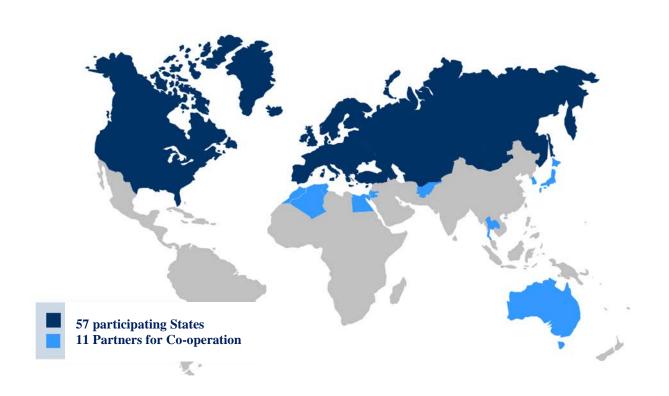


# Status of the Universal Anti-Terrorism Conventions and Protocols as well as other International and Regional Legal Instruments related to Terrorism and Co-operation in Criminal Matters in the OSCE Area



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Status of the Universal Anti-terrorism Conventions and Protocols as well as other International and Regional Legal Instruments related to Terrorism and Co-operation in Criminal Matters in the OSCE Area

This document contains the following sections and annexes:

Annex I: Table with Status of the 19 Universal Anti-terrorism Instruments in the OSCE Area (OSCE participating States).

Annex II: Table with Status of the 19 Universal Anti-terrorism Instruments (OSCE Partners for Co-operation).

Annex III: Table with Status of Other Legal Instruments Relevant for International Cooperation in Criminal Matters in the OSCE Area.

Annex IV: Summaries of the 19 Universal Anti-terrorism Instruments.

Annex V: Summaries of other Legal Instruments relevant for International Co-operation in Criminal Matters.

These charts are based upon information available from the depositaries as specified in this document and are updated on a regular basis. Comments from Delegations should be addressed to the OSCE Transnational Threats Department/Action against Terrorism Unit:

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## I. Introduction by the Head on Anti-terrorism Issues (Transnational Threats Department/Action against Terrorism Unit)

The <u>OSCE Consolidated Framework for the Fight against Terrorism</u> (PC.DEC/1063) defined promoting the implementation of the international legal framework against terrorism, and enhancing international legal co-operation in criminal matters related to terrorism, as a strategic area for OSCE counter-terrorism activities.

The international legal framework for the fight against terrorism consists of the 19 Universal Anti-terrorism Instruments – UATI (United Nations Conventions, their Amendments and Protocols) – as well as relevant United Nations Security Council resolutions (UNSCR).

Within the OSCE area, a high ratification rate among participating States and Partners for Cooperation has been reached. However, being party to the UATI is not wholly sufficient. Offences defined in those Instruments have to be criminalized in the national legislation. States must exercise effective jurisdiction over offenders under the conditions prescribed, and provide for the effective application of international co-operation mechanisms, enabling state parties to facilitate law enforcement and judicial co-operation at formal and informal levels, and to either prosecute or extradite the alleged offender.

Practical implementation of the international legal framework against terrorism means that states have to make every effort to prevent terrorist attacks from happening: legislation, regulations and investigation techniques have to reflect a proactive approach, anticipating terrorist methods and tactics, criminalizing and investigating preparatory acts, such as producing or acquiring fake documents, weapons and explosive substances, recruiting and (receiving) training, as well as terrorist financing.

In promoting the ratification and implementation of the international legal framework, the OSCE is collaborating with the United Nations Office on Drugs and Crime (UNODC), the United Nations Counter-Terrorism Committee Executive Directorate (CTED), the United Nations Counter-Terrorism Implementation Task Force (CTITF) and other regional and international organizations.

As the Head on Anti-terrorism Issues within the OSCE's Transnational Threats Department, I would like to reiterate our readiness to support our participating States and Partners for Cooperation in their implementation of the international legal framework against terrorism.

**Thomas Wuchte** 

Head on Anti-Terrorism Issues Transnational Threats Department OSCE

#### II. Status of the 19 Universal Anti-terrorism Instruments<sup>1</sup> in the OSCE Area

- 1963 Convention on Offences and Certain Other Acts Committed On Board Aircraft
- 1970 Convention for the Suppression of Unlawful Seizure of Aircraft
- 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation
- 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents
- 1979 International Convention against the Taking of Hostages
- 1980 Convention on the Physical Protection of Nuclear Material
- 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation
- 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation
- 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf
- 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection
- 1997 International Convention for the Suppression of Terrorist Bombings
- 1999 International Convention for the Suppression of the Financing of Terrorism
- 2005 International Convention for the Suppression of Acts of Nuclear Terrorism
- 2005 Amendment to the Convention on the Physical Protection of Nuclear Material
- 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation
- 2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf
- 2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation
- 2010 Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft
- 2014 Protocol to the Convention on Offences and Certain other Acts Committed on Board Aircraft

#### Some facts and figures:

- As of March 2017, the ratification rate among OSCE participating States in relation to those 16 UATI currently in force is near 90%, while it stands at approximately 75% in relation to all 19 UATI.<sup>2</sup>
- Among OSCE Partners for Co-operation, these ratification rates stand at approximately 82% and 70% respectively.
- The Netherlands and Switzerland are the front-runners regarding the number of UATI ratified: they are both party to 18 of the 19 existing UATI, followed by 13 participating States and 1 Partner for Co-operation that have ratified 16 UATI.
- The ratification average in the OSCE area is approximately 14 instruments per participating State and approximately 13 per Partner for Co-operation; worldwide the average is approximately 12 instruments per state.

