



## Organization for Security and Co-operation in Europe

Office of the Secretary General  
Action against Terrorism Unit

Vienna, 3 January 2012

**To:** All OSCE Delegations  
Partners for Co-operation

**Subject:** Status in the OSCE area of the Universal Anti-terrorism Conventions and Protocols as well as other international and regional legal instruments related to terrorism or co-operation in criminal matters.

Please find attached the update on the status in the OSCE area of the anti-terrorism conventions and protocols, as of 1 December 2011. This new update includes **Partners for Co-operation** and an explanation of the significance of the **2005 and 2010 Conventions**.

The document contains:

1. Status of the 12 anti-terrorism conventions and protocols which are referred to in the Bucharest Ministerial (2001) decision;
2. Status and significance of the anti-terrorism instruments concluded in 2005 which are included in the Athens Ministerial (2009) decision and discussed also during the workshop in Vienna on 29-30 April 2010;
3. Status and significance of the Beijing Convention and Protocol adopted in 2010;
4. Status of other international and regional legal instruments and co-operation in criminal matters, related to terrorism;
5. Overview of recent ATU activities in support of implementation of UATI;
6. Financial status of ATU projects related to the international legal antiterrorism framework and the co-operation in criminal matters, related to terrorism.

Annex I: Summary of the universal conventions and protocols related to terrorism.

Annex II: Summary of other legal instruments and co-operation in criminal matters, related to terrorism

The charts are based upon information available from the depositaries as specified in this document and are updated on a regular basis. Comments from the delegations should be addressed to the Action against Terrorism Unit (ATU):

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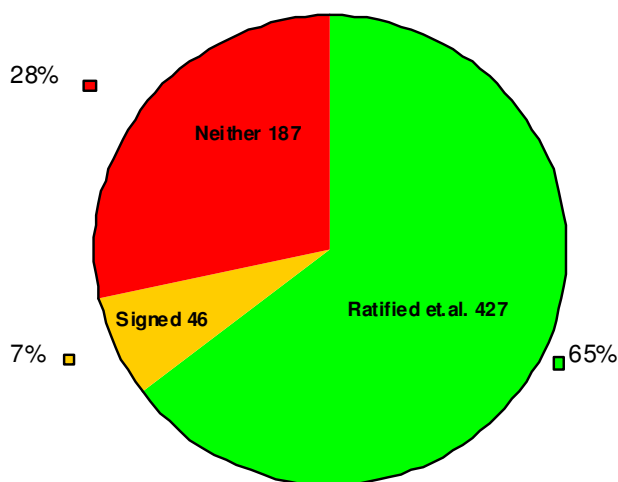
## I. Status of the 12 anti-terrorism conventions and protocols

In the Bucharest Plan of Action for Combating Terrorism the participating States pledged themselves to become party to the 12 anti-terrorism conventions and protocols by 31 December 2002 to the extent possible. By that time, 20 out of the 55 participating States (i.e. 36%) had become party to all 12 universal anti-terrorism instruments (UATI).

The current 56 participating States and the 12 UATI form a ratification matrix numbering 672 items. Out of those, as of 1 December 2011, 646 were ratified, acceded to, etc. (96,1 %) and 1 signed (0,1 %), leaving 25 neither ratified nor signed (3,7 %). After 11 September 2001 and the adoption of the Bucharest Plan of Action, 219 items have been ratified et al, indicating 31 % rise in ratification (from 65% to 96 %). There have been no changes since the previous reporting period (January – July 2011.)

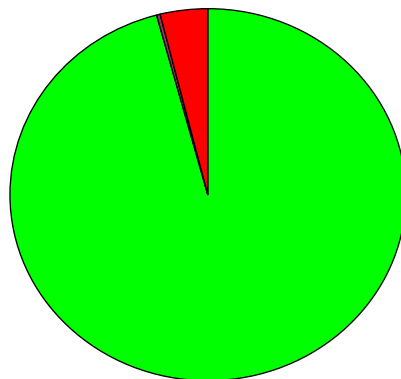
A total of 52 participating States (i.e. 93%) are party to all 12 UATI. The comparative status as of 11 September 2001 and 1 December 2011 is illustrated in the charts below.

### Status of 12 UATI in the OSCE area, as of 11 September 2001



Total number of items 660

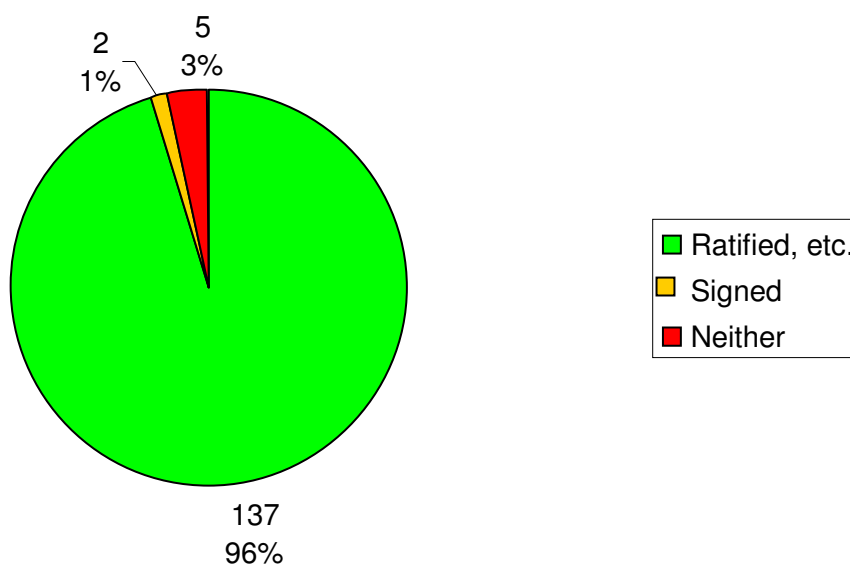
**Status of 12 UATI in the OSCE area,  
as of 1 December 2011**



Total number of items 672

The status in the OSCE **Partners for Co-operation** is reflected in the graphic and table below. The 12 Partners for Co-operation and the 12 UATI form a ratification matrix numbering 144 items. As of 1 December 2011, 137 items were ratified, acceded to, etc. (96%), 2 signed (1%) and 5 neither ratified nor signed (3%). Overall, 8 out of the 12 Partners for Co-operation are party to all 12 UATI.

**Status of 12 UATI in the Partners for Co-operation,  
as of 1 December 2011**



Total number of items 144

The OSCE ATU regularly assesses the status<sup>1</sup> of the universal anti-terrorism conventions and protocols in the OSCE area, circulates updates and informs about progress in Counter-Terrorism Network newsletters.

Furthermore, in co-operation with the United Nations Office on Drugs and Crime (UNODC), technical assistance can be provided to participating States and Partners for Co-operation, upon their request and following OSCE procedures, which will enhance their capabilities to review existing legislation or draft new legislation necessary to ratify the UATI. In partnership with UNODC, OSCE (ATU, Office for Democratic Institutions and Human Rights - ODIHR and field operations) organizes workshops on UATI and their legislative implementation at national and sub-regional level. Listed below are possible types of assistance the ATU and the ODIHR, also in co-operation with UNODC, can provide upon request:

- Expert review of existing anti-terrorism legislation;
- Technical assistance in ratification of conventions and protocols;
- Assistance in submission of reports to the United Nations Counter Terrorism Committee pursuant to United Nations Security Council Resolution 1373 (2001);
- Assistance in drafting legislation in order to comply with international obligations related to anti-terrorism, including conventions, protocols and Security Council resolutions.

