

## **OSCE Security Committee**

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### **Kidnapping for Ransom - the OSCE as a Regional Approach**

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Head on Anti-terrorism Issues

Ladies and Gentlemen,

Let me start by thanking the Swiss Chair and the Chair of the Security Committee for offering me to contribute to the discussion today on kidnapping for ransom.

As it has been pointed out by our previous speakers from the United Kingdom and Switzerland, terrorist and other crime groups are increasingly resorting to kidnapping, targeting tourists, foreign workers and diplomats, in order to obtain political concessions or funding.

I would like to elaborate on the OSCE activities – based on the mandates agreed by our participating States – that contribute to the prevention of terrorism vis-à-vis kidnapping, and to the fight of terrorism financing associated with it.

In the Permanent Council Decision on the OSCE Consolidated Framework for the Fight against Terrorism (PC.DEC/1063), participating States agreed that, in light of the multifaceted and evolving terrorist threat, the OSCE will remain flexible in its thematic focus and promote regular dialogue, with experts, policy makers and civil society actors discussing best practices to prevent and combat current and new terrorist threats.

The issue of kidnapping for ransom undoubtedly is an example of a cross-dimensional issue. In fact, the preparations of the upcoming Interlaken conference, organized by the Swiss Chairmanship with the support of the OSCE Secretariat's

Transnational Threats Department/Action against Terrorism Unit, are being closely co-ordinated with the Office for Democratic Institutions and Human Rights (ODIHR) and other OSCE executive structures. Moreover, my colleague Christian Larsson from the Office of the Coordinator of Economic and Environmental Activities (OCEEA) will follow my remarks by completing the panorama from the second dimension perspective, i.e., economic and environmental.

Another component of the OSCE's concept of security is the co-operative approach. In this regard we closely collaborate with the United Nations Office on Drugs and Crime (UNODC), the United Nations Counter-Terrorism Committee Executive Directorate (CTED), the Council of Europe (CoE), and with other international and regional organizations, also with regards to the strategic focus areas of the OSCE's counter-terrorism activities as defined in the Consolidated Framework document.

One of these strategic focus areas is to promote the implementation of the international legal framework against terrorism and to enhance international legal co-operation in criminal matters related to terrorism. The international legal framework for the fight against terrorism is currently constituted by the 18 Universal Anti-terrorism Instruments (UATI) and relevant United Nations Security Council resolutions.

Two of the Universal Anti-terrorism Instruments are particularly relevant to the issue of kidnapping for ransom: the 1979 International Convention against the Taking of Hostages (Hostages Convention), and the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, Including Diplomatic Agents (Diplomatic Agents Convention).

Both of them require State Parties to criminalize, to make punishable and to establish jurisdiction over the offences defined in those Instruments. Additionally, both conventions require State Parties to co-operate, particularly by exchanging information and to prevent the preparation and the commission of these offenses within or outside their territories. They also stipulate that States Parties shall afford

one another the greatest measure of assistance in connection with criminal proceedings.

Moreover, the 1999 International Convention on the Suppression of the Financing of Terrorism (Terrorist Financing Convention) requires parties to take steps to prevent and counteract the financing of terrorism, whether direct or indirect, through groups claiming to have charitable, social or cultural goals or which also engage in illicit activities.

Last but not least, our British colleague today presented on the recently adopted UN Security Council Resolution 2133 (2014), which calls on States to co-operate closely in incidents of kidnapping and hostage-taking by terrorists.

Ladies and Gentlemen,

The OSCE, in partnership with the UNODC, organizes OSCE-wide, regional, sub-regional and national conferences, workshops and trainings to promote ratification and to assist in the implementation of the international legal framework against terrorism. Naturally, OSCE efforts aimed at promoting the international legal framework against terrorism are not limited to political commitments and awareness raising, nor to technical assistance workshops. The OSCE also circulates updates of the status of UATIs, thus reminding our participating States about the implementation of the adopted commitments, while working with individual Delegations to the OSCE, as well as with national authorities of OSCE participating States and encouraging them to become party to the UATI and to fully implement them in national legislation.

To a certain extent, as a result of these efforts in coordination with the UNODC, the ratification average in the OSCE area is of 13 instruments while the worldwide average is of 11. Concerning the three Conventions mentioned above, all 57 OSCE participating States and all 11 Partners for Co-operation have ratified the Terrorism

Financing Convention. Almost all of them are also parties to the Hostages and Diplomatic Agents Conventions.

However, being party to the UATI is not sufficient per se. It is necessary for States to integrate the requirements of those agreements into relevant national legislation, to exercise effective jurisdiction over offenders under prescribed conditions, to provide for international co-operation mechanisms, enabling State Parties to facilitate law enforcement and judicial co-operation at formal and informal levels and to either prosecute or extradite the alleged offender.

Beyond the above, practical implementation of the international legal framework against terrorism also means that States have to undertake every effort to prevent terrorist attacks from happening. In other words: legislation, regulations and investigation techniques have to reflect a proactive and forward-looking approach, anticipating terrorist methods and tactics, criminalizing and timely investigating preparatory acts, such as the preparation or acquisition of fake documents, weapons and explosive substances; recruitment and training, and thwarting terrorist financing and terrorist movements.

As a follow-up of the April Interlaken Conference and OSCE/UNODC Regional Expert Workshop that took place in September 2013 on the “Implementation of the Universal Legal Instruments against Terrorism as a way to enhance Counter-terrorism Co-operation in the Mediterranean Basin”, the Transnational Threats Department is preparing, jointly with the UNODC, a second Regional Expert Workshop. Building on the discussions to be held in Interlaken, it will be aimed at supporting the implementation of the above mentioned Counter-terrorism Instruments by means of exchanging information and practices in fighting terrorism-related kidnapping in the OSCE region. The United Nations CTED has already put forward its interest in joining this event, and we expect the League of Arab States and the Council of Europe to co-operate with us as well.

Finally, let me say as a conclusion that the OSCE can contribute in a meaningful manner to the prevention and fight of terrorism kidnapping and related terrorism

financing. On the basis of discussions to be held in Interlaken and also at the September Regional Expert Workshop we can start working with interested participating States on practical arrangements and concrete support the Secretariat could provide in this regard. Since this issue is cross-dimensional, TNTD/ATU will ensure the facilitation of co-ordination of all OSCE counter-terrorism efforts on this issue with the Swiss Chairmanship.