<sup>&</sup>lt;sup>1</sup> For the purpose of examining the data provided by the depositary bodies, a list of the conventions and protocols, their depositaries, and the locations of the relevant documents on the Internet are listed in ANNEX IV and ANNEX V.

<sup>&</sup>lt;sup>2</sup> Out of the 19 UATI, there are three that are not in force yet, namely, the Beijing Convention and the Beijing Protocol (both adopted in 2010) and the 2014 Protocol to the Convention on Offences and Certain other Acts Committed on Board Aircraft. For a detailed status per country, please see ANNEX I.

#### Why are the following three UATI not in force yet?

The reason for this is that an insufficient number of state parties deposited their instrument of ratification, acceptance, approval or accession so far:

## 2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing Convention):

In accordance with its Article 22, this Convention shall enter into force on the first day of the second month following the date of the deposit of the twenty-second instrument of ratification, acceptance, approval or accession.

## 2010 Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Beijing Protocol):

In accordance with its Article XXIII, this Protocol shall enter into force on the first day of the second month following the date of the deposit of the twenty-second instrument of ratification, acceptance, approval or accession.

## 2014 Protocol to the Convention on Offences and Certain other Acts Committed on Board Aircraft:

In accordance with its Article XVIII, this Protocol shall enter into force on the first day of the second month following the date of **deposit of the twenty-second instrument** of ratification, acceptance, approval or accession with the Depositary.

TNTD therefore encourages OSCE participating States and Partners for Co-operation to continue their efforts in ratifying and implementing all the Instruments forming the international legal framework against terrorism.

## III. Status of other International and Regional Legal Instruments related to Terrorism and Co-operation in Criminal Matters<sup>3</sup>

In addition to the aforementioned UATI, implementation of further international treaties (see Annexes III and V) provides participating States with an even stronger legal framework to combat terrorism, particularly by co-operating in criminal investigations against and the prosecution of suspected terrorists. Annex III contains a table, which includes the <u>UN Convention against Transnational Organized Crime</u> as well as legal treaties concluded in the framework of the Council of Europe.

<sup>&</sup>lt;sup>3</sup> The information presented in this table has been collected from depositary bodies. Any corrections or additional information should be communicated to TNTD/ATU in order to be included in the next update.

#### IV. What is new?

Since the last update, the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material entered into force on 8 May 2016. As pointed out in a statement by the International Atomic Energy Agency (IAEA), "[t]he Amendment constitutes an important milestone in international efforts to improve the physical protection of nuclear material and facilities. Whereas the obligations for physical protection under the [Convention] covered nuclear material during international transport, the Amendment [...] makes it legally binding for States Parties to protect nuclear facilities and material in peaceful domestic use, storage and transport. It also provides for expanded cooperation between and among States regarding rapid measures to locate and recover stolen or smuggled nuclear material, mitigate any radiological consequences of sabotage, and prevent and combat related offences. The implementation by the States Parties of the provisions of the Amendment is vitally important for nuclear security and has a major impact in reducing the vulnerability of States Parties to nuclear terrorism".

Moreover, apart from a number of resolutions dealing with countries and regions particularly affected by terrorism, the following two resolutions by the UN Security Council adopted since the last update address terrorism and violent extremism specifically:

UNSCR 2309 (2016), dealing with the threats caused by terrorist acts to aviation security, noting with "particular concern that terrorist groups are actively seeking ways to defeat or circumvent aviation security, looking to identify and exploit gaps or weaknesses where they perceive them." The resolution furthermore "[c]alls upon all States to work within [the International Civil Aviation Organization] ICAO to ensure that its international security standards are reviewed and adapted to effectively address the threat posed by terrorist targeting of civil aviation", as well as to adopt a number of measures including enhanced screening, security checks, and facility security at airports, the use of effective quality control and oversight processes, taking into account also the potential role of those with privileged access to areas, knowledge or information that may assist terrorists in planning or conducting attacks, and to "[r]equire that airlines [...] provide advance passenger information to the appropriate national authorities in order to detect [...] individuals designated [...] pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015)".

<u>UNSCR 2322 (2016)</u>, reaffirms UN member states' commitment to counter terrorism by recalling its earlier resolutions in this regard and emphasizes the need for international co-operation. It calls in particular for an enhanced exchange of information between domestic agencies as well as internationally, to prevent terrorist acts as well as "to prevent terrorists from benefitting from transnational organized crime" and "to deny safe haven to those who finance, plan, support, commit terrorist acts [...]". The resolution furthermore identifies various avenues for enhancing international co-operation, including through the ratification and implementation of the UATI, the enactment and application of effective national laws on extradition and mutual legal assistance, the designation of Central Authorities tasked with the handling of requests for mutual legal assistance and/or extradition in terrorism-related cases, the suggestion to allow for an electronic exchange of such requests between Central Authorities, and the more effective use of existing platforms such as <a href="INTERPOL's secure global communication system">INTERPOL's secure global communication system (I-24/7)</a> and the strengthening of this organization's network of National Central Bureaus.

## V. Overview of Recent TNTD/ATU Activities in Support of the Implementation of the International Legal Framework against Terrorism and Co-operation in Criminal Matters Related to Terrorism

The OSCE's TNTD/ATU reviews the status of the Universal Anti-Terrorism Instruments in the OSCE area, circulates updates and informs about any relevant progress in its Counter-Terrorism Network newsletters.