For further details related to ODIHR, please find the contact information below:

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<sup>1</sup> This information is collated from depositary sources. It is designed to facilitate the determination of the overall status of ratification of the universal anti-terrorism conventions and protocols by the participating States and Partners for Co-operation of the Organization for Security and Co-operation in Europe (OSCE). The accuracy of the information portrayed herein relies on the data provided by the pertinent depositary bodies of each convention (i.e., the United Nations, the International Civil Aviation Organization, the International Maritime Organization, the International Atomic Energy Agency and the Council of Europe), not the OSCE or its Secretariat, with the exception of unintended errors made during the collation. The document is periodically revised and/or corrected, pending the availability of updated information and/or requests for correction. With respect to requests to modify information on the relevant internet sites the participating States are encouraged to inform the authorities of the concerned depositary body, in order to address the matter. With regard to requests for modification of errors made during the collation, the Action against Terrorism Unit (ATU) of the Secretariat should be contacted. For the purpose of examining the data provided by the depositary bodies, a list of the conventions and protocols, their depositaries, and the locations of the relevant documents on the Internet are listed in Annex I and Annex II.

## Status in the OSCE area of the 12 Universal Anti-terrorism Conventions and Protocols

P = Party    Instrument: (R) Ratification    (a) accession    (s) succession    (A) Acceptance    (AA) Approval

CONVENTIONS AND PROTOCOLS	1. Offences and Certain Other Acts Committed on Board Aircraft (1963)	2. Suppression of Unlawful Seizure of Aircraft (1970)	3. Suppression of Unlawful Acts against the Safety of Civil Aviation (1971)	4. Prevention and Punishment of Crimes against Internationally Protected Persons (1973)	5. Against the Taking of Hostages (1979)	6. Physical Protection of Nuclear Material (1979)	7. Suppression of Unlawful Acts of Violence at Airports Serving Intl. Civil Aviation, supp. to 1971 Convention	8. Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988)	9. Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (1988)	10. Marking of Plastic Explosives for the Purpose of Detection (1991)	11. Suppression of Terrorist Bombings (1997)	12. Suppression of the Financing of Terrorism (1999)	Party (out of 12)	Signed (out of 12)	Neither (out of 12)
Albania	P	P	P	P (a)	P (a)	P (a)	P	P	P	P	P (a)	P (R)	12		
Andorra	P (a)	P (a)	P (a)	P (a)	P (a)	P (a)	P (a)	P	P	P (a)	P (a)	P (R)	12		
Armenia	P	P	P	P (a)	P (a)	P (a)	P	P (a)	P (a)	P (a)	P (a)	P (R)	12		
Austria	P	P	P	P (a)	P (R)	P (R)	P	P (R)	P (a)	P (R)	P (R)	P (R)	12		
Azerbaijan	P	P	P	P (a)	P (a)	P (a)	P	P	P	P (a)	P (a)	P (R)	12		
Belarus	P	P	P	P (R)	P (a)	P (s)	P	P	P	P(AA)	P (R)	P (R)	12		
Belgium	P	P	P	P (a)	P (R)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
BiH	P	P	P	P (s)	P (s)	P (s)	P	P	P	P (a)	P (a)	P (R)	12		
Bulgaria	P	P	P	P (R)	P (a)	P (R)	P	P (R)	P (R)	P (R)	P (a)	P (R)	12		
Canada	P	P	P	P (R)	P (R)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
Croatia	P	P	P	P (s)	P (s)	P (s)	P	P (R)	P (R)	P (a)	P (a)	P (R)	12		
Cyprus	P	P	P	P (a)	P (a)	P (a)	P	P (a)	P (a)	P (a)	P (R)	P (R)	12		
Czech Rep.	P	P	P	P (s)	P (s)	P (s)	P	P (R)	P (R)	P (s)	P (R)	P (R)	12		
Denmark	P	P	P	P (R)	P (a)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
Estonia	P	P	P	P (a)	P (a)	P (a)	P	P	P	P (a)	P (R)	P (R)	12		
Finland	P	P	P	P (R)	P (R)	P (A)	P	P (R)	P (a)	P (A)	P (A)	P (A)	12		
France	P	P	P	P (a)	P (a)	P(AA)	P	P(AA)	P(AA)	P (R)	P (R)	P (R)	12		
Georgia	P	P	P	P (a)	P (a)	P (a)	P	P	P	P (a)	P (a)	P (R)	12		
Germany	P	P	P	P (R)	P (R)	P (R)	P	P (a)	P (a)	P (R)	P (R)	P (R)	12		
Greece	P	P	P	P (a)	P (R)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
Holy See	Signed	-	-	-	-	-	-	-	-	-	-	-		1	11
Hungary	P	P	P	P (R)	P (a)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
Iceland	P	P	P	P (R)	P (a)	P (a)	P	P	P	P (a)	P (R)	P (R)	12		
Ireland	P	P	P	P (a)	P (a)	P (R)	P	P	P	P (a)	P (R)	P (R)	12		
Italy	P	P	P	P (R)	P (R)	P (R)	P	P (R)	P (R)	P (a)	P (R)	P (R)	12		
Kazakhstan	P	P	P	P (a)	P (a)	P (a)	P	P	P	P (a)	P (a)	P (a)	12		
Kyrgyzstan	P	P	P	P (a)	P (a)	-	P	-	-	P (a)	P (a)	P (a)	9		3
Latvia	P	P	P	P (a)	P (a)	P (a)	P	P	P	P (a)	P (a)	P (R)	12		
Liechtenstein	P	P	P	P (a)	P (a)	P (R)	P	P	P	P (a)	P (a)	P (R)	12		
Lithuania	P	P	P	P (a)	P (a)	P (a)	P	P	P	P (a)	P (R)	P (a)	12		
Luxembourg	P	P	P	P (a)	P (R)	P (R)	P	P	P	P (a)	P (R)	P (R)	12		
Malta	P	P	P	P (a)	P (a)	P (a)	P	P (a)	P (a)	P (a)	P (a)	P (R)	12		
Monaco	P	P	P	P (a)	P (a)	P (a)	P	P	P	P (a)	P (R)	P (R)	12		
Montenegro	P	P (s)	P (s)	P (s)	P (s)	P (s)	P (s)	P	P	-	P (s)	P (s)	11		1
Netherlands	P	P	P	P (a)	P (R)	P (A)	P	P (A)	P (A)	P (R)	P (A)	P (A)	12		
Norway	P	P	P	P (R)	P (R)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
Poland	P	P	P	P (R)	P (a)	P (R)	P (R)	P (R)	P (R)	P (a)	P (R)	P (R)	12		
Portugal	P	P	P	P (a)	P (R)	P (R)	P	P (a)	P (a)	P (a)	P (R)	P (R)	12		
Rep. Moldova	P	P	P	P (a)	P (a)	P (a)	P	P (a)	P (a)	P (a)	P (a)	P (R)	12		
Romania	P	P	P	P (R)	P (a)	P (R)	P	P (a)	P (a)	P (a)	P (R)	P (R)	12		
Russian Fed.	P	P	P	P (R)	P (a)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
San Marino	-	-	-	-	-	-	-	-	-	-	P (a)	P (R)	2		10
Serbia	P	P	P	P (s)	P (s)	P (s)	P	P	P	P (a)	P (a)	P (R)	12		
Slovakia	P	P	P	P (s)	P (s)	P (s)	P	P (a)	P (a)	P (s)	P (R)	P (R)	12		
Slovenia	P	P	P	P (s)	P (s)	P (s)	P	P	P	P (a)	P (R)	P (R)	12		
Spain	P	P	P	P (a)	P (a)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
Sweden	P	P	P	P (R)	P (R)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
Switzerland	P	P	P	P (a)	P (R)	P (R)	P	P (R)	P (R)	P (R)	P (a)	P (R)	12		
Tajikistan	P	P	P	P (a)	P (a)	P (a)	P	P (R)	P (R)	P (R)	P (a)	P (R)	12		
The fYRoM	P	P	P	P (s)	P (s)	P (s)	P	P	P	P (a)	P (R)	P (R)	12		
Turkey	P	P	P	P (a)	P (a)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
Turkmenistan	P	P	P	P (a)	P (a)	P (a)	P	P (a)	P (a)	P (a)	P (R)	P (a)	12		
Ukraine	P	P	P	P (R)	P (a)	P (a)	P	P (R)	P (R)	P (R)	P (a)	P (R)	12		
UK	P	P	P	P (R)	P (R)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
USA	P	P	P	P (R)	P (R)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	12		
Uzbekistan	P	P	P	P (a)	P (a)	P (a)	P	P (a)	P (a)	P (a)	P (R)	P (R)	12		

