



**Specialized Legal Assistance Activities for enhancing implementation of the international legal framework against nuclear, chemical and biological Terrorism
Work of the Terrorism Prevention Branch of UNODC**

Since 2006, the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime has increasingly been giving attention to the issue of nuclear, chemical and biological terrorism, as part of its on-going technical assistance delivery on counter-terrorism legal and related capacity-building issues.

Specialized activities have been organized pursuant to ECOSOC Resolution 2005/19 and relevant General Assembly Resolutions (including A/RES/62/70, A/RES/62/172 and A/RES/62/175) which recognized the role of the Branch in assisting States in becoming parties to, and implementing, the International Convention for the Suppression of Acts of Nuclear Terrorism as well as the other recent legal instruments, including the amendment of 2005 to the Convention on the Physical Protection of Nuclear Material of 1979, the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation as well as the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf. Furthermore, the UN Global Counter-Terrorism Strategy of 2006 (General Assembly Resolution A/RES/60/288 and A/RES/62/272) *inter alia* invites the United Nations “to improve coordination in planning a response to a terrorist attack using nuclear, chemical and biological weapons or materials” and encourages UNODC/TPB to enhance its provision of technical assistance to countries to facilitate the implementation of the international conventions and protocols related to the prevention and suppression of terrorism as well as relevant UN Resolutions.

The Branch’s technical assistance activities in the area of nuclear, chemical and biological terrorism are carried out within the framework of the global project on “Strengthening the Legal Regime against Terrorism”. Since the launch of the global project in January 2003, the Branch has provided specialized assistance to 164 Member States in ratifying and implementing the universal legal instruments against terrorism, either through country-specific “direct” assistance, or through the organization of sub-regional workshops. These activities have been undertaken in close coordination with the Counter-Terrorism Committee (CTC) and its Counter-Terrorism Executive Directorate (CTED) and are carried out jointly with other international and regional organizations, with a view to combine UNODC expertise with the competencies of other actors on special thematic or geographical areas. UNODC’s work has resulted in a notable increase in the number of ratifications of the universal legal instruments against terrorism, elaboration of new or revised counter-terrorism legislation by assisted countries as well as the awareness-raising and training of several thousand criminal justice officials in the assisted countries on the provisions and the practical application of the universal instruments against terrorism.

A number of thematically focused regional workshops have so far been organized, including:

(i) Sub-regional workshop for states from Central and Southeast Europe on international cooperation against terrorism (Budapest, Hungary, 12-13 November 2008, with OSCE): The workshop gathered 40 counter-terrorism experts, focal points for international cooperation and forensic experts from Central and Southeast European countries as well as relevant international organizations to discuss best practices and legal tools in combating terrorism, particularly nuclear terrorism.

(ii) Sub-regional workshop for the Member States of the Gulf Council on nuclear terrorism (Doha, Qatar, 29-30 April 2008; in cooperation with the Gulf Council): The workshop focused on the UN Convention on

the suppression of acts of nuclear terrorism, on suppressing acts of nuclear terrorism within the context of the UN Global Counter-Terrorism Strategy, the role of the 1540 Committee, and the role of other international entities concerned such as IAEA and CTBTO.

(iii) *Workshop for Member States of the Commonwealth of Independent States and of the Collective Security Treaty Organization on the prevention of nuclear, chemical, biological and cyber terrorism and other global threats and challenges in the light of the UN Conventions and Protocols* (Minsk, Belarus, 16-18 January 2008, co-funded by the OSCE and with the participation of the 1540 Committee of the Security Council, the IAEA and the International School of Nuclear Law): The workshop was organized with the Executive Committee of the Commonwealth Independent States (CIS) and was addressed to designated representatives of Security Services and Ministries of Justice of CIS member states (with the exception of Georgia, Ukraine and Turkmenistan).

(iv) *UNODC/OSCE Regional workshop for the Central Asia countries and Afghanistan on the suppression of acts of nuclear terrorism* (Tashkent, Uzbekistan, 12-13 April 2007; with the participation of the IAEA and the International School of Nuclear Law): The workshop was organized jointly with OSCE and hosted by the Government of Uzbekistan aimed at familiarizing senior legal experts from Central Asian states and Afghanistan with the international legal instruments against acts of nuclear terrorism. It also provided a forum for the discussion of existing national legislation in this area.

