



**REPORT BY H.E. MR OJI NYIMENUATE NGOFA
CHAIRPERSON OF THE OPEN-ENDED WORKING GROUP ON TERRORISM
TO THE EXECUTIVE COUNCIL AT ITS EIGHTY-EIGHTH SESSION**

1. Madam Chairperson, Director-General, distinguished colleagues, it is my pleasure to provide a short oral report of the meeting of the Open-Ended Working Group on Terrorism (OEWG-T) held on 9 July 2018, my first as the working group's chairperson.
2. The meeting continued the discussion that began at the working group's last meeting on the topic of mutual legal assistance in the context of Article VII of the Convention, and operative paragraph 8 of the Council's decision related to addressing the threat posed by the use of chemical weapons by non-State actors (EC-86/DEC.9, dated 13 October 2017). Paragraph 8 of the decision, among other things, encourages States Parties to use any existing mutual legal assistance arrangements to cooperate in investigating incidents involving non-State actors.
3. In his opening remarks, the Director-General recalled the successful holding of the first OPCW Conference on Countering Chemical Terrorism, which took place in the Ieper Room on 7 and 8 June 2018. He underscored that the Conference sent a clear signal to States Parties and to the OPCW's partners in the international system and the civil society community that the Convention and this Organisation can make a concrete and ongoing contribution to counter-terrorism. On the subject of the meeting, the Director-General recalled the importance of national implementation of the Convention when it comes to countering chemical terrorism, and the responsibilities that States Parties have for the enforcement of the Convention's prohibitions. In this regard, he recalled that the transnational nature of terrorism poses particular challenges, and that mutual legal assistance was one of the most effective ways of facing that challenge.
4. The OEWG-T was then briefed by Dr Romyana Grozdanova, Research Fellow from the International Centre for Counter-Terrorism in The Hague. Dr Grozdanova's presentation focused on existing legal assistance arrangements and how they are used in countering terrorism, including chemical terrorism. She noted at the outset the critical importance of international legal cooperation for ensuring accountability for terrorist acts, given that the evidence required to secure convictions for terrorist acts can often be scattered across several jurisdictions and across cyberspace. She also posited that a large body of existing obligations and practices could be drawn upon in facilitating mutual legal assistance between States, and that this should be prioritised before introducing new legal measures. Dr Grozdanova underlined that practices in mutual legal assistance needed to evolve in response to the evolving tactics of terrorist groups. In this connection, she noted the need for States to constantly exchange



information and best practices with each other to ensure that there are no gaps in international efforts to ensure accountability for terrorist acts.

5. Following Dr Grozdanova's presentation, questions and comments from delegations focused on the obligations in Article VII of the Convention with respect to legal assistance, the universality of international counter-terrorism instruments, and the need to address the root causes of terrorism. The rich exchanges that took place underlined the importance that States Parties place on legal accountability, and allowed delegates to gain a fuller understanding of the various, vital ways in which mutual legal assistance contributes to bringing perpetrators of terrorist acts to justice.
6. The OEWG-T was also briefed by Ambassador Infante, Permanent Representative of the Republic of Chile to the OPCW and the Facilitator of the Sub-Working Group on Non-State Actors, on the sub-working group's intersessional activities. She reported on the sub-working group's meeting of 22 May 2018, which considered in particular a working paper by the Technical Secretariat on the contribution of Article VI of the Convention to countering terrorism, focusing on the obligation upon all States Parties to "adopt the necessary measures" to ensure that toxic chemicals—and their precursors—are only used for non-prohibited purposes. Ambassador Infante also reported on the Conference on Countering Chemical Terrorism held on 7 and 8 June 2018.
7. Finally, I would like to express my appreciation to delegates for their active participation in the meeting. The next meeting of the OEWG-T is scheduled for 8 October 2018, the day before the Eighty-Ninth Session of the Executive Council.
8. Thank you Madam Chairperson, this concludes my report.

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