



NOTE BY THE DIRECTOR-GENERAL

STATUS OF THE OPCW'S CONTRIBUTION TO GLOBAL ANTI-TERRORISM EFFORTS

Introduction

1. At its Sixtieth Session, the Executive Council (hereinafter “the Council”) “decided to request the Director-General to provide it with further Notes annually to ensure that it remains informed about the OPCW’s contribution to global anti-terrorism efforts” (paragraph 12.4 of EC-60/3, dated 22 April 2010).
2. Following the aforementioned decision by the Council, the Director-General hereby submits this Note, which provides an update to the Council for consideration at its Seventy-Fifth Session. The Note covers the period from 26 April 2013 to the present.
3. In keeping with its previous practice, the activities carried out in this area by the Technical Secretariat (hereinafter “the Secretariat”) are based, in particular, on the approach in the decision by the Council at its Twenty-Seventh Session entitled “The OPCW’s Contribution to Global Anti-Terrorism Efforts”, namely that “the full and effective implementation of the Convention is in itself a contribution to global anti-terrorist efforts” (paragraph 1 of EC-XXVII/DEC.5, dated 7 December 2001).
4. The Secretariat proceeds, in this context, from the premise that the OPCW is not an anti-terrorism agency, and that it can operate only in strict accordance with its mandate as defined by the Chemical Weapons Convention (hereinafter “the Convention”) and decisions by the Council and the Conference of the States Parties (hereinafter “the Conference”), and in compliance with the OPCW Policy on Confidentiality. The Secretariat has also factored in the directions stemming from the States Parties, particularly at the Third Special Session of the Conference of the States Parties to Review the Implementation of the Chemical Weapons Convention (hereinafter “the Third Review Conference”).
5. At the Third Review Conference, the States Parties declared their “[d]etermination to increase their efforts to guard against the possible hostile use of toxic chemicals by non-State actors such as terrorists” (paragraph 9.11 of RC-3/3*, dated 19 April 2013). They also noted with concern that, “along with the threat of possible production, acquisition and use of chemical weapons by States, the international community also faces the danger of production, acquisition and use of chemical weapons by non-State actors, including terrorists” (paragraph 9.27 of RC-3/3*). These concerns “have highlighted the necessity of achieving universal adherence to the Convention, as well as a high level of OPCW readiness” (ibid).



6. Furthermore, the Third Review Conference noted the relevance of the above-mentioned Council decision of 2001 and encouraged the Open-Ended Working Group (OEWG) on Terrorism to continue to fulfil its mandate (paragraph 9.146 of RC-3/3*). The Third Review Conference, moreover, “while reaffirming the autonomous and independent status of the OPCW, while bearing in mind that the OPCW is not an anti-terrorism organisation, took cognisance of the relevant resolutions of the United Nations on combating terrorism” and “underscored the need to explore further cooperation on this issue and build on existing work with relevant international organisations and international bodies that deal with the potential threats of chemical terrorism” (paragraph 9.145 of RC-3/3*).
7. Finally, the Third Review Conference, “in the light of the possibility of the use of chemical weapons against States Parties to the Convention through threat by actions or activities of any State ... as well as the threat of the possibility of the use of chemical weapons by non-State actors including terrorists, welcomed the measures taken by the Secretariat to strengthen its ability to respond promptly to requests for assistance made under Article X and to investigate the alleged use of chemical weapons” (paragraph 9.115 of RC-3/3*).

The Open-Ended Working Group on Terrorism

8. During the period under review, the Secretariat has continued to offer support to the OEWG. Following the appointment in May 2013 of its new facilitator, H.E. Dr. Nimota Nihinlola Akanbi, OON, Ambassador of Nigeria to the Netherlands and Permanent Representative of Nigeria to the OPCW, the OEWG held two meetings in 2013, on 23 July and 7 October.
9. The facilitator engaged delegations on a discussion on the future activities of the OEWG, based on the proposals put forward by the previous facilitator, H.E. Professor Ruthie C. Rono of Kenya (EC-72/WP.1, dated 19 February 2013).¹ A number of delegations felt that the focus of OPCW activities in this regard should be on prevention (Articles VI and VII) and assistance (Article X). Several delegations also emphasised, in relation to chemical safety and chemical security, the importance of Article XI, and the decision on its implementation taken by the Conference at its Sixteenth Session. Many delegations mentioned that regional and subregional efforts were important alongside national and global initiatives. There were also a number of