In addition to these regional workshops, the Branch has also been organizing a number of specialized national-level activities:

(i) *Legislative drafting expert workshop on the criminal law aspects of the universal legal framework against nuclear terrorism* (Yerevan, Armenia, 18-19 February 2009): The workshop aimed at strengthening national legislation and international cooperation against nuclear terrorism. The workshop resulted in a Plan of Action for amending Armenia's penal code with the universal legal instruments against terrorism and for follow-up training in countering biological and chemical terrorism.

(ii) *National workshop on the criminal law aspects of countering the nuclear, chemical and biological terrorism in the light of the relevant universal instruments* (Ashgabat, Turkmenistan, 24-27 November 2008, organised with OSCE and IAEA): The workshop aimed at familiarizing Turkmenistan's senior legal experts with the international legal instruments relating to nuclear, chemical and biological terrorism and providing practical assistance in strengthening national criminal legislation in this field.

(iii) *Workshop on the legislative implementation of the 2005 universal counter-terrorism instruments concerning the physical protection of nuclear material and the security of maritime navigation* (Dhaka, Bangladesh 6-7 May 2008, organized with IDLO): The workshop was organized in collaboration with IDLO and provided assistance in assessing the legal implications of the ratification by Bangladesh of the 2005 instruments including the development of model provisions incorporating the criminal law obligations set by the instruments.

(iv) *Legislative drafting expert workshop on the Criminal Law Aspects of the Universal Legal Framework against Nuclear Terrorism* (Kiev, Ukraine, 10-14 March 2008, organized with the US State Department and the Antiterrorist Centre of Ukraine). The workshop was organized jointly with the Nuclear Smuggling Outreach Initiative of the U.S. State Department (NSOI) and in cooperation with the Antiterrorist Centre of Security Services of Ukraine. It aimed at strengthening Ukraine's national legislation and international legal cooperation against nuclear smuggling and terrorism.

(v) *Legislative drafting expert workshop on the Criminal Law Aspects of the Universal Legal Framework against Nuclear Terrorism* (Belgrade, Serbia, 19-20 February 2008; with the participation of the IAEA and OSCE): The workshop aimed at strengthening national legislation and international legal cooperation against nuclear terrorism.

The Branch has also contributed to specialized counter-terrorism legal expertise through the development of technical assistance tools and publications. An *Expert group meeting on the implementation of penal provisions contained in the universal legal framework against nuclear terrorism*, organized in Vienna (6-7 December 2007) provided a forum for experts from different countries and other organizations to discuss the various penal provisions dealing with nuclear terrorism contained in the universal framework against nuclear terrorism including issues related to the liability of legal persons as established by the relevant instruments. The participation of representatives of IAEA, IMO, Interpol and OLA allowed for an exchange of views on the related technical assistance work of these organizations. Based on the outcome, a specialized technical assistance tool was developed that will facilitate the incorporation of the relevant provisions of the international legal instruments into national legislation.

Furthermore, the Branch has provided legislative expertise for a number of activities organized by other international and regional organizations:

- *International Nuclear Security Symposium* (Vienna, Austria, 30 March-3 April 2009, co-organised with IAEA);
- *Meetings on a Nuclear Security Recommendation document on the issue of the detection and response to criminal and unauthorized acts involving nuclear and other radioactive material out of regulatory control* (Vienna, Austria, 17-21 November 2008 and 23-27 March 2009, co-chaired with IAEA);
- *IAEA Regional Workshop on Implementing Legislation in Nuclear Security for African Countries* (Vienna, Austria, 8-10 October 2008);
- *Meeting on The International Legal Underpinning for Prosecution of Illicit Transfer of WMD Materials and Nuclear Terrorism*, (Garmisch-Partenkirchen, Germany, 4-5 September 2008 organized by the Global Initiative against Nuclear Terrorism);
- *Lecture on the Universal Legal Framework against Nuclear Terrorism at the International School of Nuclear Law* (Montpellier, France, 29 August 2008);
- *International Conference on Bio-terrorism Prevention* (Bucharest, Romania, 7-9 October 2007, organized by the Romanian Bio-terrorism Prevention Working Group, the Romanian Ministry of Education and Research and the Consortium for Law and Strategic Security);
- *Lecture on the Universal Legal Framework against Nuclear Terrorism at the International School of Nuclear Law* (Montpellier, France, 7 September 2007);
- *ASEAN Workshop on Preventing Bio-terrorism* (Jakarta, Indonesia, 12-13 July 2007);
- *Panel discussion on "Nuclear terrorism: Prevention, Security and the Counter-Terrorism Legal Framework"* (New York, 18 June 2007, organized by OLA and with IAEA);