



*9th Meeting of the Members of the Southeast European
Prosecutors Advisory Group (SEEPAG)
14 – 15 June 2007, Istanbul, TURKEY
Minutes*

Subject: Financing of terrorism.

Participants: The meeting was attended by representatives from Albania, Bosnia and Herzegovina, Bulgaria, Croatia, FYR of Macedonia, Greece, Moldova, Montenegro, Romania, Serbia, Slovenia, Turkey, EUROJUST, Stability Pact for SEE, USA and the SECI Center - [Annex 1](#).

Opening remarks

Mr. Aykut Kılıç, General Directorate of International Law and Foreign Relations-Turkey, welcomed the participants to the 9th Meeting of the members of the SEEPAG and expressed the wish for a successful meeting. He also greeted the presence in the meeting of the high representative of USA- Mr. George Hardey and Mrs. Suzanne Hayden, Department of Justice, Resident Legal Advisor to SECI Center, Mr. Carlos Zeyen, 1st Deputy State Prosecutor, National Member of Luxembourg to EUROJUST.

Mr. Behçet Tufan Turan, SEEPAG Chairman, Head of Department of International Law and Foreign Relations-Turkey, greeted the participants to the meeting and stressed out the importance of an efficient cooperation in fighting against financing of terrorism. As Turkey, being one of the countries who suffered most from terrorism over the years, has always argued that terror does not have a religion, a geography or a nationality, it cannot be justified by any argument and this threat must be fought without resorting to double standards, in cooperation and solidarity at the international level. So, international cooperation is important issue in the global fight against the financing terrorism and states must help each other as much as possible in exchanging information, extraditing terrorists and providing information via mutual legal assistance. During the meeting, he also continued that Turkey has shown her will to fight against terrorism in both international and national level. As regards international level, Turkey has ratified all of 12 United Nations conventions concerning terrorism with a view to give her support to fight against terrorism. On the other hand, Turkey stands resolute in developing her domestic legislation and making effective use of law enforcement forces against financing terrorism as well as contributing to international cooperation. Finally, he concluded that fight against terrorism is hard and, in terms of the financing of terrorism, prevention and suppression are even more difficult. But, with the strategy set forth by the States, together with determination and consent, we will be able to defeat this scourge that threatens the foundations of civilization.

The Minutes of the 8th SEEPAG Meeting were approved.

The Agenda of the 9th SEEPAG Meeting was approved.

Mrs. Suzanne Hayden, Department of Justice, Resident Legal Advisor to SECI Center, USA- She presented the prosecuting international terrorist financing case. She also mentioned about the similarities and differences between money laundering and financing of terrorism crimes. To illustrate these crimes, following the money is compulsory. Although most of the countries state that terrorist financing is miserable, they do not know how to deal with it. And this is very reasonable as

the procedure of prosecution is very difficult and complicated. Information is also another important issue to find out how terrorists finance themselves. Sometimes, these information can be confidential and be used in trials. [See attached Power Point presentation in Annex 2.](#)

Mr. Carlos Zeyen, 1st Deputy State Prosecutor, National Member of Luxembourg to EUROJUST, -
[See attached Power Point presentation in Annex 3.](#)

In summary, he outlined the followings below:

- . What is Eurojust and its aims?
- Who works there?
- How does it work?
- Eurojust and third countries
- Eurojust and the fight against Terrorism Financing
- Case examples
- The Future

Countries presentations

Albania

Mr. Arqilea Koca, Prosecutor, SEEPAG member, explained the legislation in Albania regarding terrorism and financing of terrorists. Albanian legislative contains all the provisions, necessary for combating against financing of terrorism, both national and international level.

Bosnia and Herzegovina

Mr. Bozo Mihajlovic, Prosecutor, General Prosecutors' Office, presented the regulation on terrorism under the criminal law of Bosnia and Herzegovina. He also emphasized that terrorism and financing of terrorism are global problems that require international cooperation.

Bulgaria

Mr. Tsvetomir Yosifov, prosecutor, Supreme Cassation Public Prosecutor's Office, informed the participants about the Bulgarian legislation about the issue and Bulgarian is ready to cooperate within the SEEPAG.

FYR of Macedonia

Mr. Jovan Ilievski, Chief of the Specialized unit for prosecution of perpetrators of crimes in the field of organized crime and corruption, underlined the gravity of the terrorism threat which overcomes the boundaries of each state and stressed that according to the recent searches there is a tendency for further growth of terrorism financing. He framed the national legislation of Macedonia provided in its Criminal Code, Code for Criminal Procedure and Law on Preventing Money Laundering. He also mentioned about the recent reforms that were undertaken in creating specialized institutional network in Macedonia. He finally stressed the importance of good coordination with high planned intelligence activities among states in the fight against terrorism.

Hellenic Republic

Mr. Dimitrios Gizis, SEEPAG member, pointed out that the order for controlled delivery is given by the prosecutor and authorized in three days by the court. The basic form for the request could be an interesting topic for the further work of SEEPAG.

Moldova

Mrs. Diana Rotundu, SEEPAG member, expressed that the Financing of Terrorism is an important pillar in the fight against terrorism. She described the Moldovan Criminal Code regarding funding and materially ensuring the terrorist acts. In addition, she gave information about Centre for Combating Economic Crimes and Corruption. She stated that her presentation contains more theoretical information than practical or statistics, this is because Republics of Moldova have not any practice in prosecution of the cases on financing of terrorism.

Montenegro

Mrs. Sonja Boskovic, Deputy Chief State Prosecutor, stated that they didn't face any criminal offence regarding terrorism. On the other hand, Montenegro has included in her legislation provisions on preventing of financing terrorism. She also outlined that it is very important to hear experiences and legislation of all SEEPAG members.

