

## Annex

### MEASURES TAKEN BY THE ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS IN REGARD TO GLOBAL ANTI-TERRORISM EFFORTS

#### Executive summary

The Organisation for the Prohibition of Chemical Weapons (OPCW), within the clear boundaries of its mandate, continues to contribute to the international community's efforts in the area of counter-terrorism. This has been undertaken both through the promotion of the Chemical Weapons Convention's full implementation, as agreed by the OPCW Executive Council (hereinafter "the Council") in 2001 (EC-XXVII/DEC.5, dated 7 December 2001), and in the context of cooperation with the United Nations.

The Organisation has been successful in providing a large number of targeted activities that aim at building national and regional capacities in the area of prevention of, preparedness for, and response to incidents involving the misuse or release of toxic chemicals. Various OPCW activities that support national capacity-building in the fields of national implementation and of assistance and protection against chemical weapons have been carried out with a view to facilitating cooperation among different national and international partners.

On 27 April 2011 the Secretariat issued a Note by the Director-General on the "Status of the OPCW's Contribution to Global Anti-terrorism Efforts" EC-64/DG.8. The Note covers the period from 8 February 2010 to April 2011 and provides information on the activities of the Technical Secretariat pursuant to the decisions on the OPCW's contribution to global anti-terrorism efforts. The Note also covers the activities of the Technical Secretariat in collaboration both with States Parties and with the United Nations and other relevant international organisations. Furthermore, the Note presents a summary of the contacts and cooperation between the Secretariat and international bodies in the field of counter-terrorism.

On 3 May 2011, at its Sixtieth Fourth Session, the "The Council noted with appreciation the Note by the Director-General on the status of the OPCW's contribution to global anti-terrorism efforts".

Following concerns expressed at both the First and Second Review Conferences that chemical facilities may become subject to attacks or other incidents that could lead to the release or theft of toxic chemicals, the Secretariat encourages States Parties to exchange experiences and discuss related issues. The OPCW also contributes to enhancing the security of chemical facilities by developing the role of the Organisation as a platform of support for global cooperation in lessening the chemical threat by promoting awareness of chemical security best practices and by fostering cooperation between chemical professionals.

## **The activities of the Executive Council of the OPCW**

The Secretariat has continued to offer its support to the Open-Ended Working Group on Terrorism, which serves as a forum for sharing information and best practices among Member States, as well for substantive discussions on the issue of the OPCW's contribution to the global efforts in this field. The open-ended working group provides valuable guidance to the Secretariat in its activities and contacts on these issues.

The facilitator of the Open-Ended Working Group has regularly briefed the Council on the ongoing activities and future plans in the framework of their facilitation.

## **Cooperation with the United Nations**

OPCW ties with the United Nations are regulated by 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.

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" states that "[t]he full and effective implementation of all provisions of the Convention, including those on national implementation (Article VII) and assistance and protection against chemical weapons (Article X), constitutes an important contribution to the efforts of the United Nations in the global fight against terrorism in all its form and manifestations." (General Assembly resolution 65/57 (2011)).

The Secretariat, at the request of the United Nations, provides a yearly input to the United Nations General Assembly resolution on "measures to prevent terrorists from acquiring weapons of mass destruction", as well as to the United Nations General Assembly resolution on "measures to eliminate international terrorism". The yearly information provided to the United Nations, entitled "Measures Taken by the OPCW in Regard to Global Anti-terrorism Efforts" includes a summary of the activities of the Council and the Secretariat.

The United Nations General Assembly has declared 2011 as the International Year of Chemistry. The OPCW will make an appropriate contribution to the activities organised during the year, and on 12 and 13 September 2011 will host an international conference entitled "Conference on International Cooperation and Chemical Safety and Security."

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

The OPCW has been a member of the CTITF since its creation in 2005, and has played a role in the elaboration, development, and now implementation of the United Nations Global Counter-Terrorism Strategy, as described in General Assembly resolution 60/288 (2006).

The OPCW is participating in the work of the CTITF and is co-chairing the Working Group on Preventing and Responding to WMD Terrorist Attacks. The mandate of the Working Group is “to improve coordination in planning a response to a terrorist attack using nuclear, chemical, biological or radiological weapons or materials, in particular by reviewing and improving the effectiveness of the existing inter-agency coordination mechanisms for assistance delivery, relief operations and victim support, so that all States can receive adequate assistance” (resolution 60/288 (2006), II.17).

