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REPORT BY H.E. MR VUSI BRUCE KOLOANE ACTING CHAIRPERSON OF THE OPEN-ENDED WORKING GROUP ON TERRORISM TO THE EXECUTIVE COUNCIL AT ITS NINETIETH 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 11 March 2019, a meeting chaired by Ambassador Koloane on behalf of the Chairperson of the OEWG-T, Ambassador Oji Nyimenuate Ngofa of Nigeria.
2. The meeting's theme was investigating and prosecuting acts related to chemical terrorism. In particular, it focused on lessons learned from Germany's handling of a case involving an individual carrying out acts prohibited by the Chemical Weapons Convention ("the Convention"). The meeting was a useful opportunity to hear about the technical means that were employed in this case, the role of law enforcement, the legal questions and challenges that were involved, and the coordination mechanisms among the range of national agencies involved in the case. Germany's actions in dealing with this case can be very instructive to other States Parties. In presenting to the Working Group on this case, Germany took an important step in implementing paragraph 14 of the Executive Council's ("the Council") October 2017 decision on non-State actors (EC-86/DEC.9, dated 13 October 2017), which calls on States Parties to share information about cases involving chemical terrorism.
3. In his opening remarks, the Director-General stressed that chemical terrorism remains an important issue for the Organisation. He noted that discussions at the Fourth Review Conference had indicated broad consensus on the OPCW's contribution to countering chemical terrorism, and he highlighted the range of actions undertaken by the Technical Secretariat ("the Secretariat") to build States Parties' capacity in this area. The Director-General underlined that full and effective national implementation of the Convention is critical in this regard and he noted that national implementation of the Convention should evolve to respond to threats to the norm against chemical weapons.
4. The OEWG-T was then briefed by Ms Verena Bauer, a Senior Public Prosecutor from the office of the German Federal Public Prosecutor General. Her presentation provided an overview of the case of production of ricin, a Schedule 1 chemical, by an individual in Cologne, Germany and outlined the national laws under which the suspect was charged. Further, she highlighted the challenges related to the coordination of different federal and local agencies involved in crime-scene investigation, evidence management and analysis, and prosecution.



5. The second presentation was given by Mr Janis Stübler, a Bomb and CBRN¹ Crime-Scene Investigator from the German Federal Criminal Police. He spoke about the complexity of the police operation and the difficult and physically demanding work involved. Mr Stübler underlined that the operation demanded a high level of coordination among many different agencies, which posed significant challenges. He briefed the meeting on the lessons learned from this case, including the need to have a high-security laboratory and the the importance of personal protective equipment and decontamination facilities. He also stressed the advantage of having good inter-agency coordination mechanisms in place, including a team of inter-agency experts trained for such incidents.
6. The final presentation was given by Dr Brigitte Dorner, from the Centre for Biological Threats and Special Pathogens at the Robert Koch Institute. Her presentation provided insights on the technical aspects of detecting and identifying ricin in this case. She elaborated on the different tools and detection techniques used to identify ricin and the importance of corroborating results of analysis from different methods before sharing information publicly. She also underlined the challenges related to coordination between different agencies and the need to optimise information flow, procedures of investigation, and analysis, particularly in the context of a highly time-sensitive criminal matter.
7. Following the presentations, questions and comments from delegations focused on lessons learned from Germany's response to the case, including on the national technical capacities required and the legal challenges involved. Delegations also underlined the need for the OPCW to support capacity-building and training in countries with limited resources to deal with chemical terrorism.
8. Finally, I would like to express my appreciation to the delegates and Ms Bauer, Dr Dorner and Mr Stübler for their participation in this productive and stimulating session.
9. The next meeting of the OEWG-T is scheduled for 8 July 2019.

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¹ Chemical, Biological, Radiological, and Nuclear.