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Statement for the OSCE workshop to identify the proper role of the OSCE in facilitation of UN Security Council resolution 1540

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Allow me to thank all of you who have committed two days from your busy schedules in order to participate in this workshop. The Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (TPB/UNODC) has worked closely with the OSCE and its Member States on legal issues and international cooperation on preventing and combating biological, chemical and nuclear terrorism for many years. Many technical assistance activities to States have been made possible through this cooperation. We, at TPB, are also very pleased with the cooperation which has been developed with the Expert Staff of the UN Security Council Committee established pursuant to resolution 1540 (“the 1540 Committee”). TPB has established partnerships with other international organizations engaged in the field of nuclear, chemical and biological terrorism such as IAEA, OPCW, CTBTO and INTERPOL. Therefore, UNODC participated in a meeting of international, regional and sub-regional organizations on cooperation in promoting the implementation of UNSC resolution 1540 (2004) in December 2010 in Vienna. UNODC has also been participating in the Working Group on Weapons of Mass Destruction of the Counter-Terrorism Implementation Task Force.

In recognition of the fact that the use of weapons of mass destruction by terrorists would have catastrophic consequences, the international community has been especially active in adopting various legal instruments in recent years, including various universal legal treaties against terrorism. The United Nations General Assembly has given TPB/UNODC a mandate to assist States, upon request, in ratifying the universal treaties against terrorism, including those that relate to nuclear, chemical and biological terrorism, and in putting in place domestic legislation that fully incorporates the offences set forth in those treaties as required by Security Council resolution 1373 and the UN Global Counter-Terrorism Strategy, as well as in building capacity to implement those treaties.

TPB has been assisting countries in drafting counter-terrorism legislation incorporating the internationally agreed obligations on biological, chemical and nuclear terrorism. Like in many other regions, the main implementation challenge in the OSCE region is to have the legislative proposals against biological, chemical and nuclear terrorism adopted by National Parliaments. The TPB’s best experience in that regard has been with Ukraine in which we have worked with the Nuclear Smuggling Outreach Initiative (NSOI) of the US State Department. Anti-nuclear terrorism legislation has also been developed for Armenia, Kyrgyzstan, Kazakhstan, Serbia, and Ukraine and we hope to enter into a similar exercise with other States. Turkmenistan hosted a national workshop on the criminal law aspects of countering the nuclear, chemical and biological terrorism in light of the relevant universal legal instruments. Some of these meetings, such as the one in Turkmenistan resulted in a final document where the OSCE, the 1540 Committee and the TPB/UNODC have an active role.

TPB has a policy of inviting experts of the 1540 Committee and the OSCE to attend national and regional workshops on combating biological, chemical and nuclear terrorism. TPB conducted several regional and sub-regional events on biological, chemical and nuclear terrorism in the OSCE

region that included cooperation with the OSCE and the 1540 Committee. Together with the Special Representative of the UNSG for Central Asia, TPB organized a *Workshop for Central Asian Countries on Non-Proliferation and International Legal Cooperation against Biological, Chemical and Nuclear Terrorism*, in Ashgabat in December 2009. Both OSCE and the 1540 Committee participated in this regional meeting. Similar sub-regional events were held in Hungary for Central and Southeast Europe; in Belarus for Member States of the Commonwealth of Independent States and the Collective Security Treaty Organization; and in Uzbekistan for Central Asia and Afghanistan.

The Branch has also organized sub-regional workshops on report-writing pursuant to the common strategy on reporting approved by the three relevant Security Council committees: the Counter-Terrorism Committee, the Committee established pursuant to resolution 1267 (1999) and the Committee established pursuant to resolution 1540 (2004). In its resolution 1904 (2009), the Security Council encouraged the Monitoring Team and UNODC to continue their joint activities, in cooperation with Counter-Terrorism Committee Executive Directorate and the experts of the Committee established pursuant to resolution 1540 (2004), to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including by organizing regional and sub-regional workshops.

UNODC co-organized with the OSCE a *Workshop on the 2005 Universal Legal Instruments against Terrorism and the Implementation of their Provisions in National Legislation*, which was held on 29 and 30 April 2010. This event was held in accordance with the Athens OSCE Ministerial Council Decision in order to assist participating States with the criminal law aspects of implementing the universal anti-terrorism conventions and protocols concluded in 2005 which relate to biological, chemical and nuclear terrorism.

In August 2009, UNODC has been granted observer status in the Global Initiative on Countering Nuclear Terrorism. It shares this status with the IAEA, Interpol and the European Union. On 13 October 2009, the Co-Chairs of the Initiative, the Russian Federation and the U.S.A. have asked UNODC/TPB to take the lead on legal issues concerning the subject-matter. The Branch participated in the 2010 Global Initiative Plenary Meeting in the United Arab Emirates, in June 2010, and in a conference held by the Global Initiative in Hungary, in January 2010.

UNODC has further given increased attention to the international legal instruments related to chemical terrorism. In November 2010 TPB participated in a Table-Top Exercise on the Preparedness of States Parties to Prevent Terrorist Attacks involving chemicals. TPB also participated in an international seminar organized by the Organization for the Prohibition of Chemical Weapons (OPCW) in Bosnia and Herzegovina on the topic of the national implementation of non-proliferation obligations.

UNODC is increasingly conducting specialized capacity building activities and is developing specialized tools that can then increasingly be used in “training the trainers” programmes. The Digest of Terrorist Cases and the Comprehensive Training Curriculum for criminal justice practitioners are examples of concrete initiatives. The curriculum will consist of several modules and address specific thematic issues including nuclear, chemical and biological terrorism.

The main constraint in the implementation of the TPB/UNODC technical assistance programme on countering biological, chemical and nuclear terrorism has been the lack of funding for CBN related activities for which we are currently actively seeking donors. So far, partnerships with the OSCE, 1540 Committee, the IAEA, the OPCW, Interpol and others have been a very practical and

successful way in maximizing on each other's strengths and resources. We, at the TPB/UNODC hope to continue strengthening this cooperation not only to avoid duplication but also to develop new joint projects.

We believe that the OSCE has a strong role to play on the regional level in increasing synergies for countering biological, chemical and nuclear terrorism. For UNODC, the OSCE represents an important regional partner for implementation of its mandates. The UNODC plans to continue this cooperation with the OSCE in the area of regional cooperation and international cooperation in criminal matters on combating biological, chemical and nuclear terrorism, as well as in the capacity building in these areas.