¹ These proposals included: 1. Holding a session on chemical security (and chemical safety); 2. Holding a session to present the results of the table-top exercise to be held in Indonesia later in the current year, and other events related to preparedness and response; 3. Continuing to consider areas in which the OPCW’s work can contribute to counter-terrorism efforts, and hold meetings on those which have not yet been considered by the OEWG (such as Article VI implementation and universality), e.g. through joint consultations (joint consultations indeed also help avoid repetitions in briefing States Parties on Secretariat activities that are relevant within more than one consultation process); 4. Promoting a discussion on the implementation of the relevant parts of the Conference decision on the implementation of Article XI; 5. Holding a session on the Secretariat’s approach to cooperation with other relevant international organisations (activities to date, areas for further cooperation, enhancement of future interaction, etc.); 6. Promoting discussions on capacity-building activities relevant in this area, possible countries’ needs and whether and how the Secretariat could enhance its contribution to States Parties’ efforts; and 7. Continuing the practice of inviting representatives of relevant organisations and agencies, as well as national experts to exchange thoughts and practices within the OEWG. Proposals 1, 2, 5, 6, and 7 are currently being implemented by the OEWG.

references to the role of the OPCW, and the OEWG in particular, as a forum for information-sharing and information on best practices. Another area in which delegations expressed interest was exploring potential synergies between relevant international organisations. Several delegations supported enhanced activities by the OPCW in the context of chemical safety and chemical security. However, some expressed the need to consider more closely the conceptual aspects of these themes. Other points made by participating delegations focused on capacity-building and cooperation between States Parties, and between relevant international organisations, as well as on the need for the OPCW and the OEWG to produce tangible actions in contributing to global efforts against terrorism.

10. During the meetings of the OEWG in 2013, the Secretariat delivered presentations on the preparation for and the outcome of the table-top exercise organised in cooperation with the Government of Indonesia held in that country in August 2013. The OEWG also restarted its practice of inviting international and national experts to address delegations on relevant topics. At the meeting in October, Dr Jonathan Lucas, Director of the United Nations Interregional Crime and Justice Research Institute (UNICRI), was invited to address the OEWG on “Building capacity in addressing the terrorist threat and in promoting CBRN risk mitigation”. This was followed by discussions. This presentation addressed the question of regional and subregional efforts, alongside national and global initiatives in the fight against terrorism, as well as capacity-building, and cooperation between States Parties and also between relevant international organisations.
11. Based on the outcome of the discussions with delegations, the activities of the OEWG have been planned for 2014 to 2015. The Group intends to hold three meetings a year, and will invite national and international experts to address delegations. As in the past, at each meeting, the Secretariat will update the OEWG on its relevant activities. In 2014, the OEWG will hold a meeting on 3 March on the topic of working with other international organisations in the fight against terrorism, with a focus on the United Nations. On 7 July, the OEWG will meet on the topic of chemical security (and safety), and in late November, at a date yet to be defined, on ensuring inter-agency interoperability for effective response in the event of a chemical (or biological) attack.
12. In this connection, the Secretariat reiterates its continued support for the work of the OEWG, its facilitator, and the Member States, and confirms its readiness, within the available resources and its given mandate, to undertake relevant activities and initiatives as instructed by the OEWG.

Activities carried out by the Technical Secretariat

Chemical safety and chemical security

13. The Secretariat has continued to conduct activities in the area of chemical safety and chemical security:
 - (a) The Secretariat continued its chemical-safety-and-security management programme, which began in 2009 on the basis of a request and initiative by one State Party during a regional workshop focusing mainly on chemical safety. Subsequently, a number of activities have been organised under this