Statistics for 12 UATI    672 : 646 1 25

52 OSCE participating States are party to all 12 UATI  
which were subject of the initial OSCE Bucharest  
Ministerial (2001) commitment

## Status in the OSCE Partners for Co-operation of the 12 Universal Anti-terrorism Conventions and Protocols

P = Party Instrument: (R) Ratification (a) accession (s) succession (A) Acceptance (AA) Approval

CONVENTIONS AND PROTOCOLS	1. Offences and Certain Other Acts Committed on Board Aircraft (1963)	2. Suppression of Unlawful Seizure of Aircraft (1970)	3. Suppression of Unlawful Acts against the Safety of Civil Aviation (1971)	4. Prevention and Punishment of Crimes against Internationally Protected Persons (1973)	5. Against the Taking of Hostages (1979)	6. Physical Protection of Nuclear Material (1979)	7. Suppression of Unlawful Acts of Violence at Airports Serving Intl. Civil Aviation, supp. to 1971 Convention	8. Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988)	9. Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (1988)	10. Marking of Plastic Explosives for the Purpose of Detection (1991)	11. Suppression of Terrorist Bombings (1997)	12. Suppression of the Financing of Terrorism (1999)	Party (out of 12)	Signed (out of 12)	Neither (out of 12)
Afghanistan	P	P	P (a)	P (a)	P (a)	P (a)	-	P (a)	P (a)	P	P (a)	P (a)	11		1
Algeria	P	P (a)	P (a)	P (a)	P (a)	P (a)	P	P (a)	P (a)	P (a)	P	P	12		
Australia	P	P	P	P	P (a)	P (R)	P	P (a)	P (a)	P (a)	P (a)	P	12		
Egypt	P	P (a)	P	P (a)	P	-	P	P (a)	P (a)	P	P	P	11		1
Israel	P	P	P	P (a)	Signed	P (R)	P	P (a)	P (a)	Signed	P	P	10	2	
Japan	P	P	P (a)	P (a)	P	P (a)	P	P (a)	P (a)	P (a)	P (A)	P (A)	12		
Jordan	P	P	P	P (a)	P (a)	P (a)	P	P (a)	P (a)	P	P	P	12		
Mongolia	P	P	P	P	P (a)	P (R)	P	P (a)	P (a)	P (a)	P (a)	P	12		
Morocco	P	P (a)	P (a)	P (a)	P (a)	P (R)	P	P (a)	P (a)	P (a)	P (a)	P	12		
Republic of Korea	P	P (a)	P (a)	P (a)	P (a)	P (R)	P	P (a)	P (a)	P	P	P	12		
Thailand	P	P	P (a)	P (a)	P (a)	-	P	-	-	P (a)	P (a)	P	9		3
Tunisia	P	P (a)	P (a)	P	P (a)	P (a)	P	P (a)	P (a)	P (a)	P (a)	P	12		

Statistics for 12 UATI 144 : 137 2 5

8 OSCE Partners for Co-operation are party to all 12 UATI which were subject of the initial OSCE Bucharest Ministerial (2001) commitment

## II. Status and significance of the four universal anti-terrorism instruments concluded in 2005

The following four universal anti-terrorism instruments were concluded in 2005:

- [International Convention for the Suppression of Acts of Nuclear Terrorism](#),
- [Amendment to the Convention on the Physical Protection of Nuclear Material](#),
- [Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation](#),
- [Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf](#).

The OSCE participating States have adopted a number of commitments with regard to these instruments. In a Statement on the International Convention for the Suppression of Acts of Nuclear Terrorism MC.DOC/1/05 Ministers encouraged “the implementation of all the necessary measures to ratify, accept, approve or otherwise become parties to this International Convention in the shortest possible time”. Up to now 35 participating States have become party to this convention and 19 signed it, but not yet ratified. In Athens the Ministerial Council called on OSCE participating States to consider becoming party to the 2005 Amendment and Protocols, and to fully implement their provisions.

This Convention is the first UN Treaty designed to prevent terrorist attacks using weapons of mass destruction. It provides a legal basis for international co-operation in the investigation, prosecution and extradition of terrorists using radioactive or nuclear material.

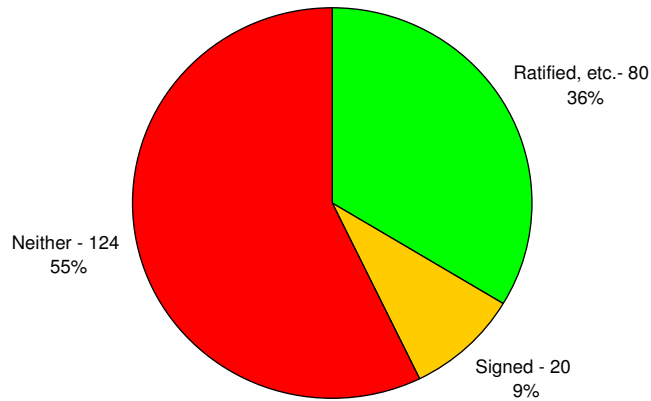
The Amendment to the Convention expands the scope of the Convention to the physical protection of nuclear material in domestic use, in storage and during transport, and of nuclear facilities used for peaceful purposes. It also contains provisions for enhanced inter-State co-operation vis-à-vis measures to locate and recover stolen or smuggled nuclear material.

The Protocol to the Maritime Convention criminalizes the use of vessels to commit acts of terrorism, and the transport on board of materials for terrorist use and of persons who have committed an act of terrorism.

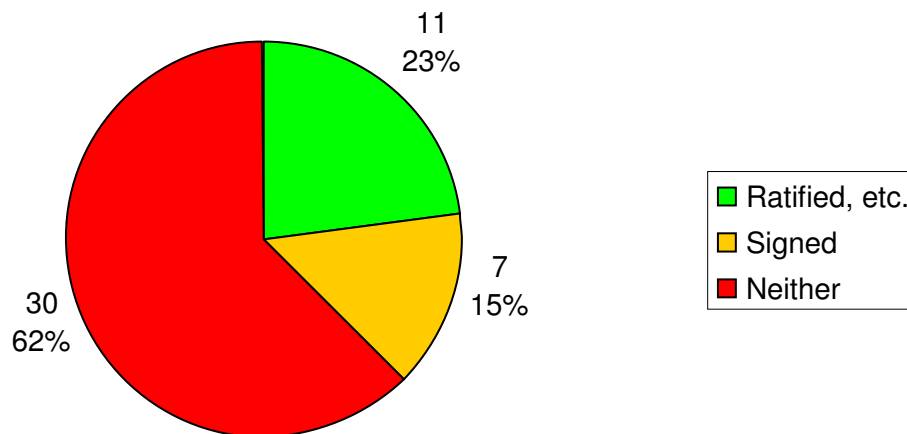
Finally, the Protocol to the Fixed Platform Protocol adapts these changes to the context of fixed platforms on the continental shelf.