In cooperation with the CTITF, the Secretariat has developed the concept of a workshop on international response and mitigation of terrorist use of chemical, biological and toxin weapons or materials. The workshop was held on 16 and 17 May 2011 at the OPCW Headquarters and was attended by relevant international organisations and stakeholders. The workshop participants carried out a comprehensive review of how organisations in the United Nations system and other international organisations from different disciplines would respond, individually and as a whole, to terrorist use of chemical and biological weapons or materials. Participants also assessed the level of planned coordination among the different entities in the rapid provision of assistance to affected State or States.

#### **Activities in the area of resolution 1540 (2004)**

Resolution 1540 (2004) establishes 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 OPCW activities in this area are fully consistent with the provisions of resolution 1540 (2004), particularly operative paragraph 7.

During the reporting period, the Secretariat provided its expertise on the implementation of the Convention at a workshop, held from 9 to 11 November 2010 in Lima, Peru, to raise awareness, examine mechanisms to overcome challenges in respect of implementing resolution 1540 (2004), and to facilitate the drafting of enhanced national reports or dialogue directly with the United Nations Security Council Committee established pursuant to resolution 1540 (2004) (the 1540 Committee).

On 27 and 28 January 2011, at the invitation of the Organisation for Security and Cooperation in Europe (OSCE), representatives of the Secretariat participated in the “Workshop to Identify the Proper Role of the OSCE in Facilitation of UN Security Council Resolution 1540”. The workshop provided a comprehensive platform to exchange views on policy issues, implementation practices, and the need for further dialogue, cooperation, and assistance among national representatives and inter-governmental organisations involved in various aspects of the implementation of resolution 1540 (2004), as well as on the structure of the OSCE Secretariat.

## **Contacts with other United Nations bodies, international organisations, conferences, and meetings**

The Secretariat has established and maintained channels of communication with a number of regional, subregional, and international organisations and agencies in the field of counter-terrorism. The aim of these contacts has been to identify ways in which these organisations can assist one another, pursuant to relevant mandates, by exchanging information, knowledge, and expertise as needed, and by coordinating programme activities that relate to action against terrorism.

## **Safety and Security at Chemical Plants**

As the leading international organisation devoted to preventing the misuse of toxic chemicals, and with close ties to the chemical industry, the OPCW is well-placed to serve as a forum for governments and industry to discuss chemical security. The OPCW has further developed its role as a platform for raising awareness, disseminating best practices, and promoting the exchange of ideas and expertise in order to support the safe and secure production, transportation, and storage of chemicals.

The Secretariat continues to encourage States Parties to exchange experiences and discuss issues relevant to safety and security at chemical plants. The Secretariat is of the view that the OPCW will continue to develop relationships and partnerships, as appropriate, with relevant regional and international organisations, including those related to chemical safety, with chemical industry associations, and with the private sector and civil society, in order to promote awareness of the objectives and purposes of the Convention.

During the reporting period, the Secretariat supported practical activities involving relevant Convention stakeholders, including the chemical industry, in order to discuss gaps, priorities, and best practices in chemical safety and security, and to build synergies with national and international partners. This cooperation offered an opportunity to address the issues of safety and security of chemical facilities and the transport of chemicals from a variety of perspectives: from an industrial point of view, from the perspective of risk assessment, and from a governmental position.

## **Table-Top Exercise on the Preparedness of States Parties to Prevent Terrorist Attacks Involving Chemicals**

The table-top exercise took place on 22 and 23 November 2010 in Warsaw, Poland, and involved 150 participants, including over 70 international representatives from 24 countries, and representatives of 14 international and regional organisations, as well as NGOs. The audience of the exercise represented a broad spectrum of relevant national and international stakeholders, including law-enforcement agencies, institutions undertaking forensic analysis, export-control authorities, institutions involved in the provision of legal assistance, as well as local, regional, and central government authorities.