Romania

Mrs. Ioana Bodgana Albani, SEEPAG member,

Serbia

Mr. Sasa Radulovic, Deputy Special Prosecutor For Cyber Crime, Office of Special Prosecutor For Cyber Crime, presented the legislative framework and also gave information about law enforcement units in Serbia. Furthermore, he explained the future steps of the Serbia on legislation. According to these legislations, international cooperation will be more effective.

Turkey

Mrs. Hatice Seval Arslan, Judge, General Directorate of International Law and Foreign Relations-Turkey, shared comprehensive presentation, describing the legal framework of terrorism and terrorist financing in Turkey as well as international instruments. She also emphasized the importance of international cooperation and explained the main problems that Turkey faces during her requests for extradition of terrorists.

Mr. Tulga Uyar, Superintendent, Counter Terrorism Department, Ministry of Interior, He prepared exhaustive Power Point presentation. He gave detailed information about terrorist organizations which act in Turkey and shared case examples with participants. He also explained the funds of the terrorist organizations.

Turkey- He presented "Fighting Against Terrorism Financing in Turkey". See attached Power Point presentation in Annex 4.

Mr. Jovan Ilivski, Chief Department for Prosecuting Perpetrators of Organized Crime and Corruption Public Prosecutor Office, See attached Power Point presentation in Annex 5.

Mrs. Sonja Boskovic, Deputy Chief State Prosecutor, State Prosecutors Office, See attached Power Point presentation in Annex 6.

Mr. Sasa Radulovic, Deputy Special Prosecutor For Cyber Crime, Office of Special Prosecutor For Cyber Crime-Serbia, He presented "Terrorist Financing". See attached Power Point presentation in Annex 7.

Mrs. Hatice Seval Arslan, Reporter Judge, General Directorate of International Law and Foreign Affairs-Turkey, She presented "Combat Against Financing of Terrorism in Turkey", See attached Power Point presentation in Annex 4.

The Main Issues Stressed Out In The Countries Presentations

- "Terrorist financing is the act of providing financial support to terrorists or terrorists organization to enable them to carry out terrorist acts" – UN International Convention for the Suppression of Financing of Terrorism. As part of the effort to prevent people and organizations from providing or collecting funds to be used to commit terrorist acts, United Nations General Assembly adopted the [International Convention for the Suppression of the Financing of Terrorism](#) on December 10, 1999.

- It is an offense committed by a person, by any means, directly or indirectly, unlawfully and willfully to provide or collect funds with the intention that such funds be used, or with the knowledge that such funds are to be used in full or in part, to carry out [terrorist acts].

- The objectives and strategies of terror organizations differ. And as it is known, they generally spread their activities to a wide area and make various attempts for financing their activities, proportional to the size of the organization and the scope of their activities.

- As all of us are aware that to accomplish within the scope of struggle against terrorism, financial resources of the terrorists and terrorist organizations, both national and international, should be rooted out. Because, these resources are necessary for terror organizations to carry out their activities.

- Without the money there is no terrorism. Sources of funds can be illegal and legal. The most common illegal sources of funds are drug trafficking, people trafficking, credit card fraud, extortion, robbery, forgery and smuggling.

- Anytime an opportunity or vulnerability is discovered in a system or conduit that will allow the terrorist financier to funnel monies to meet his goals.

- Find the vulnerabilities in any financial system or any business or funding mechanism in which such weaknesses can be exploited by the money launderer or the terrorist financier.
- The international community has made the fight against money laundering and terrorist financing a priority.

- + Protecting the integrity of the international financial system,
- + cutting off the resources available to terrorists, and
- + making it harder for criminals to profit from their crimes

are the goals of this effort.

- As for terrorism generally, terrorist financing is a global problem that requires well-coordinated and multilateral response through various international fora. Many attempts have been made in recent years in international field within this scope and recommendations have been made for cooperation between countries at highest level possible.

- Financial institutions, intelligence units, law enforcement units and also the judicial authorities should work closely and share the information they have in combating crimes. And this cooperation should not be limited within the borders of the country. At an international level, all foreign counterpart units should also work closely and should do their best to uncover the offences.

CLOSING REMARKS

- Financing terrorism and giving financial support to those who are enabling, planning or getting involved in terrorist activities through money laundering, is a global problem that overcomes the boundaries of each state separately.

- Everyone agreed that terrorism is a global problem and in order tackle with this phenomenon the domestic legislation must be effective.

- It is necessary to harmonize the international legislations with international instruments and standards.

- It is not enough to provide the legal structure. We must move from the words to deeds. In this sense International cooperation is the key factor in the achievements for combating terrorism. In order to face the challenges special investigation techniques and sharing information are inevitable.

- The fight against terrorism needs strong commitment, close cooperation and comprehensive approach.

- Gathering evidence is the key step for finalizing terrorist financing cases. In this context Financial Intelligence Units play a crucial role in obtaining evidence. Therefore the cooperation between the FIU's of countries should be enhanced.

Business Sessions

10th SEEPAG Meeting

The next SEEPAG meeting will take place in Romania, the dates preliminarily being set for the 18-19 of October 2007.

→ Proposal by Romania to amend the General Guidelines-Mrs. Ioana Albani, Romanian SEEPAG National Member, is adopted. According to the amendment;

Article 1

1...Republic of Serbia, Montenegro

Article 4

2. The full body of the SEEPAG shall meet at least twice a year in a place agreed upon at the previous meeting.

Article 7

2. If funds are available, the Secretary may be hired and retained under such conditions as the full body of the SEEPAG shall agree.

By approving Romania's proposal to amend Article 7 to the General Guidelines, the member states of SEEPAG do not accept any financial obligations to SEEPAG.

→ Status of country specific orientation seminars and webpage were also discussed.