Furthermore, in co-operation with the United Nations Office on Drugs and Crime (UNODC), technical assistance is provided to participating States and Partners for Co-operation upon request. Contingent on the availability of resources, the following types of assistance can be facilitated:

- Expert review of the existing anti-terrorism legislation;
- Technical assistance in the ratification of conventions and protocols;
- Assistance in the submission of reports to the United Nations Counter-Terrorism Committee pursuant to United Nations Security Council resolution 1373 (2001);
- Assistance in the drafting of national legislation necessary to comply with the international conventions, protocols and Security Council resolutions;
- Assistance, including the provision of training by practitioners for practitioners, in the implementation of the tools for co-operation in criminal matters related to terrorism.

Consistent with the <u>OSCE Consolidated Framework for the Fight against Terrorism</u> (PC.DEC/1063), TNTD/ATU also contributes to furthering international legal co-operation in criminal matters related to terrorism. In this area, it supports UN CTED in their country visits assessing the implementation of UN Security Council resolutions <u>1373 (2001)</u>, <u>1624 (2005)</u> and <u>2178 (2014)</u>. Similarly, UNODC's work in relation to the ratification and implementation of the UATI in the OSCE area is supported by TNTD/ATU. The unit furthermore co-operates with the Global Counterterrorism Forum (GCTF) to support participating States upon request in the implementation of the <u>GCTF Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector</u>, and is examining further areas of cooperation.

#### TNTD/ATU recent activities organized in this area are:

- National Seminars on Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism, on the basis of the <u>GCTF Rabat Memorandum on Good Practices for Effective</u> Counterterrorism Practice in the Criminal Justice Sector, 6-7 September 2016, Sarajevo;
- Assistance to Field Operations in promoting the ratification and implementation of UATI –
  most recently with the OSCE Project Co-ordinator in Uzbekistan, 15 September 2016,
  Tashkent.
- Joint UNODC-OSCE Initiative for Central Asia on "Supporting Criminal Justice Capacity Building against Emerging Terrorist Threats", in which TNTD/ATU supported six UNODC-led events in Central Asia, with up to three OSCE-led events being envisaged.

#### Upcoming activities in this area:

- Further national seminars on the <u>GCTF Rabat Memorandum on Good Practices for Effective</u> Counterterrorism Practice in the Criminal Justice Sector.
- Development of follow-up activities to the aforementioned seminar series, such as regional events and/or seminars focusing on newly adopted GCTF's good practice documents, such as the <u>Neuchâtel Memorandum on Good Practices for Juvenile Justice in a Counterterrorism Context</u>.

ANNEX I<sup>4</sup>
Status in the OSCE area of the 19 Universal Anti-terrorism Conventions and Protocols

P = Partv

									P = P	arty										
CONVENTIONS AND PROTOCOLS	1. Offences and Certain Other Acts Committed on Board Aircraft (1963)	Suppression of Unlawful Seizure of Aircraft (1970)	<ol> <li>Suppression of Unlawful Acts against the Safety of Civil Aviation (1971)</li> </ol>	<ol> <li>Prevention and Punishment of Crimes against Internationally Protected Persons (1973)</li> </ol>	5. Against the Taking of Hostages (1979)	6. Physical Protection of Nuclear Material (1980)	7. Suppression of Unlawful Acts of Violence at Airports Serving Intl. Civil Aviation, supp. to 1971 Convention (1988)	<ol> <li>Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988)</li> </ol>	9. Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (1988)	10. Marking of Plastic Explosives for the Purpose of Detection (1991)	11. Suppression of Terrorist Bombings (1997)	<ol> <li>Suppression of the Financing of Terrorism (1999)</li> </ol>	13. International Convention for theSuppression Acts Nuclear Terrorism (2005)	14. Amendment to the Convention on the Physical Protection of Nuclear Material (2005)	15. Protocol Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation	16. Protocol to the Protocol Suppression Unlawful Acts against Safety Fixed Platforms on the Continental Shelf (2005)	17. 2010 Convention Suppression Unlawful Acts International Civil Aviation *	18. 2010 Protocol Supplementary to the Convention Suppression Unlawful Seizure of Aircraft *	19. 2014 Protocol to the Convention on Offences and Certain other Acts Committed on Board Aircraft *	Party (out of 19)
Albania	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	-	-	-	-	-	13
Andorra	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	=	-	-	-	12
Armenia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Austria	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	16
Azerbaijan	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Belarus	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	-	13
Belgium	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
BiH	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р		-	-	-	-	13
Bulgaria	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	Р	Р	-	-	-	15
Canada	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Croatia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	1	-	-	-	-	14
Cyprus	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Czech Rep.	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	P	-	-	Р	Р	-	16
Denmark	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Estonia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	Р	Р	-	-	-	15
Finland	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
France	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	Р	Р	-	16
Georgia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Germany	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	16
Greece	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	Р	Р	-	-	-	15
Holy See	-	-	-	Р	-	-	-	-	-	-	-	Р	-	-	-	-	-	-	-	2
Hungary	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Iceland	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	-	-	12
Ireland	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	-	-	-	-	-	13
Italy	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	-	13
Kazakhstan	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Kyrgyzstan	P	P	P	P	P	P	P	-	-	P	P	P	Р	Р	-	-	-	-	-	12
Latvia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	16

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<sup>&</sup>lt;sup>4</sup> The information that follows is collated from depositary sources. Its accuracy relies on the data provided by the pertinent depositary bodies of each instrument (*i.e.*, the United Nations, the International Civil Aviation Organization, the International Maritime Organization, the International Atomic Energy Agency and the Council of Europe). Any corrections or additional information should be communicated to TNTD/ATU in order to be included in the next update.

