Criminalisation of CBRN related conduct in the international legal framework against terrorism

Session 3
Thursday 19 September 2019
Key points

CBRN weapons are very attractive for non-state terrorist actors

The international legal framework addresses CBRN terrorism

Adherence to this framework is beneficial for you and the global community

UNODC can help your country to adhere to the framework
Structure

(1) Case study

(2) Setting the scene – trends in terrorism and CBRN

(3) The global response – an international legal framework

(4) What it means for you
Case study

Section One
Participation of foreign terrorist fighters (estimates only)

- Afghanistan (1978 - 1992)
- Bosnia (1992 - 1995)
- Iraq (2003 - 2014)
- Iraq and Syria (2012 to present)

Eight people injured on 28 June 2016

Image source: https://www.straitstimes.com/
Setting the scene
Section Two
45 Years of Terrorism
Terrorist Attacks, 1970-2015
Concentration and Intensity

High
Intensity value is a combination of incident fatalities and injuries

Low

Source: Global Terrorism Database

START
Terrorism incidents over time - Global
Latest assessment

Al-Qaida remains resilient and particularly strong in Somalia, Syria, Yemen and West Africa

ISIL (‘Da-esh’)

• morphing into a covert network, following the fall of their so called caliphate
• estimated to have access to between 50 to 300 million USD

1267 Monitoring Team (July 2019)
Latest assessment

ISIL (‘Da-esh’)

- Publishing online tutorials on biological and chemical weapon building in Europe
- Used laboratories in Mosul to produce sulphur mustard agent and conduct 15 attacks between 2015 and 2017

1267 Monitoring Team (July 2019)
ISIL / “Da-esh” 2014

- “The advantage of biological weapons is that they do not cost a lot of money, while the human casualties can be huge”

- ‘It is permissible to use weapons of mass destruction – even if it kills all of them [the enemy] and their descendants off the face of the earth.”

Photo credit: Andras Vas, @wasdrew
The global response

Section Three
Global Framework against Terrorism

1. Strategies
2. UN resolutions
3. Conventions and Protocols

Image source: https://un.org/

Pillar I
Addressing the conditions conducive to the spread of terrorism

Pillar II
Preventing and combatting Terrorism

Pillar III
Building States’ capacity and strengthening the role of the United Nations

Pillar IV
Ensuring Human Rights and the rule of law

Unanimously adopted by the General Assembly (all 192 UN Member States) in resolution 60/288 – 8 September 2006
Civil Aviation

- 1963 Tokyo 'Offences on Board Aircraft' Convention
- 1970 The Hague 'Hijacking' Convention
- 1971 Montreal ‘Sabotage’ Convention
- 1988 Montreal ‘Airport’ Protocol
- 2010 Beijing Civil Aviation Convention

Maritime Navigation

- 1988 Rome ‘SUA Fixed Platforms’ Protocol
- 2005 London ‘SUA Fixed Platforms’ Protocol

Hostages & Internationally Protected Persons

- 1973 New York ‘Protection of Diplomats’ Convention
- 1979 New York ‘Hostages’ Convention

Dangerous Materials, Explosives & Bombings

- 1979 Physical Protection of Nuclear Material Convention (CPPNM)
- 2005 CPPNM Amendment
- 1997 ‘Terrorist Bombings’ Convention
- 2005 Nuclear Terrorism Convention (ICSANT)

Terrorism Financing

Common Elements:

Criminalises conduct

Determines jurisdiction, including *aut dedere aut judicare*

Provides international cooperation mechanisms
What it means for you

Section Four
Consider becoming a party to the remaining legal instruments
Concerns?
Difficulties?
UNODC can support you

To become a party
National outreach and consultation
Desk review
Legislative drafting workshops
Learning from other countries

Once you’ve become a party
Training for judges and prosecutors
eLearnings
Manuals
Case studies
Key points

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UNODC can help your country to adhere to the framework
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