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**REPORT BY H.E. DR JOE TONY AIDOO
FACILITATOR OF THE OPEN-ENDED WORKING GROUP ON TERRORISM
AT THE EIGHTY-SECOND SESSION OF THE EXECUTIVE COUNCIL**

Madam Chairperson, I should like to take this opportunity to congratulate you for your assumption of the chair of the Executive Council and to wish you good stewardship of your office and its functions.

Madam Chairperson, Director-General, distinguished delegates,

I am pleased to present to the Eighty-Second Session of the Executive Council a report of the meeting of the Open-Ended Working Group on Terrorism (OEWG-T) that took place on Monday, 11 July. I am grateful for a wide participation of States Parties, many of whom have shown an increasing interest in the work of the Open-Ended Working Group and of its Sub-Working Group on Non-State Actors.

The threat of chemical terrorism is real today, judged by the frequency and devastating effects of attacks on soft targets in recent times. Please let us express our condolences to all victims of terrorism, and send a strong message that terrorism is unacceptable, whatever the motivation. Our work has real life implications for keeping our citizens safe and protected. Therefore, we need to join forces in ensuring that the Chemical Weapons Convention is a living tool to be used by all States Parties to prevent and respond to attacks involving chemical weapons. Let us ensure that perpetrators are held accountable for their actions through fulfilling our Convention obligations. I cannot emphasise enough how important the States Parties are in this respect. Out of 192 States Parties, 116 State Parties have legislation that covers all the initial measures required to implement the Convention. We need to ensure that there are no loopholes that can be exploited by terrorists. The OPCW will continue to provide a framework for cooperation with and between States Parties and will provide support for the full implementation of the Chemical Weapons Convention, but let's do our share.

I will now brief you on the 11 July meeting of the OEWG-T. At the Third Review Conference, the States Parties took cognisance of the relevant resolutions of the United Nations on terrorism and underscored the need to explore further cooperation with relevant international organisations and bodies that deal with potential threats of chemical terrorism. The last Open-Ended Working Group's meeting was an opportunity to strengthen this cooperation and explore the relation of the Chemical Weapons Convention to the international counterterrorism regime that may relate to chemical terrorism.

The Technical Secretariat delivered a legal analysis of the Chemical Weapons Convention and of the criminal justice aspects of the international and regional legal regime against



terrorism. Related provisions of the most relevant international legal instruments against terrorism, including the United Nations Security Council Resolution 1373, as well as Resolution 2253, were presented. Criminal justice aspects of the regional counterterrorism conventions of the African Union, the South-Asian Association for Regional Cooperation and the Council of Europe were highlighted.

Dr David Scharia, Senior Legal Officer of the United Nations Counter-Terrorism Committee Executive Directorate (CTED), described in more detail UN Security Council Resolution 1373, adopted under Chapter VII of the UN Charter, which imposes a wide range of legal, financial, police and cooperation requirements. The resolution requires the UN Member States to criminalise the financing of terrorism as well as participation in the planning, preparation and supporting of terrorist acts. The UN Member States are required to ensure that violators are brought to justice and to afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of the terrorist act. Member States are also required to exchange information and cooperate through bilateral and multilateral agreements to prevent and suppress terrorist attacks. Mr Scharia furthermore highlighted provisions of the UN Security Council Resolution 1624 (2005) relating to incitement to commit terrorist acts and of the UN Security Council Resolution 2178 (2014) relating to foreign terrorist fighters.

Dr Annemieke Dokter, Counter-Terrorism Expert of the European External Action Service, outlined the EU Counter-Terrorism strategies and policies as well as related instruments and tools. Ms Dokter also gave examples of the EU Member States' response to chemical terrorism incidents and described the EU CBRN Task Force activities on prevention, detection, preparedness and response.

Now, let me turn to the work of the Sub-Working Group on Non-State Actors which has met twice since the Eighty-First Session, on 6 and 15 June. Please join me in expressing appreciation for the work of the Sub-Working Group and its facilitator, Ambassador Maria Teresa Infante, Permanent Representative of the Republic of Chile to the OPCW. Ambassador Infante presented a summary of the inter-sessional work of the SWG described in her report (EC-82/WP.1, dated 7 July 2016). A lot of progress has taken place since her previous report in March, particularly in the areas of legal accountability, prevention and response. In the area of response, the Sub-Working Group welcomed the establishment of a Rapid Response Assistance Team, whose capability was outlined in the Secretariat's Note S/1381/2016. On the prevention side, the Technical Secretariat circulated two discussion papers on Article VI contributions to countering terrorism and on the OPCW's role in the field of chemical security. In the area of legal accountability, the Technical Secretariat underlined specific provisions in the implementation of the legal kit for the Chemical Weapons Convention that could be useful to address the threat by non-State actors. Furthermore, the Secretariat received replies to the legal questionnaire, issued in March, from most regional groups. The deadline for responses has been extended until the end of July. I encourage those States Parties that have not done so to submit their replies—they will be invaluable in progressing the work of the SWG on legal issues. During the recent meeting of the Open-Ended Working Group, Ambassador Infante proposed the following:

- The Sub-Working Group on Non-State Actors should continue its work on legal accountability;
- The Technical Secretariat should consolidate the SWG's discussion on prevention and propose possible recommendations for the next SWG meeting;

- The States Parties are invited to provide feedback on the Secretariat's paper on the chemical security;
- Considering the valuable contribution by national presenters from France and Japan at the SWG meeting, the participation of experts from all regions in the Sub-Working Group is encouraged.

I acknowledge Ambassador Infante's report and agree with Ambassador Infante that the SWG should continue their work in the proposed areas. I suggest that the OEWG-T continue to hear the progress of the SWG's work from Ambassador Infante at the next meeting of the OEWG-T on 10 October 2016.

Madam Chairperson,

Within the context of counter-terrorism through international cooperation and coordination, I took the privilege of my chairmanship to propose at the meeting of 11 July, the broadening of the OPCW's outreach to embrace the wider civil society, via media networking.

Next year, the OPCW will celebrate its 20th anniversary. It will be a good occasion for the Secretariat to commission a documentary on the OPCW and its importance in the fight against chemical weaponry. Ordinary citizens are the victims of chemical warfare; their awareness and involvement in preventive measures are, therefore, as pertinent to the fight against chemical terrorism as the organisational based efforts.

To ensure that our response is timely, efficient and coordinated, we need to join forces on many different levels. In other words, we must universalise counterterrorism. I welcome that a draft decision is circulated for the consideration of States Parties during this session of the Council. We need to use our strengths to create strong partnerships and mechanisms. Therefore, I suggest that the OEWG-T continue the practice of inviting relevant organisations and partners to maintain and enlarge our knowledge of the broader context of fighting terrorism. Future meetings of the Working Group may wish to continue to explore cooperation on international, regional and subregional levels and help create synergies with different networks of response to threats of chemical terrorism. Furthermore, we must not neglect the need for measures to counter ideologies that promote terrorism. This can be done through promotion of education and outreach by involving youth in promoting peace and tolerance.

Now, let me thank you for your kind attention and note that the next meeting of the Open-Ended Working Group on Terrorism is scheduled for 10 October, one day before the Eighty-Third Session of the Executive Council.

Madam Chairperson, I suggest that this report is considered as an official document of the Executive Council and circulated on the OPCW website.

Madam Chairperson, distinguished delegates, this completes my report.

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