Liechtenstein	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	16
Lithuania	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Luxembourg	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Malta	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	Р	-	Р	16
Monaco	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	-	-	12
Mongolia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	-	13
Montenegro	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	Р	Р	-	-	-	-	-	-	12
Netherlands	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	18
Norway	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	15
Poland	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Portugal	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	16
Rep. Moldova	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Romania	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	16
Russian Fed.	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
San Marino	Р	-	-	Р	Р	Р	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	13
Serbia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	15
Slovakia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Slovenia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Spain	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	16
Sweden	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	16
Switzerland	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	18
Tajikistan	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	-	-	-	-	-	13
The fYRoM	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Turkey	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	-	-	16
Turkmenistan	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Ukraine	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
UK	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
USA	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	16
Uzbekistan	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14

<sup>\*</sup> Not yet in force

ANNEX II
Status in the OSCE Partners for Co-operation of the 19 Universal Anti-terrorism Conventions and Protocols

P = Party

CONVENTIONS AND PROTOCOLS	Offences and Certain Other     Acts Committed on Board     Aircraft (1963)	<ol><li>Suppression of Unlawful Seizure of Aircraft (1970)</li></ol>	Suppression of Unlawful     Acts against the Safety of     Civil Aviation (1971)	4. Prevention and Punishment of Crimes against Internationally Protected Persons (1973)	5. Against the Taking of Hostages (1979)	6. Physical Protection of Nuclear Material (1979)	Suppression of Unlawful Acts of Violence at Airports Serving Intl. Civil Aviation, supp. to 1971 Convention (1988)	8. Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988)	Suppression of Unlawful     Acts against the Safety of     Fixed Platforms Located on     the Continental Shelf (1988)	10. Marking of Plastic Explosives for the Purpose of Detection (1991)	11. Suppression of Terrorist Bombings (1997)	12. Suppression of the Financing of Terrorism (1999)	13 linternational Convention for the Suppression Acts Nuclear Terrorism (2005)	14. Amendment to the Convention on the Physical Protection of Nuclear Material (2005)	15. Protocol to the Convention to the Suppression of Unlawful Acts against the Safety of Maritime Navigation (2005)	16. Protocol to the Protocol Suppression Unlawful Acts against Safety of Fixed Platforms on the Continental Shelf (2005)	17. 2010 Convention Suppression Unlawful Acts International Civil Aviation *	18. 2010 Protocol Supplementary to the Convention Suppression Unlawful Seizure of Alircraft *	19. 2014 Protocol to the Convention on Offences and Certain other Acts Committed on Board Aircraft *	Party (out of 19)
Afghanistan	Р	Р	Р	Р	Р	Р	-	Р	Р	Р	Р	Р	Р	-	-	-	-	-	-	12
Algeria	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	16
Australia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Egypt	Р	Р	Р	Р	Р	-	Р	Р	Р	Р	Р	Р	-	-	-	-	-	-	-	11
Israel	Р	Р	Р	Р	-	Р	Р	Р	P	-	Р	Р	-	Р	-	-	-	-	-	11
Japan	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Jordan	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	Р	Р	-	-	-	-	Р	14
Morocco	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Republic of Korea	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14
Thailand	Р	Р	Р	Р	Р	-	Р	-	-	Р	Р	Р	-	Р	-	-	-	-	-	11
Tunisia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	-	14

<sup>\*</sup> Not yet in force

 ${\color{blue} \mathbf{ANNEX~III}}$  Status in the OSCE area of other international and regional legal instruments related to terrorism or co-operation in criminal matters