These four universal anti-terrorism instruments have not been part of the initial Bucharest OSCE commitment regarding 12 UATI and therefore their status is reflected in a separate chart and matrix below.

**Status in the OSCE area of the four universal anti-terrorism instruments concluded in 2005, as of 1 December 2011**



**Status in the OSCE Partners for Co-operation of the four universal anti-terrorism instruments concluded in 2005, as of 1 December 2011**



## Status in the OSCE area of the 4 Universal Anti-terrorism Conventions and Protocols, concluded in 2005

P = Party Instrument: (R) Ratification (a) accession (s) succession (A) Acceptance (AA) Approval

CONVENTIONS AND PROTOCOLS	1. International Convention for the Suppression of Acts of Nuclear Terrorism (2005)	2. Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (2005)	3. Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (2005)	4. Amendment to the Convention on the Physical Protection of Nuclear Material (2005)	Party (out of 4)	Signed (out of 4)	Neither (out of 4)
Albania	Signed	-	-	-		1	3
Andorra	Signed	-	-	-		1	3
Armenia	P (R)	-	-	-	1		3
Austria	P (R)	P	P	P (R)	4		
Azerbaijan	P (R)	-	-	-	1		3
Belarus	P (R)	-	-	-	1		3
Belgium	P (R)	-	-	-	1		3
BiH	Signed	-	-	P (R)	1	1	2
Bulgaria	Signed	P	P	P (R)	3	1	
Canada	Signed	-	-	-		1	3
Croatia	P (R)	-	-	P (AA)	2		2
Cyprus	P (R)	-	-	-	1		3
Czech Rep.	P (R)	-	-	<b>P (A)</b>	2		2
Denmark	P (R)	-	-	P (AA)	2		2
Estonia	Signed	P	P	P (R)	3	1	
Finland	P (A)	-	-	<b>P (A)</b>	2		2
France	Signed	-	-	-		1	3
Georgia	P (a)	-	-	-	1		3
Germany	P (R)	-	-	P (R)	2		2
Greece	Signed	-	-	-		1	3
Holy See	-	-	-	-			4
Hungary	P (R)	-	-	P (R)	2		2
Iceland	Signed	-	-	-		1	3
Ireland	Signed	-	-	-		1	3
Italy	Signed	-	-	-		1	3
Kazakhstan	P (R)	-	-	P (R)	2		2
Kyrgyzstan	P (R)	-	-	-	1		3
Latvia	P (R)	P	P	P (A)	4		
Liechtenstein	P (R)	P	P	P (R)	4		
Lithuania	P (R)	-	-	P (R)	2		2
Luxembourg	P (R)	-	-	-	1		3
Malta	Signed	-	-	-		1	3
Monaco	Signed	-	-	-		1	3
Montenegro	Signed	-	-	-		1	3
Netherlands	<b>P (A)</b>	P	P	<b>P (A)</b>	4		
Norway	P (A)	-	-	P (AA)	2		2
Poland	P (R)	-	-	P (R)	2		2
Portugal	Signed	-	-	<b>P (R)</b>	1	1	2
Rep. Moldova	P (R)	-	-	P (R)	2		2
Romania	P (R)	-	-	P (R)	2		2
Russian Fed.	P (R)	-	-	P (A)	2		2
San Marino	-	-	-	-			4
Serbia	P (R)	P	-	-	2		2
Slovakia	P (R)	-	-	-	1		3
Slovenia	P (R)	-	-	P (A)	2		2
Spain	P (R)	P	P	P (A)	4		
Sweden	Signed	-	-	-		1	3
Switzerland	P (R)	P	P	P (R)	4		
Tajikistan	Signed	-	-	-		1	3
The fYRoM	P (R)	-	-	-	1		3
Turkey	Signed	P	Signed	-	1	2	1
Turkmenistan	P (a)	-	-	P (A)	2		2
Ukraine	P (R)	-	-	P (R)	2		2
UK	P (R)	-	-	P (R)	2		2
USA	Signed	-	-	-		1	3
Uzbekistan	P (a)	-	-	-	1		3

Statistics for four 2005 instruments 224:

80            20            124

*Note: changes for this reporting period are highlighted in bold*

## Status in the OSCE Partners for Co-operation of the 4 Universal Anti-terrorism Conventions and Protocols, concluded in 2005

P = Party Instrument: (R) Ratification (a) accession (s) succession (A) Acceptance (AA) Approval

CONVENTIONS AND PROTOCOLS	1. International Convention for the Suppression of Acts of Nuclear Terrorism (2005)	2. Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (2005)	3. Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (2005)	4. Amendment to the Convention on the Physical Protection of Nuclear Material (2005)	Party (out of 4)	Signed (out of 4)	Neither (out of 4)
Afghanistan	Signed	-	-	-		1	3
Algeria	P (a)	P (a)	P (a)	P (R)	4		
Australia	Signed	-	-	P (R)	1	1	2
Egypt	Signed	-	-	-		1	3
Israel	Signed	-	-	-		1	3
Japan	P (A)	-	-	-	1		3
Jordan	Signed	-	-	P (A)	1	1	2
Mongolia	P	-	-	-	1		3
Morocco	P	-	-	-	1		3
Republic of Korea	Signed	-	-	-		1	3
Thailand	Signed	-	-	-		1	3
Tunisia	P (a)	-	-	P (A)	2		2

Statistics for four 2005 instruments 48: 11 7 30

### III. Status and significance of the Beijing Convention and Protocol adopted in 2010

On 10 September 2010, two new instruments on the security of civil aviation were adopted at the Beijing International Law Conference organized under the auspices of the ICAO, the [Beijing Convention](#) (replacing the 1971 Montreal Convention) and the [Beijing Protocol](#) (amending the 1970 Hague Convention.)

The Convention and the Protocol are not yet into force. To date, 23 States have signed both instruments, among them six OSCE participating States (Cyprus, Czech Republic, France, Spain, the United Kingdom and the United States) and one Partner for Co-operation (the Republic of Korea).

The adoption of the Beijing Convention and Protocol is a significant development in international counter-terrorism and aviation law. These new instruments update the existing Conventions in light of the September 11, 2001 terrorist attacks and the developments in counter-terrorism law in the past decades. The Beijing Convention provides for key new offenses such as:

- using an aircraft as a weapon;
- using weapons of mass destruction or dangerous substances against, on, or from an aircraft; and
- transporting dangerous materials.

The instruments also provide for:

- new ancillary offenses, expanded jurisdiction, and strengthened extradition and mutual assistance regimes;
- a “fugitives offense” which criminalizes any assistance to persons evading investigation, prosecution, or punishment, knowing that he or she has committed one of the offenses or is wanted for prosecution or to serve a sentence; and
- a “conspiracy” or “association de malfaiteurs” offense which criminalizes the planning of an offense in conjunction with others. This is the first time a UN counter-terrorism convention has included such a provision, which is designed to allow enforcement officers to apprehend and prosecute offenders before terrorist attacks can be carried out.

