute, under applicable international counter-terrorism conventions and domestic laws, taking note of UNSCRs 2396, 2322 and 1566, among others;
8. **SHARE** information on FTFs in a timely manner, through appropriate channels and arrangements and better utilisation of existing information sharing platforms, such as those provided by Interpol, and consistent with applicable international and domestic laws, especially among our law enforcement, military, intelligence, counter-terrorism, and special services agencies, to better determine the risk FTFs pose, and preventing them from planning, directing and conducting terrorist acts as well as countering the incitement and recruitment of others to commit terrorist acts;
9. **EXCHANGE** information, through bilateral or multilateral mechanisms and in accordance with applicable international and domestic laws, concerning the identity of FTFs, including, as appropriate, FTFs of more than one nationality, with States whose nationality the FTF holds, to ensure that their domestic law enforcement, intelligence, counter-terrorism, and military entities that routinely have access to relevant information, as appropriate, about suspected terrorists, including FTFs;
10. **TAKE** appropriate measures in order to prevent cross-border movement of FTFs, in particular returning or relocating, inter alia by strengthening and reinforcing border control and border security measures and controls on issuance of identity papers and travel documents, as well as by intensifying timely exchange of relevant operational information and financial intelligence regarding actions or movements of terrorists, including FTFs, especially the exchange of information with their countries of origin, residence or nationality, transit, as well as their destination country, through national, bilateral and multilateral mechanisms;
11. **DEVELOP** measures to strengthen border security and information sharing with relevant or concerned States, including the use of Passenger Name Record (PNR) data, Advanced Passenger Information (API), biometrics and watchlists or database of known and suspected terrorists, including FTFs, as appropriate and in accordance with the UNSCR 2396 and applicable international and domestic laws;
12. **REAFFIRM** the need to assess and investigate suspected FTFs as well as their accompanying family members for any involvement in criminal or terrorist activities, consistent with relevant domestic and international law; implement prosecution, rehabilitation and reintegration strategies as part of their national counter-terrorism strategies, while recognising the importance of action by all tiers of government together with civil society and the private sector, when appropriate;

- 13. SUPPORT** each other, through bilateral and multilateral mechanisms, in accordance with applicable international and domestic laws, in obtaining admissible evidence, including digital and physical evidence that can be used to help prosecute and secure the conviction of those who have committed terrorism-related crimes, including FTFs;
- 14. SUPPORT** each other in tackling the illegal activities of transnational criminal groups which may fund and equip FTFs, through robust coordination among law enforcement agencies in the region, both on the ground and in cyberspace, in accordance with applicable international and domestic laws; and
- 15. CONTINUE** to work with the UN and other international and regional institutions and, where appropriate, other relevant centres in ASEAN Member States and other regions to continuously develop strategies, techniques and tactics to explore additional areas of practical cooperation to further strengthen our countries' resilience to threats emerging from terrorism.