							P	= Party									
CONVENTIONS AND PROTOCOLS	UN Convention Against Transnational Organized Crime (2000)	European Convention on Extradition (1957) CETS No: 024	Additional Protocol to the European Convention on Extradition (1975) CETS No: 086	Second Additional Protocol to the European Convention on Extradition (1978) CETS No: 098	Third additional Protocol to the European Convention on Extradition (2009) CETS No. 209	Fourth Additional Protocol to the European Convention on Extradition (2012) CETS No. 212	European Convention on Mutual Legal Assistance in Criminal Matters (1959) CETS No: 030	Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (1978) CETS No: 099	Second Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (2001) CETS No: 182	European Convention on the Transfer of Proceedings in Criminal Matters (1972) CETS No: 073	European Convention on the Suppression of Terrorism (1977) CETS No: 090	Protocol amending the European Convention on the Suppression of Terrorism (2003) CETS No. 190 *	Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (1990) CETS No: 141	Convention on Cybercrime (2001) CETS No: 185	Council of Europe Convention on the Prevention of Terrorism (2005) CETS No: 196	Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (2015) CETS 217 *	Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (2005) CETS No: 198
Albania	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р
Andorra	Р	Р	Р	-	-	-	Р	-	-	-		-	Р	Р	Р	-	-
Armenia	Р	Р	Р	Р	-	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р
Austria	Р	Р	-	Р	Р	Р	Р	Р	-	Р	Р	-	Р	Р	Р	-	-
Azerbaijan	Р	Р	Р	Р	Р	-	Р	Р	-	-	Р	Р	Р	Р	Р	-	-
Belarus	Р	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**
Belgium	Р	Р	Р	Р	-	-	Р	Р	Р	-	Р	Р	Р	Р	-	-	Р
BiH	Р	Р	Р	Р	Р	-	Р	-	Р	Р	Р	-	Р	Р	Р	-	Р
Bulgaria	Р	Р	Р	Р	-	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р
Canada	Р	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**
Croatia	Р	Р	Р	Р	-	-	Р	Р	Р	-	Р	Р	Р	Р	Р	-	Р
Cyprus	Р	Р	Р	Р	Р	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р
Czech Rep.	Р	Р	Р	Р	Р	-	Р	Р	Р	Р	Р	-	Р	Р	-	-	-
Denmark	Р	Р	Р	Р	-	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-
Estonia	Р	Р	Р	Р	-	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-
Finland	Р	Р	-	Р	-	-	Р	Р	Р	-	Р	Р	Р	Р	Р	-	-
France	Р	Р	-	-	-	-	Р	Р	Р	-	Р	Р	Р	Р	Р	-	Р
Georgia	Р	Р	Р	Р	-	-	Р	Р	Р	-	Р	Р	Р	Р	-	-	Р
Germany	Р	Р	-	Р	Р	-	Р	Р	Р	-	Р	Р	Р	Р	Р	-	-
Greece	Р	Р	-	-	-	-	Р	Р	-	-	Р	-	Р	Р	-	-	-
Holy See	Р	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**
Hungary	Р	Р	Р	Р	-	-	Р	Р	-	-	Р	-	Р	Р	Р	-	Р
Iceland	Р	Р	Р	Р	-	-	Р	Р	-	-	Р	-	Р	Р	-	-	-
Ireland	Р	Р	-	-	-	-	Р	Р	Р	-	Р	-	Р	-	-	-	-
Italy	Р	Р	-	Р	-	-	Р	Р	-	-	Р	Р	Р	Р	Р	P **	Р
Kazakhstan	Р	**	**	**	**	**	**	**	**	**	**	**	**	**	**		**
Kyrgyzstan	P	**	**	**		**	**	**	**	**	**	**	**	**	**	**	**
Latvia	P	P	P	Р	Р	Р	P	Р	Р	P	P	P	P	P	P	-	Р
Liechtenstein	P	P	P	-	-	-	P	-	-	P	P	P	P	P	P	-	-
Lithuania	P	P	P	Р	Р	-	Р	P	Р	Р	P	P	P	P	P	-	-
Luxembourg	Р	Р	Р	-	-	-	Р	Р	-	-	Р	Р	Р	Р	Р	-	-

Malta	Р	P	Р	Р	_	I -	Р	P	Р	I _	Р	_	Р	D	Р	T -	Р
Monaco	P	P	P	P		_	P	'	-	-	P	P	P	Г	P	P	
	P	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**
Mongolia																	
Montenegro	Р	Р	Р	Р		-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р
Netherlands	Р	Р	Р	Р	Р	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р
Norway	Р	Р	Р	Р	-	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-
Poland	Р	Р	Р	Р	-	-	Р	Р	Р	-	Р	Р	Р	Р	Р	-	Р
Portugal	Р	Р	Р	Р	-	-	Р	Р	Р	-	Р	Р	Р	Р	Р	-	Р
Rep. Moldova	Р	Р	Р	Р	-	-	Р	Р	Р	Р	Р	Р	Р	Р	P	Р	Р
Romania	Р	Р	Р	Р	-	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р
Russian Fed.	Р	Р	Р	Р	-	-	Р	Р	-	Р	Р	Р	Р	-	Р	-	-
San Marino	Р	Р	-	-	-	-	Р	-	-	-	Р	-	Р	-	-	-	Р
Serbia	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р
Slovakia	Р	Р	Р	Р	-	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р
Slovenia	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	Р	Р	Р	Р	-	Р
Spain	Р	Р	Р	Р	Р	-	Р	Р	-	Р	Р	Р	Р	Р	Р	-	Р
Sweden	Р	Р	Р	Р	-	-	Р	Р	Р	Р	Р	-	Р	-	Р	-	Р
Switzerland	Р	Р	Р	Р	Р	Р	Р	-	Р	-	Р	Р	Р	Р	-	-	-
Tajikistan	Р	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**
The fYRoM	Р	Р	Р	Р	Р	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р
Turkey	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р
Turkmenistan	Р	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**
Ukraine	Р	Р	Р	Р	-	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р
UK	Р	Р	-	Р	Р	Р	Р	Р	Р	-	Р	-	Р	Р	-	-	Р
USA	Р	**	**	**	**	**	**	**	**	**	**	**	**	Р	**	-	**
Uzbekistan	Р	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**

<sup>\*</sup> Not yet in force \*\* The participating State is not a member state of the Council of Europe

#### **Annex IV**

Summary<sup>5</sup> of the Universal Conventions<sup>6</sup> and Protocols Dealing with Terrorism, provided by the UN Counter-Terrorism Executive Directorate (CNTR + click on the instrument's name for full texts).

#### a) RELATED TO AVIATION SECURITY:

#### 1963 Convention on Offences and Certain Other Acts Committed On Board Aircraft

(*Aircraft Convention*). Deposited with the Secretary-General of the International Civil Aviation Organization (ICAO). Information on status provided by ICAO, available at: <a href="http://www.icao.int/secretariat/legal/List%20of%20Parties/Tokyo">http://www.icao.int/secretariat/legal/List%20of%20Parties/Tokyo</a> EN.pdf

- Applies to acts affecting in-flight safety;
- o Authorizes the aircraft commander to impose reasonable measures, including restraint, on any person he or she has reason to believe has committed or is about to commit such an act, where necessary to protect the safety of the aircraft; and
- o Requires states parties to take custody of offenders and to return control of the aircraft to the lawful commander.