programme, based on requests made by Member States and supported mainly through voluntary contributions by States Parties that have provided both financial resources and in-kind contributions. During the period under review, four events have been organised in Germany, Mexico, Qatar, and the Republic of Korea: the fourth chemical-safety-and-security management course for the African region, organised from 4 to 8 November 2013 in cooperation with the Bergische University of Wuppertal, Germany; a seminar on the Convention and chemical-safety-and-security management for States Parties from the GRULAC² region on 22 and 23 October 2013, followed by a national seminar on chemical-safety-and-security management for local participants on 24 and 25 October, both organised in cooperation with the National Authority of Mexico; a seminar on the Convention and chemical-safety-and-security management for States Parties in the Asian region, organised in Doha, Qatar, from 10 to 12 September 2013; and a workshop on the peaceful development and use of chemistry for States Parties in the Asian region, organised in Seoul, Republic of Korea, from 25 to 27 June 2013. The subject areas addressed during these events were tailored to the specific experience and expectations of the target audience. The platform provided by these workshops and seminars brought together a large number of professionals in the field to exchange the latest practices and learn from each other. The exchanges were voluntary and covered a variety of different practices in terms of relevant regulatory and implementation frameworks. They also identified possible ways forward in improving and enhancing a safety-and-security culture and environment in the chemical industry.

- (b) The Secretariat issued a Note on “The contribution of the OPCW to chemical safety and chemical security” (S/1129/2013, dated 30 September 2013), which analyses the legal basis in the Convention and in the decisions of the OPCW policy-making organs, as well as the rationale for the Organisation’s contribution in this area; provides information on relevant activities carried out by the Secretariat to date, and their outcomes; and proposes a general approach and ideas for additional initiatives by the Organisation in the future.

G8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction

14. During the period under review, the Secretariat, together with other relevant international and regional organisations, attended (as an observer) three meetings of the G8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, under the chairmanship of the United Kingdom of Great Britain and Northern Ireland. In the Chemical Security Sub-Working Group (CSWG) of the Global Partnership, the Secretariat submitted project proposals for funding in the areas of knowledge management, education and outreach, and inter-agency interoperability in the context of a request for an investigation of alleged use, or for assistance in the event of the use or threat of use of chemical weapons. The Secretariat will continue to attend the meetings of the Global Partnership and of the CSWG (as an observer) during 2014, under the chairmanship of the Russian Federation.

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GRULAC = Group of Latin American and Caribbean States

Assistance and protection

15. Under Article X of the Convention, relating to assistance and protection against the use or threat of use of chemical weapons, the Secretariat has conducted tailor-made national and regional courses in emergency response, to create the necessary capacity to respond to a chemical attack or chemical accident in Member States.
16. The capacity-building activities in the area of assistance-and-protection activities raise awareness of the importance of enhanced engagement and strengthened contact with key stakeholders of the Convention, and support States Parties in responding in a more effective way to the misuse of toxic chemicals. Expert advice provided by the OPCW under Article X assists Member States in the development of a coordinated chemical-emergency response system that can mitigate the effects of various types of incident involving the release of toxic chemicals.
17. During the period under review, a number of regional and international assistance-and-protection events have been conducted in order to establish or expand national chemical-emergency programmes and to train first responders and other specialised units. These events include international training provided by States Parties with the coordination of the Secretariat and regional training in chemical emergencies. A second international training event for instructors involved in the response to a chemical weapons incident was prepared and hosted by the Secretariat in The Hague. Subregional projects in assistance and protection against chemical weapons, aimed not only at increasing the knowledge of first responders but also at creating subregional networks for cooperation, have been consolidated and enhanced in both Africa and Latin America.
18. On 19 and 20 August 2013, the OPCW, the European Union, and the Government of Indonesia hosted a table-top consequence-management exercise for States Parties in the South-East Asia subregion. Participants tested their skills and the functioning of organisational processes used, including operational and procedural matters, in a scenario involving a major chemical incident in South-East Asia. Thirty-eight participants from five countries (Indonesia, Malaysia, Philippines, Thailand, and Myanmar as an observer) attended the exercise. Australia and New Zealand provided facilitators for this activity. This exercise was followed by a more advanced exercise in Malaysia, conducted from 29 to 31 October 2013. The latter exercise was co-organised by the Secretariat in cooperation with the Government of Malaysia, and benefited from generous contributions from Australia and the United Kingdom of Great Britain and Northern Ireland, as well as facilitators from Australia and New Zealand. It offered the same group of participants the opportunity to engage in more challenging scenarios aimed at deepening their knowledge and understanding of the challenges of dealing with a major chemical incident.