**Status in the OSCE area of the Beijing Convention and Protocol,  
concluded in 2010**

CONVENTIONS AND PROTOCOLS	1. Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (2010)	2. Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (2010)	Party (out of 2)	Signed (out of 2)	Neither (out of 2)
Albania	-	-			2
Andorra	-	-			2
Armenia	-	-			2
Austria	-	-			2
Azerbaijan	-	-			2
Belarus	-	-			2
Belgium	-	-			2
BiH	-	-			2
Bulgaria	-	-			2
Canada	-	-			2
Croatia	-	-			2
Cyprus	Signed	Signed		2	
Czech Rep.	Signed	Signed		2	
Denmark	-	-			2
Estonia	-	-			2
Finland	-	-			2
France	Signed	Signed		2	
Georgia	-	-			2
Germany	-	-			2
Greece	-	-			2
Holy See	-	-			2
Hungary	-	-			2
Iceland	-	-			2
Ireland	-	-			2
Italy	-	-			2
Kazakhstan	-	-			2
Kyrgyzstan	-	-			2
Latvia	-	-			2
Liechtenstein	-	-			2
Lithuania	-	-			2
Luxembourg	-	-			2
Malta	-	-			2
Monaco	-	-			2
Montenegro	-	-			2
Netherlands	-	-			2
Norway	-	-			2
Poland	-	-			2
Portugal	-	-			2
Rep. Moldova	-	-			2
Romania	-	-			2
Russian Fed.	-	-			2
San Marino	-	-			2
Serbia	-	-			2
Slovakia	-	-			2

Slovenia	-	-			2
Spain	Signed	Signed		2	
Sweden	-	-			2
Switzerland	-	-			2
Tajikistan	-	-			2
The fYRoM	-	-			2
Turkey	-	-			2
Turkmenistan	-	-			2
Ukraine	-	-			2
UK	Signed	Signed		2	
USA	Signed	Signed		2	
Uzbekistan	-	-			2

### **Status in the OSCE Partners for Co-operation of the Beijing Convention and Protocol, concluded in 2010**

CONVENTIONS AND PROTOCOLS	1. Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (2010)	2. Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (2010)	Party (out of 2)	Signed (out of 2)	Neither (out of 2)
Afghanistan	-	-			2
Algeria	-	-			2
Australia	-	-			2
Egypt	-	-			2
Israel	-	-			2
Japan	-	-			2
Jordan	-	-			2
Mongolia	-	-			2
Morocco	-	-			2
Republic of Korea	Signed	Signed		2	
Thailand	-	-			2
Tunisia	-	-			2

## **IV. Status of other international and regional legal instruments related to terrorism or co-operation in criminal matters**

In line with the Forum for Security Co-operation decision (FSC.DEC/4/06) of 5 July 2006 ATU participated in preparing an overview of participating States' submissions on the OSCE Code of Conduct Questionnaire. Many States reflected their being party to regional instruments related to terrorism and international co-operation in criminal matters. The latter are essential to legal co-operation in criminal matters to counter terrorism, which is required by the UN Security Council resolutions 1373, 1566 and 1624, and which the OSCE committed to promote in the Ljubljana Ministerial decision (MC.DEC/4/05).

In addition to the 18 UATI, other international treaties provide also with a legal framework to combat terrorism and particularly to co-operate in criminal matters against terrorism. The ATU prepared an additional table below, including into it the UN Convention against Transnational Organized Crime and legal treaties concluded in the framework of the Council of Europe. Information collated in the table is collected from the submissions on the OSCE Code of Conduct Questionnaire and supplemented with information from depositary bodies. Any corrections or additional information should be communicated to ATU so that it could be included in the next update.

## Status in the OSCE area of other international and regional legal instruments related to terrorism or co-operation in criminal matters

P = Party Instrument: (R) Ratification (a) accession (s) succession (A) Acceptance (AA) Approval

\* - not yet in force; \*\* - the participating State is not a Member State of the Council of Europe; \*\*\* - ratification by this State is necessary for entry of the treaty into force

CONVENTIONS AND PROTOCOLS	1. UN Convention Against Transnational Organized Crime (2000)	2. European Convention on the Suppression of Terrorism (1977) CETS No. 090	3. Protocol amending the European Convention on the Suppression of Terrorism (2003) CETS No. 190*	4. European Convention on Extradition (1957) CETS No. 024	5. Additional Protocol to the European Convention on Extradition (1975) CETS No. 086	6. Second Additional Protocol to the European Convention on Extradition (1978) CETS No. 098	7. European Convention on Mutual Legal Assistance in Criminal Matters (1959) CETS No. 030	8. Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (1978) CETS No. 099	9. Second Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (2001) CETS No. 182	10. European Convention on the Transfer of Proceedings in Criminal Matters (1972) CETS No. 073	11. Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (1990) CETS No. 141	12. Council of Europe Convention on the Prevention of Terrorism (2005) CETS No. 196	13. Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (2005) CETS No. 198	14. Convention on Cybercrime (2001) CETS No. 185
Albania	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)
Andorra	<b>P (R)</b>	Signed	Signed	P (R)	P (R)	-	P (R)	-	-	-	P (R)	P (R)	-	-
Armenia	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	Signed	P (R)	P (R)
Austria	P (R)	P (R)	Signed***	P (R)	-	P (R)	P (R)	P (R)	-	P (R)	P (R)	P (R)	Signed	Signed
Azerbaijan	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	-	Signed	P (R)	Signed	-	P (R)
Belarus	P (R)	**	**	**	**	**	**	**	**	**	**	**	**	**
Belgium	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	Signed	P (R)	Signed	P (R)	Signed
BiH	P (R)	P (R)	Signed***	P (R)	P (R)	P (R)	P (R)	-	P (R)	P (R)	P (s)	P (R)	P (R)	P (R)
Bulgaria	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	Signed	P (R)
Canada	P (R)	**	**	**	**	**	**	**	**	**	**	**	**	Signed
Croatia	P (R)	P (R)	P (R)	P (a)	P (a)	P (a)	P (R)	P (R)	P (R)	Signed	P (R)	P (R)	P (R)	P (R)
Cyprus	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)
Czech Rep.	Signed	P (R)	Signed***	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	-	-	Signed
Denmark	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	-	P (R)
Estonia	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	-	P (R)
Finland	P (R)	P (R)	P (R)	P (a)	-	P (a)	P (a)	P (a)	Signed	-	P (a)	P (R)	Signed	P (R)
France	P (R)	P (R)	P (R)	P (R)	-	-	P (R)	P (R)	Signed	-	P (R)	P (R)	Signed	P (R)
Georgia	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	-	-	P (R)	Signed	-	Signed
Germany	P (R)	P (R)	<b>P (R)</b>	P (R)	-	P (R)	P (R)	P (R)	Signed	-	P (R)	P (R)	-	P (R)
Greece	P (R)	P (R)	Signed***	P (R)	Signed	Signed	P (R)	P (R)	Signed	Signed	P (R)	Signed	Signed	Signed
Holy See	-	**	**	**	**	**	**	**	**	**	**	**	**	**
Hungary	P (R)	P (R)	Signed***	P (R)	P (R)	P (R)	P (R)	P (R)	Signed	Signed	P (R)	P (R)	P (R)	P (R)
Iceland	P (R)	P (R)	Signed***	P (R)	P (R)	P (R)	P (R)	P (R)	Signed	Signed	P (R)	Signed	Signed	P (R)
Ireland	P (R)	P (R)	Signed***	P (R)	-	-	P (R)	P (R)	<b>P (R)</b>	-	P (R)	Signed	-	Signed
Italy	P (R)	P (R)	Signed***	P (R)	-	P (R)	P (R)	P (R)	-	Signed	P (R)	Signed	Signed	P (R)
Kazakhstan	P (R)	**	**	**	**	**	**	**	**	**	**	**	**	**
Kyrgyzstan	P (R)	**	**	**	**	**	**	**	**	**	**	**	**	**
Latvia	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)
Liechtenstein	P (R)	P (R)	P (R)	P (a)	P (R)	-	P (a)	-	-	P (R)	P (R)	-	-	Signed
Lithuania	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	Signed	-	P (R)
Luxembourg	P (R)	P (R)	P (R)	P (R)	P (R)	-	P (R)	P (R)	Signed	Signed	P (R)	Signed	Signed	Signed
Malta	P (R)	P (R)	Signed***	P (R)	P (R)	P (R)	P (R)	Signed	Signed	-	P (R)	Signed	P (R)	Signed
Monaco	P (R)	P (R)	***	P (R)	P (R)	P (R)	P (R)	-	-	-	P (a)	-	-	-
Montenegro	P (s)	P (R)	P (R)	P (a)	P (a)	P (a)	P (a)	P (a)	P (R)	P (a)	P (R)	P (R)	P (R)	P (R)
Netherlands	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)
Norway	P (R)	P (R)	P	P (R)	P (R)	P (R)	P (R)	P (R)	Signed	P (R)	P (R)	P (R)	-	P (R)
Poland	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	-	P (R)	P (R)	P (R)	Signed
Portugal	P (R)	P (R)	Signed***	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	Signed	P (R)	Signed	P (R)	P (R)
Rep. Moldova	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	-	P (R)	P (R)	P (R)	P (R)	P (R)
Romania	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)
Russian Fed.	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	-	P (R)	P (R)	P (R)	Signed	-
San Marino	P (R)	P (R)	Signed***	P (R)	-	-	P (R)	-	-	-	P (R)	Signed	P (R)	-
Serbia	P (R)	P (R)	P (R)	P (a)	P (a)	P (a)	P (a)	P (a)	P (R)	P (a)	P (R)	P (R)	P (R)	P (R)
Slovakia	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)
Slovenia	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	Signed	Signed	P (R)	P (R)	P (R)	P (R)
Spain	P (R)	P (R)	Signed***	P (R)	P (R)	P (R)	P (R)	P (R)	-	P (R)	P (R)	P (R)	P (R)	P (R)
Sweden	P (R)	P (R)	Signed***	P (R)	P (R)	P (R)	P (R)	P (R)	Signed	P (R)	P (R)	P (R)	Signed	Signed
Switzerland	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	Signed	P (R)	-	P (R)	-	-	<b>P (R)</b>
Tajikistan	P (R)	**	**	**	**	**	**	**	**	**	**	**	**	**
The fYRoM	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)
Turkey	P (R)	P (R)	P (R)	P (R)	-	P (R)	P (R)	P (R)	-	P (R)	P (R)	Signed	Signed	<b>Signed</b>
Turkmenistan	P (a)	**	**	**	**	**	**	**	**	**	**	**	**	**
Ukraine	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	P (R)	<b>P (R)</b>	P (a)	P (R)	P (R)	P (R)	P (R)
UK	P (R)	P (R)	Signed***	P (R)	-	P (R)	P (R)	P (R)	P (R)	-	P (R)	Signed	-	P (R)
USA	P (R)	**	**	**	**	**	**	**	**	**	**	**	**	P (R)
Uzbekistan	P (R)	**	**	**	**	**	**	**	**	**	**	**	**	**