2014 Protocol to the Convention on Offences and Certain other Acts Committed on Board Aircraft. Signed in Montreal and deposited with the Secretary-General of the International Civil Aviation Organization (ICAO). Information on status provided by ICAO, available at: http://www.icao.int/secretariat/legal/Lists/Current%20lists%20of%20parties/AllItems.aspx

o Amends the Convention by expanding jurisdiction over offences and acts committed on board aircraft from the State of Registration of the aircraft to the State of the Operator (if the offence is committed on an aircraft leased without crew to a lessee whose principal place of business is, or who permanently resides, in that State), as well as the State of Landing.

1970 Convention for the Suppression of Unlawful Seizure of Aircraft (Unlawful Seizure Convention). Deposited with the Governments of the Russian Federation, the United Kingdom and the United States. Information on status provided by ICAO, available at: <a href="http://www.icao.int/secretariat/legal/List%20of%20Parties/Hague\_EN.pdf">http://www.icao.int/secretariat/legal/List%20of%20Parties/Hague\_EN.pdf</a>

- Makes it an offence for any person on board an aircraft in flight to "unlawfully, by force or threat thereof, or any other form of intimidation, seize or exercise control of that aircraft" or to attempt to do so;
- o Requires parties to the convention to make hijackings punishable by "severe penalties";
- o Requires parties that have custody of offenders to either extradite the offender or submit the case for prosecution; and
- o Requires parties to assist each other in connection with criminal proceedings brought under the Convention.

2010 Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft. Signed in Beijing and deposited with the Secretary-General of the

.

<sup>&</sup>lt;sup>5</sup> For the purpose of facilitating linkages and interrelations, the UATI have been grouped by subject: a) **Aviation** b) **Maritime** c) **Nuclear** d) **Protected persons and hostages** e) **Bombings and Explosives** and f) **Financing**.

<sup>&</sup>lt;sup>6</sup> The initial Universal Anti-Terrorism Instruments are indicated **in bold**.

International Civil Aviation Organization (ICAO). Information on status provided by ICAO, available at: <a href="http://www.icao.int/secretariat/legal/List%20of%20Parties/Beijing">http://www.icao.int/secretariat/legal/List%20of%20Parties/Beijing</a> Prot EN.pdf

- o Supplements the Convention by expanding its scope to cover different forms of aircraft hijackings, including through modern technological means; and
- Incorporates provisions relating to a threat or conspiracy to commit an offence.

#### 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil

**Aviation** (*Civil Aviation Convention*). Deposited with the Governments of the Russian Federation, the United Kingdom and the United States of America. Information on status provided by ICAO, available at: <a href="http://www.icao.int/secretariat/legal/List%20of%20Parties/Mtl71">http://www.icao.int/secretariat/legal/List%20of%20Parties/Mtl71</a> EN.pdf

- Makes it an offence for any person to unlawfully and intentionally perform an act of violence against a person on board an aircraft in flight, if that act is likely to endanger the safety of the aircraft; to place an explosive device on board an aircraft; to attempt such acts; or to be an accomplice of a person who performs or attempts to perform such acts;
- o Requires parties to the Convention to make offences punishable by "severe penalties"; and
- o Requires parties that have custody of offenders to either extradite the offender or submit the case for prosecution.

1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Airport Protocol). Deposited with the Governments of the Russian Federation, the United Kingdom and the United States of America and with the Secretary-General of the International Civil Aviation Organization. Information on status provided by ICAO, available at:

http://www.icao.int/secretariat/legal/List%20of%20Parties/VIA EN.pdf

o Extends the provisions of the Civil Aviation Convention to encompass terrorist acts at airports serving international civil aviation.

#### 2010 Convention on the Suppression of Unlawful Acts Relating to International Civil

Aviation (New Civil Aviation Convention - Beijing Convention - replacing the 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation). Deposited with the Secretary-General of the International Civil Aviation Organization. Information on status provided by ICAO, available at: <a href="http://www.icao.int/secretariat/legal/List%20of%20Parties/Beijing Conv.EN.pdf">http://www.icao.int/secretariat/legal/List%20of%20Parties/Beijing Conv.EN.pdf</a>

- o Criminalizes the act of using civil aircraft as a weapon to cause death, injury or damage;
- Criminalizes the act of using civil aircraft to discharge biological, chemical and nuclear (BCN) weapons or similar substances to cause death, injury or damage, or the act of using such substances to attack civil aircraft;
- o Criminalizes the act of unlawful transport of BCN weapons or certain related material;
- A cyber attack on air navigation facilities constitutes an offence;
- o A threat to commit such an offence may be an offence in itself, if the threat is credible; and
- o Conspiracy to commit such an offence, or its equivalence, is punishable.

#### b) RELATED TO MARITIME SECURITY:

1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (Maritime Convention). Deposited with the Secretary-General of the International Maritime Organization (IMO). Information on status provided by IMO, available at: <a href="http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx">http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx</a>

- o Establishes a legal regime applicable to acts against international maritime navigation like the regimes established for international aviation; and
- o Makes it an offence for a person to unlawfully and intentionally seize or exercise control over a ship by force, threat, or intimidation; to perform an act of violence against a person on board a ship if that act is likely to endanger the safe navigation of the ship; to place a destructive device or substance aboard a ship; and other acts against the safety of ships.