Cooperation with the United Nations

19. The cooperation between the Secretariat and the United Nations in the area of anti-terrorism is founded on the Relationship Agreement signed in 2000, which formalises a close working relationship between the two organisations, whilst at the same time specifically recognising the independent status of the OPCW.

20. The yearly United Nations General Assembly resolution entitled “Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction” noted with concern that “along with the threat of the possible production, acquisition and use of chemical weapons by States, the international community also faces the danger of the production, acquisition and use of chemical weapons by non-State actors, including terrorists, concerns which have highlighted the necessity of achieving universal adherence to the Convention, as well as the high level of readiness of the Organization for the Prohibition of Chemical Weapons, and stresses that the full and effective implementation of all provisions of the Convention, including those on national implementation (article VII) and assistance and protection (article X), constitutes an important contribution to the efforts of the United Nations in the global fight against terrorism in all its forms and manifestations” (paragraph 7 of A/RES/68/45, dated 5 December 2013).
21. In the period under review, the Secretariat, at the request of the United Nations, provided its yearly input to the reports of the Secretary-General of the United Nations on the implementation of the United Nations General Assembly resolution on measures to prevent terrorists from acquiring weapons of mass destruction, and of the United Nations General Assembly resolution on measures to eliminate international terrorism, as well as to the report of the Secretary-General on the United Nations’ counter-terrorism efforts in Africa, and to his report on the implementation of the United Nations Global Counter-Terrorism Strategy.

Activities related to the United Nations Counter-Terrorism Implementation Task Force

22. The OPCW has been a member of the United Nations Counter-Terrorism Implementation Task Force (CTITF) since its creation in 2005, and has played a role in the elaboration, development, and implementation of the United Nations Global Counter-Terrorism Strategy, as adopted by United Nations General Assembly resolution 60/288 (2006). The OPCW participates in the work of the CTITF and co-chairs, together with the International Atomic Energy Agency, the Working Group on Preventing and Responding to WMD³ Attacks.
23. In December 2013, the Secretariat participated in the annual CTITF inter-agency coordination meeting, the purpose of which was to discuss the work conducted under the CTITF mandate and the contribution by participating agencies, to provide an update on future projects and initiatives, and to discuss strategic action for the future. At the meeting, the OPCW presented a project proposal developed by the Secretariat, as co-Chair of the Working Group on Preventing and Responding to WMD Attacks, and approved by both the Working Group and the Task Force, on ensuring effective inter-agency interoperability, as well as coordinated and effective communication in the event of chemical and/or biological attacks. The proposal is intended to address some of the recommendations from the report issued by the Working Group in 2011 on “Interagency Coordination in the Event of a Terrorist Attack Using Chemical or Biological Weapons or Materials”, produced by the CTITF Working Group on Preventing and Responding to WMD Terrorist Attacks.

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WMD = weapon(s) of mass destruction

Activities related to United Nations Security Council resolution 1540 (2004)

24. Resolution 1540 (2004) established an obligation for all United Nations Member States to adopt effective and appropriate legal and administrative measures to prevent non-State actors from gaining access to, and engaging in, activities involving nuclear, chemical, and biological weapons. As regards chemical weapons, these obligations are consistent with those enshrined in the Convention. These include, but are not limited to, the national implementation measures that States Parties to the Convention have undertaken to implement their treaty obligations in accordance with Article VII. The activities of the OPCW in this area are fully consistent with the provisions of resolution 1540 (2004), particularly its operative paragraph 7.
25. During the period covered by this report, the Secretariat contributed to events promoted by the United Nations Office of Disarmament Affairs, the 1540 Committee of the United Nations Security Council, and relevant host States to promote the implementation of resolution 1540 (2004), and supported the Committee's clearing house role with regard to requests for assistance from States.

Contacts with other organisations and agencies

26. During the period under review, the Secretariat has continued to ensure interaction with and participation in relevant events organised by other regional, subregional, and international organisations and agencies in the field of anti-terrorism pursuant to and within relevant mandates, such as the Organisation for Security and Cooperation in Europe (OSCE), INTERPOL, and NATO.