Note: changes for this reporting period are highlighted in bold

## **V. Overview of recent ATU activities in support of implementation of UATI**

On 24-25 November 2011, the ATU, the OSCE Centre in Bishkek and the UNODC Terrorism Prevention Branch held a workshop in Bishkek on the implementation of UATI in partnership with the Anti-Terrorist Centre of the State Committee for National Security of Kyrgyzstan. The event was attended by more than thirty participants from government agencies, the Office of the Prosecutor and Parliament. Discussions focused on the implementation of recommendations adopted at a previous workshop aimed at aligning key national legislation with the UATI and at easing the process of ratifying them.

On 27-29 September, ATU in co-operation with UNODC and OCEEA held a sub-regional workshop on “Preventing and Countering the Financing of Terrorism” in Chisinau. The event gathered more than 50 experts from Eastern and South-Eastern Europe and the South Caucasus. Participants included representatives from law enforcement agencies, prosecutors, experts from financial intelligence units and Government officials from Ministries of the Interior, Justice and Finance. Discussions focused on the adoption of international conventions on combating the financing of terrorism, implementation in national legislation and practical use in the national context. The workshop was funded by Liechtenstein, Romania, Spain and the United States.

On 13-14 December, ATU, OCEEA, the UNODC Terrorism Prevention Branch and the Romanian Ministry of Foreign Affairs organized a sub-regional workshop on the “Prevention and Fight against Terrorism Financing” in Bucharest. More than 40 participants from law enforcement agencies, the judiciary and prosecution offices from 15 OSCE participating States attended. Keynote speakers from participating States and international and regional organizations delivered presentations on implementing UN Security Resolution 1373 and the Convention for the Suppression of the Financing of Terrorism (1999). Participants discussed challenges associated with the identification and freezing of terrorist assets, and with processing and handling confiscated goods. Ireland contributed to fund the workshop.

## **VI. Financial status of ATU projects related to the international legal antiterrorism framework and co-operation in criminal matters related to terrorism**

The work of ATU concerning participating States and Partners for Co-operation’s ratification and implementation of the UATI is supported by the following programmes managed by the Unit:

**Project Number 1100613.- Promoting the International Legal Framework against Terrorism** supported by Liechtenstein and Spain. As of 16/12/2011 funds stand at 19,939 Euro.

**Project number 1100389.- Co-operation in Criminal Matters related to Terrorism** supported by Germany, Ireland, Liechtenstein, Spain, Sweden and the United States. As of 16/12/2011 funds stand at 9,086 Euro.

ATU has joined efforts with UNODC, OSCE field operations and other Units in the Secretariat, in order to be able to continue the above programme of work, which has been recognized as a priority by the OSCE.

*Notwithstanding, additional funding would be needed in order for ATU to remain fully operational vis-à-vis these projects.*

## Annex I

**Summary<sup>2</sup> of the universal conventions<sup>3</sup> and protocols dealing with terrorism, provided by the UN Counter-Terrorism Executive Directorate. (CNTR + click on the instrument's names for full texts).**

### a) RELATED TO AVIATION SECURITY:

#### **1963 Convention on Offences and Certain Other Acts Committed On Board Aircraft**

*(Aircraft Convention)*. Deposited with the Secretary-General of the International Civil Aviation Organization (ICAO). Information on status provided by ICAO, available on web site: [http://www.icao.int/secretariat/legal/List%20of%20Parties/Tokyo\\_EN.pdf](http://www.icao.int/secretariat/legal/List%20of%20Parties/Tokyo_EN.pdf)

- Applies to acts affecting in-flight safety;
- Authorizes the aircraft commander to impose reasonable measures, including restraint, on any person he or she has reason to believe has committed or is about to commit such an act, where necessary to protect the safety of the aircraft; and
- Requires States Parties to take custody of offenders and to return control of the aircraft to the lawful commander.

#### **1970 Convention for the Suppression of Unlawful Seizure of Aircraft** *(Unlawful Seizure Convention)*

Deposited with the Governments of the Russian Federation, the United Kingdom and the United States. Information on status provided by ICAO, available on web site: [http://www.icao.int/secretariat/legal/List%20of%20Parties/Hague\\_EN.pdf](http://www.icao.int/secretariat/legal/List%20of%20Parties/Hague_EN.pdf)

- Makes it an offence for any person on board an aircraft in flight to "unlawfully, by force or threat thereof, or any other form of intimidation, [to] seize or exercise control of that aircraft" or to attempt to do so;
- Requires parties to the convention to make hijackings punishable by "severe penalties"
- Requires parties that have custody of offenders to either extradite the offender or submit the case for prosecution; and
- Requires parties to assist each other in connection with criminal proceedings brought under the Convention.

#### **2010 Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft**

Deposited with the Secretary-General of the International Civil Aviation Organization (ICAO). Information on status provided by ICAO, available on web site: [http://www.icao.int/secretariat/legal/List%20of%20Parties/Beijing\\_Prot\\_EN.pdf](http://www.icao.int/secretariat/legal/List%20of%20Parties/Beijing_Prot_EN.pdf)

- Supplements the *Convention for the Suppression of Unlawful Seizure of Aircraft* by expanding its scope to cover different forms of aircraft hijackings, including through modern technological means; and
- Incorporates the provisions of Beijing Convention relating to a threat or conspiracy to commit an offence.