2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Deposited with the Secretary-General of the International Maritime Organization (IMO). Information on status provided by IMO, available at: <a href="http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx">http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx</a>

- o Criminalizes the use of a ship as a device to further an act of terrorism;
- Criminalizes the transport on board a ship of various materials knowing that they are intended to be used to cause death or serious injury or damage in furtherance of an act of terrorism, or for threatening to cause such a result;
- o Criminalizes the transporting on board a ship of persons who have committed an act of terrorism; and
- o Introduces procedures governing the boarding of a ship by persons believed to have committed an offence under the Convention.

1988 Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf (Fixed Platform Protocol). Deposited with the Secretary-General of the International Maritime Organization (IMO). Information on status provided by IMO, available at: http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx

o Establishes a legal regime applicable to acts against fixed platforms on the continental shelf that is similar to the regimes established for international aviation.

2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. Deposited with the Secretary-General of the International Maritime Organization (IMO). Information on status provided by IMO, available at: <a href="http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx">http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx</a>

 Adapts the changes to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation to the context of fixed platforms located on the continental shelf.

#### c) NUCLEAR:

<u>1979 Convention on the Physical Protection of Nuclear Material</u> (*Nuclear Material Convention*). Deposited with the International Atomic Energy Agency (IAEA). Information on status provided by IAEA, available at: <a href="http://www.iaea.org/Publications/Documents/Conventions/cppnm\_status.pdf">http://www.iaea.org/Publications/Documents/Conventions/cppnm\_status.pdf</a>

 Criminalizes the unlawful possession, use, transfer or theft of nuclear material and threats to use nuclear material to cause death, serious injury or substantial property damage.

<u>2005 Amendment to the Convention on the Physical Protection of Nuclear Material</u>. Deposited with the International Atomic Energy Agency (IAEA). Information on status provided by IAEA, available at:

http://www.iaea.org/Publications/Documents/Conventions/cppnm\_amend\_status.pdf

- o Makes it legally binding for states parties to protect nuclear facilities and material in peaceful domestic use, storage as well as transport; and
- Provides for expanded co-operation between and among states regarding rapid measures to locate and recover stolen or smuggled nuclear material, mitigate any radiological consequences or sabotage, and prevent and combat related offences.

#### 2005 International Convention for the Suppression of Acts of Nuclear Terrorism

(*Nuclear Terrorism Convention*). Deposited with the Secretary-General of the United Nations. Information on status provided by UN, available at:

 $\frac{https://treaties.un.org/pages/ViewDetailsIII.aspx?src=TREATY\&mtdsg\_no=XVIII-15\&chapter=18\&Temp=mtdsg3\&clang=\_en$ 

- Covers a broad range of acts and possible targets, including nuclear power plants and nuclear reactors;
- Covers threats and attempts to commit such crimes or to participate in them as an accomplice;
- o Stipulates that offenders shall be either extradited or prosecuted;
- Encourages states to co-operate in preventing terrorist attacks by sharing information and assisting each other in connection with criminal investigations and extradition proceedings; and
- Deals with both, crisis situations (assisting states to solve the situation) and postcrisis situations (securing nuclear material through the International Atomic Energy Agency -IAEA).

#### d) PROTECTED PERSONS AND HOSTAGES:

<u>Protected Persons</u> (*Diplomatic Agents Convention*). Deposited with the Secretary-General of the United Nations. Information on status provided by UN, available at: <a href="https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg">https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg</a> no=XVIII-7&chapter=18&clang= en

- o Defines an "internationally protected person" as a head of state, minister of foreign affairs, representative or official of a state or international organization who is entitled to special protection in a foreign state, together with his/her family; and
- Requires parties to criminalize and make punishable "by appropriate penalties" the intentional murder, kidnapping or other attack upon the person's life or liberty, of an internationally protected person, a violent attack upon the official premises, the private accommodations, or the means of transport of such person; a threat or attempt to commit such an attack; and an act "constituting participation as an accomplice".

**1979 International Convention against the Taking of Hostages** (Hostages Convention). Deposited with the Secretary-General of the United Nations. Information on status provided by UN, available at: <a href="https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280056c38">https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280056c38</a>

Stipulates that "any person who seizes or detains and threatens to kill, to injure, or to continue to detain another person in order to compel a third party, namely, a State, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage commits the offence of taking of hostage within the meaning of this Convention".

#### e) EXPLOSIVES AND BOMBINGS:

1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection (*Plastic Explosives Convention*). Deposited with the Secretary-General of the International Civil Aviation Organization. Information on status provided by ICAO, available at: http://www.icao.int/secretariat/legal/List%20of%20Parties/MEX\_EN.pdf

- o Designed to control and limit the use of unmarked and undetectable plastic explosives (negotiated in the aftermath of the 1988 Pan Am flight 103 bombing);
- o Parties are obligated to ensure effective control over "unmarked" plastic explosives in their respective territories; and
- each party must, *inter alia*, take necessary and effective measures to prohibit and prevent the manufacture of unmarked plastic explosives; prevent the movement of unmarked plastic explosives into or out of its territory; exercise strict and effective control over possession and transfer of unmarked explosives made or imported prior to the entry into force of the Convention; ensure that all stocks of unmarked explosives not held by the military or police are destroyed, consumed, marked, or rendered permanently ineffective within three years; take necessary measures to ensure that unmarked plastic explosives held by the military or police are destroyed, consumed, marked or rendered permanently ineffective within fifteen years; and, ensure the destruction, as soon as possible, of any unmarked explosives manufactured after the date of entry into force of the Convention for that state.