The table-top exercise was an element of Project VII of the EU Council Decision 2009 of 27 July 2009 on the preparedness of States Parties to prevent and respond to attacks involving chemicals. It aimed to contribute to the development of the capacities of national industry and local, regional, and national governmental agencies/authorities to reduce the risks of a terrorist attack involving the use of toxic industrial chemicals. This included preventing terrorist access to materials, equipment, and knowledge that could be used in the development and production of chemical weapons.

Such activities are designed to create a better understanding of the need for preparedness to prevent terrorist attacks involving chemicals and of the growing risks associated with terrorism. The exercise also confirmed the need for States Parties to adopt measures to review their status regarding prevention of, preparedness for, and response to terrorist incidents involving toxic industrial chemicals, to integrate these measures with preparations they have already made to mitigate risks associated with chemical accidents and environmental incidents, and to address CBRN terrorism risks in a comprehensive fashion. With regard to future OPCW activities, this comprehensive approach calls for effective coordination with other relevant agencies such as the CTITF, Europol, the IAEA, the Implementation Support Unit of the Biological and Toxin Weapons Convention, Interpol, UNICRI, and the United Nations, as well as regional organisations and relevant NGOs such as SIPRI and VERTIC.

As emphasised by the Director-General during the ministerial session of the exercise, the table-top exercise in Poland was not a stand-alone event, but launched a programme to build awareness of the OPCW as a platform for consultations and cooperation, both bilaterally and on a regional basis, on ways to prevent terrorists from acquiring and/or using chemical weapons.

The OPCW will continue to support States Parties in adopting measures to review their status regarding prevention of, preparedness for, and response to terrorist incidents involving toxic industrial chemicals, to integrate these measures with preparations they have already made to mitigate risks associated with chemical accidents and environmental incidents, and to address CBRN terrorism risks in a comprehensive fashion.

### **The Third OPCW Exercise on the Delivery of Assistance (Assistex 3)**

The threats associated with non-State actors' use of chemical weapons have created a renewed interest in the OPCW's role in coordination of emergency assistance provided to States Parties, underscoring the importance of the assistance-and-protection provisions of the Convention.

In this regard, ASSISTEX 3 was conducted from 11 to 15 October 2010 in Tunis, Tunisia, in order to test the procedures the Organisation has in place to respond to a request for assistance under Article X of the Convention, and to assess the readiness and capability of the Organisation to mount a rapid response. The exercise also addressed practical issues related to the delivery of assistance in case of the use or threat of use of chemical weapons, and tested the validity of procedures and work instructions. The Secretariat has reported on the conduct and outcome of ASSISTEX 3 in the Note S/886/2010, dated 26 November 2010.

## **Seminar on the OPCW's contribution to security and the non-proliferation of chemical weapons**

A seminar on the contribution of the OPCW to security and the non-proliferation of chemical weapons was held on 11 and 12 April 2011 at OPCW Headquarters and attracted more than 180 participants from 47 States Parties and non-signatory States, including Permanent Representatives to the OPCW, representatives of National Authorities and of other national agencies, the chemical industry, international organisations, and laboratories, and scientists and policy makers. The event was organised with financial support from the European Union.

The seminar raised the issue of adapting the OPCW to changing realities, in order that its verification and implementation measures under the Convention continue to help prevent the re-emergence of chemical weapons. The completion of the destruction of chemical weapons stockpiles in the coming years will shift the global focus from disarmament to the prevention of the recurrence of chemical warfare in whatever form.

The main seminar topics included national implementation of the Convention, industry verification, sampling and analysis, the convergence of chemistry and biology, the prevention of CBRN misuse, and preparedness for incidents involving the malicious use of toxic chemicals. The participants discussed best practices in safety and security at chemical plants and in transportation. The seminar also included a rolling exhibition on activities against and publications on CBRN proliferation and terrorism.

The seminar underlined the role of the OPCW as a global platform for multi-discipline and multi-stakeholder consultations and cooperation—including bilateral and regional—on the prevention of, preparedness for, and response to incidents involving the misuse of chemicals.

This seminar constituted a starting point for addressing issues that will be critical in the transition process that the OPCW is facing. A structured multi-stakeholder and multi-discipline process of this nature would complement the regular work of the OPCW and serve as a platform for raising and discussing issues in an open way.