#### **1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil**

**Aviation** *(Civil Aviation Convention)* Deposited with the Governments of the Russian Federation, the United Kingdom and the United States of America. Information on status provided by ICAO, available on web site: [http://www.icao.int/secretariat/legal/List%20of%20Parties/Mtl71\\_EN.pdf](http://www.icao.int/secretariat/legal/List%20of%20Parties/Mtl71_EN.pdf)

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<sup>2</sup> For the purpose of facilitating linkages and interrelations, the UATI have been grouped by subject: a) **Aviation** b) **Maritime** c) **Nuclear** d) **Protected persons and hostages** e) **Bombings and Explosives** and f) **Financing**

<sup>3</sup> The initial 12 Universal Anti-Terrorism Instruments are indicated in **bold**

- Makes it an offence for any person unlawfully and intentionally to perform an act of violence against a person on board an aircraft in flight, if that act is likely to endanger the safety of the aircraft; to place an explosive device on an aircraft; to attempt such acts; or to be an accomplice of a person who performs or attempts to perform such acts;
- Requires parties to the Convention to make offences punishable by "severe penalties"; and
- Requires parties that have custody of offenders to either extradite the offender or submit the case for prosecution.

**1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation** (*Airport Protocol*) Deposited with the Governments of the Russian Federation, the United Kingdom and the United States of America and with the Secretary-General of the International Civil Aviation Organization. Information on status provided by ICAO, available on web site: [http://www.icao.int/secretariat/legal/List%20of%20Parties/VIA\\_EN.pdf](http://www.icao.int/secretariat/legal/List%20of%20Parties/VIA_EN.pdf)

- Extends the provisions of the Civil Aviation Convention (see No. 3 above) to encompass terrorist acts at airports serving international civil aviation.

*The previous 1971 Convention has been replaced by the following (Beijing) Convention:*

**2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation** (*New civil aviation convention, replacing the 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation* ). Deposited with the Secretary-General of the International Civil Aviation Organization. Information on status provided by ICAO, available on web site: [http://www.icao.int/secretariat/legal/List%20of%20Parties/Beijing\\_Conv\\_EN.pdf](http://www.icao.int/secretariat/legal/List%20of%20Parties/Beijing_Conv_EN.pdf)

- Criminalizes the act of using civil aircraft as a weapon to cause death, injury or damage;
- Criminalizes the act of using civil aircraft to discharge biological, chemical and nuclear (BCN) weapons or similar substances to cause death, injury or damage, or the act of using such substances to attack civil aircraft;
- Criminalizes the act of unlawful transport of BCN weapons or certain related material;
- A cyber attack on air navigation facilities constitutes an offence;
- A threat to commit an offence may be an offence by itself, if the threat is credible; and
- Conspiracy to commit an offence, or its equivalence, is punishable.

b) RELATED TO MARITIME SECURITY:

**1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation** (*Maritime Convention*) Deposited with the Secretary-General of the International Maritime Organization (IMO). Information on status provided by IMO, available on web site: <http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx>

- Establishes a legal regime applicable to acts against international maritime navigation that is similar to the regimes established for international aviation; and
- Makes it an offence for a person unlawfully and intentionally to seize or exercise control over a ship by force, threat, or intimidation; to perform an act of violence against a person on board a ship if that act is likely to endanger the safe navigation of the ship; to place a destructive device or substance aboard a ship; and other acts against the safety of ships.

**2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation** Deposited with the Secretary-General of the International Maritime Organization (IMO). Information on status provided by IMO, available on web site: <http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx>

- Criminalizes the use of a ship as a device to further an act of terrorism;
- Criminalizes the transport on board a ship various materials knowing that they are intended to be used to cause, or in a threat to cause, death or serious injury or damage to further an act of terrorism;
- Criminalizes the transporting on board a ship of persons who have committed an act of terrorism; and
- Introduces procedures for governing the boarding of a ship believed to have committed an offence under the Convention.

**1988 Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf** (*Fixed Platform Protocol*) Deposited with the Secretary-General of the International Maritime Organization (IMO). Information on status provided by IMO, available on web site: <http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx>

- Establishes a legal regime applicable to acts against fixed platforms on the continental shelf that is similar to the regimes established against international aviation.

**2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf** Deposited with the Secretary-General of the International Maritime Organization (IMO). Information on status provided by IMO, available on web site: <http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx>

- Adapts the changes to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation to the context of fixed platforms located on the continental shelf.

c) *NUCLEAR*:

**1979 Convention on the Physical Protection of Nuclear Material** (*Nuclear Material Convention*). Deposited with the International Atomic Energy Agency (IAEA). The information on status provided by IAEA is available on web site:  
[http://www.iaea.org/Publications/Documents/Conventions/cppnm\\_status.pdf](http://www.iaea.org/Publications/Documents/Conventions/cppnm_status.pdf)

- Criminalizes the unlawful possession, use, transfer or theft of nuclear material and threats to use nuclear material to cause death, serious injury or substantial property damage.

**2005 Amendment to the Convention on the Physical Protection of Nuclear Material**  
Deposited with the International Atomic Energy Agency (IAEA). The information on status provided by IAEA is available on web site:  
[http://www.iaea.org/Publications/Documents/Conventions/cppnm\\_amend\\_status.pdf](http://www.iaea.org/Publications/Documents/Conventions/cppnm_amend_status.pdf)

- Makes it legally binding for States Parties to protect nuclear facilities and material in peaceful domestic use, storage as well as transport; and
- Provides for expanded cooperation between and among States regarding rapid measures to locate and recover stolen or smuggled nuclear material, mitigate any radiological consequences or sabotage, and prevent and combat related offences.

**2005 International Convention for the Suppression of Acts of Nuclear Terrorism** (*Nuclear Terrorism Convention*) Deposited with the Secretary-General of the United Nations. Information on status provided by UN, available on web site:  
[http://treaties.un.org/Pages/ViewDetailsIII.aspx?&src=IND&mtdsg\\_no=XVIII-15&chapter=18&Temp=mtdsg3&lang=en](http://treaties.un.org/Pages/ViewDetailsIII.aspx?&src=IND&mtdsg_no=XVIII-15&chapter=18&Temp=mtdsg3&lang=en)

- Covers a broad range of acts and possible targets, including nuclear power plants and nuclear reactors;
- Covers threats and attempts to commit such crimes or to participate in them, as an accomplice;
- Stipulates that offenders shall be either extradited or prosecuted;
- Encourages States to cooperate in preventing terrorist attacks by sharing information and assisting each other in connection with criminal investigations and extradition proceedings; and
- Deals with both crisis situations (assisting States to solve the situation) and post-crisis situations (rendering nuclear material safe through the International Atomic Energy Agency (IAEA)).

d) *PROTECTED PERSONS AND HOSTAGES*:

**1973 Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons** (*Diplomatic agents Convention*). Deposited with the Secretary-General of the United Nations. Information on status provided by UN, available on web site:  
[http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-7&chapter=18&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-7&chapter=18&lang=en)

- Defines an "internationally protected person" as a Head of State, Minister for Foreign Affairs, representative or official of a State or international organization who is entitled to special protection in a foreign State, and his/her family; and

- Requires parties to criminalize and make punishable "by appropriate penalties which take into account their grave nature" the intentional murder, kidnapping or other attack upon the person or liberty of an internationally protected person, a violent attack upon the official premises, the private accommodations, or the means of transport of such person; a threat or attempt to commit such an attack; and an act "constituting participation as an accomplice".

**1979 International Convention against the Taking of Hostages** (*Hostages Convention*)

Deposited with the Secretary-General of the United Nations. Information on status provided by UN, available on web site: [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-5&chapter=18&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-5&chapter=18&lang=en)

- Provides that "any person who seizes or detains and threatens to kill, to injure, or to continue to detain another person in order to compel a third party, namely, a State, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage commits the offence of taking of hostage within the meaning of this Convention".

e) *EXPLOSIVES AND BOMBINGS:*

**1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection**

(*Plastic Explosives Convention*) Deposited with the Secretary-General of the International Civil Aviation Organization. Information on status provided by ICAO, available on web site: [http://www.icao.int/secretariat/legal/List%20of%20Parties/MEX\\_EN.pdf](http://www.icao.int/secretariat/legal/List%20of%20Parties/MEX_EN.pdf)

- Designed to control and limit the use of unmarked and undetectable plastic explosives (negotiated in the aftermath of the 1988 Pan Am flight 103 bombing);
- Parties are obligated in their respective territories to ensure effective control over "unmarked" plastic explosives; and
- Generally speaking, each party must, inter alia, take necessary and effective measures to prohibit and prevent the manufacture of unmarked plastic explosives; prevent the movement of unmarked plastic explosives into or out of its territory; exercise strict and effective control over possession and transfer of unmarked explosives made or imported prior to the entry into force of the Convention; ensure that all stocks of unmarked explosives not held by the military or police are destroyed, consumed, marked, or rendered permanently ineffective within three years; take necessary measures to ensure that unmarked plastic explosives held by the military or police are destroyed, consumed, marked or rendered permanently ineffective within fifteen years; and, ensure the destruction, as soon as possible, of any unmarked explosives manufactured after the date of entry into force of the Convention for that State.

**1997 International Convention for the Suppression of Terrorist Bombings** (*Terrorist Bombing Convention*)

Deposited with the Secretary-General of the United Nations. Information on status provided by UN, available on web site:

[http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-9&chapter=18&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-9&chapter=18&lang=en)

- Prohibits any person(s) from intentionally delivering, placing, discharging, or detonating an explosive or other lethal device in, into or against a place of public use, a State or government facility, a public transportation system, or an infrastructure facility with the intent to cause death or serious bodily injury, or with the intent to cause extensive destruction of such a place, facility, or system, resulting in or likely to result in major economic loss;

- Mandates to cooperate in the prevention of such offenses by prohibiting in their territories illegal activities of persons, groups, and organizations that encourage, instigate, organize, knowingly finance, or engage in the perpetration of such offenses. Further cooperation is required through the exchanging of accurate and verified information; and
- Encourages to research and development regarding methods of detection of explosives, consultations on the development of standards for marking explosives in order to identify their origin in post-blast investigations, exchange of information on preventive measures, cooperation, and transfer of technology, equipment, and related materials.

f) *FINANCING:*

**1999 International Convention for the Suppression of the Financing of Terrorism**

*(Terrorist Financing Convention)* Deposited with the Secretary-General of the United Nations.

Information on status provided by UN, available on web site:

[http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-11&chapter=18&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-11&chapter=18&lang=en)

- Requires parties to take steps to prevent and counteract the financing of terrorists, whether direct or indirect, through groups claiming to have charitable, social or cultural goals or which also engage in illicit activities such as drug trafficking or gun running;
- Commits States to hold those who finance terrorism criminally, civilly or administratively liable for such acts; and
- Provides for the identification, freezing and seizure of funds allocated for terrorist activities, as well as for the sharing of the forfeited funds with other States on a case-by-case basis. Bank secrecy is no longer adequate justification for refusing to cooperate.

## Annex II

### Summary of other legal instruments related to terrorism or co-operation in criminal matters (CNTR + click on the instrument's names for full texts)

[2000 United Nations Convention Against Transnational Organized Crime](#). Deposited with the Secretary-General of the United Nations. Information on status provided by UN, available on web site: [http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12&chapter=18&lang=en](http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&lang=en)

- Provides States Parties for strengthened international cooperation to prevent and fight transnational organized crime;
- Criminalizes participation in an organized criminal group, money laundering, corruption and obstruction to justice; and
- Provides for new frameworks for extradition, mutual legal assistance and law enforcement cooperation.

[1977 European Convention on the Suppression of Terrorism](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=090&CM=8&DF=01/12/2011&CL=ENG>

- Provides for an easing of extradition of persons having committed acts of terrorism; it makes it an offence for the purposes of extradition an act of particular gravity, including those within the *Unlawful Seizure Convention* and the *Civil Aviation Convention*, attacks against internationally protected persons, kidnapping and taking of hostages, and the use of bombs, grenades or rockets.

[2003 Protocol amending the European Convention on the Suppression of Terrorism](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=190&CM=8&DF=01/12/2011&CL=ENG>

- Expands the list of offences to cover all the offences contained in the UN anti-terrorist Convention and Protocols; it incorporates provisions authorizing the refusal to extradite to a country where there is a risk of applying a death sentence or of being subject to torture.

[1957 European Convention on Extradition](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=024&CM=8&DF=01/12/2011&CL=ENG>

- Provides for the extradition of persons sought for criminal proceedings or for the carrying out of a sentence, excluding all political offences.

[1975 Additional Protocol to the European Convention on Extradition](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=086&CM=8&DF=01/12/2011&CL=ENG>

- Expands the scope of offences for which the extradition of a person is barred by excluding war crimes and crimes against humanity.

[1978 Second Additional Protocol to the European Convention on Extradition](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=098&CM=8&DF=01/12/2011&CL=ENG>

- Adds fiscal offences to the list of offences for which a person may be extradited under the Convention.

[1959 European Convention on Mutual Assistance in Criminal Matters](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=030&CM=8&DF=01/12/2011&CL=ENG>

- Establishes rules toward enhanced mutual assistance between and among States Parties for the aim of collecting evidence or communicating evidence in criminal proceedings.

[1978 Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site:  
<http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=099&CM=8&DF=01/12/2011&CL=ENG>

- Extends international cooperation to the provision of documents relating to the enforcement of a sentence and similar measures.

[2001 Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site:  
<http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=182&CM=8&DF=01/12/2011&CL=ENG>

- Updates the range of situations in which mutual assistance may be requested and makes the provision of assistance easier.

[1972 European Convention on the Transfer of Proceedings in Criminal Matters](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site:  
<http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=073&CM=8&DF=01/12/2011&CL=ENG>

- Allows States Parties to request that criminal proceedings be initiated on their behalf in any other State Party which is a signatory of the Convention.

[1990 Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site:  
<http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=141&CM=8&DF=01/12/2011&CL=ENG>

- Provides for enhanced international cooperation and mutual assistance in investigating crime and tracking down, seizing and confiscating proceeds from crime.

[2005 Council of Europe Convention on the Prevention of Terrorism](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site:  
<http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=196&CM=8&DF=01/12/2011&CL=ENG>

- Defines as criminal offences certain acts that may lead to the undertaking of terrorist acts, in particular public provocation, recruitment and training; and
- Provides for strengthened national and international cooperation on the prevention of terrorism through national prevention policies and modification of existing extradition and mutual assistance arrangements.

[2005 Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site:  
<http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=198&CM=8&DF=01/12/2011&CL=ENG>

- Creates preventive and repressive measures to avoid that terrorism is financed through money laundering from criminal activity or through legitimate activities.

[2001 Convention on Cybercrime](#). Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available on web site:  
<http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=185&CM=8&DF=01/12/2011&CL=ENG>

- Pursues a common criminal policy aimed at the protection of citizens against cybercrime through the adoption of appropriate legislation and the promotion of international cooperation.