**1997** International Convention for the Suppression of Terrorist Bombings (Terrorist Bombing Convention). Deposited with the Secretary-General of the United Nations. Information on status provided by UN, available at:

- o Prohibits any person from intentionally delivering, placing, discharging, or detonating an explosive or other lethal device in, into or against a place of public use, a state or government facility, a public transportation system, or an infrastructure facility with the intent to cause death or serious bodily injury, or with the intent to cause extensive destruction to such a place, facility, or system, resulting in or likely to result in major economic loss;
- Mandates co-operation in the prevention of such offenses by prohibiting, in their territories, illegal activities of persons, groups, and organizations that encourage, instigate, organize, knowingly finance, or engage in the perpetration of such offenses. Further co-operation is required through the exchanging of accurate and verified information; and
- Encourages research and development of methods to detect explosives, consultations on the development of standards for marking explosives in order to identify their

origin in post-blast investigations, exchange of information on preventive measures, co-operation, and transfer of technology, equipment, and related materials.

#### *f) FINANCING:*

#### 1999 International Convention for the Suppression of the Financing of Terrorism

(*Terrorist Financing Convention*). Deposited with the Secretary-General of the United Nations. Information on status provided by UN, available at:

https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\_no=XVIII-11&chapter=18&clang=\_en

- Requires parties to take steps to prevent and counter the financing of terrorists, whether direct or indirect, through groups claiming to have charitable, social or cultural goals or which engage in illicit activities such as drug trafficking or gun running;
- o Commits states to hold those who finance terrorism criminally, civilly and/or administratively liable for such acts; and
- Provides for the identification, freezing and seizure of funds raised for terrorist activities, as well as for the sharing of the forfeited funds with other states on a caseby-case basis; accordingly
- o Bank secrecy is no longer an adequate justification for refusing to co-operate.

#### Annex V

Summary of other legal instruments related to terrorism or co-operation in criminal matters (CNTR + click on the instrument's names for full texts)

**2000 United Nations Convention Against Transnational Organized Crime**. Deposited with the Secretary-General of the United Nations. Information on status provided by UN, available at: <a href="https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg">https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg</a> no=XVIII-12&chapter=18&clang= en

- o Provides for strengthened international co-operation to prevent and fight transnational organized crime;
- o Criminalizes participation in an organized criminal group, money laundering, corruption and obstruction to justice; and
- o Provides for new frameworks for extradition, mutual legal assistance and law enforcement co-operation.

**1957 European Convention on Extradition**. Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: <a href="http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/024/signatures?p">http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/024/signatures?p</a> auth=pcOXA2pn

o Provides for the extradition of persons sought for criminal proceedings or for the carrying out of a sentence, excluding all political offences.

1975 Additional Protocol to the European Convention on Extradition. Deposited with the Secretary-General of the Council of Europe. Information on status provided by COE, available at: http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/086/signatures?p\_auth=pcOXA2pn

o Limits the scope of offences for which the extradition of a person is barred by excluding war crimes and crimes against humanity.

1978 Second Additional Protocol to the European Convention on Extradition. Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/098/signatures?p auth=pcOXA2pn

 Adds fiscal offences to the list of offences for which a person may be extradited under the Convention.

<u>2009 Third Additional Protocol to the European Convention on Extradition.</u> Deposited with the Secretary General of the Council of Europe. Information on status provided by CoE, available at: <a href="http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/209/signatures?p">http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/209/signatures?p</a> auth=pcOXA2pn

o Supplements the Convention in certain respects in order to simplify and accelerate procedures when the person sought consents to his/her extradition.

<u>2012 Fourth Additional Protocol to the European Convention on Extradition.</u> Deposited with the Secretary General of the Council of Europe. Information on status provided by CoE, available at: http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/212/signatures?p\_auth=pcOXA2pn

 Amends the provisions related to the issues of lapse of time, requests and supporting documents, rule of speciality, transit, re-extradition to a third state and channels and means of communication. **1959 European Convention on Mutual Assistance in Criminal Matters**. Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: <a href="http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/030/signatures?p">http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/030/signatures?p</a> auth=pcOXA2pn

 Establishes rules toward enhanced mutual assistance between and among state parties for the aim of collecting evidence or communicating evidence in criminal proceedings.

1978 Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters. Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: <a href="http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/099/signatures?p">http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/099/signatures?p</a> auth=pcOXA2pn

 Extends international co-operation to the provision of documents relating to the enforcement of a sentence and similar measures.

2001 Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters. Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: <a href="http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/182/signatures?p\_auth=pcOXA2pn">http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/182/signatures?p\_auth=pcOXA2pn</a>

o Broadens the range of situations in which mutual assistance may be requested and making the provision of assistance easier, quicker and more flexible.

#### 1972 European Convention on the Transfer of Proceedings in Criminal Matters.

Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: <a href="http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/073/signatures?p\_auth=pcOXA2pn">http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/073/signatures?p\_auth=pcOXA2pn</a>

 Allows state parties to request that criminal proceedings be initiated on their behalf by another state party.

**1977 European Convention on the Suppression of Terrorism**. Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/090/signatures?p\_auth=pcOXA2pn

- Provides for an easier extradition of persons suspected of having committed acts of terrorism;
- Criminalizes acts of particular gravity, including those within the Unlawful Seizure Convention and the Civil Aviation Convention, as well as attacks against internationally protected persons, kidnapping and taking of hostages, and the use of bombs, grenades or rockets.

<u>2003 Protocol amending the European Convention on the Suppression of Terrorism.</u>
Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: <a href="http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/190/signatures?p\_auth=pcOXA2pn">http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/190/signatures?p\_auth=pcOXA2pn</a>

- Expands the scope of the Convention to cover all the offences contained in the UN Anti-Terrorist Convention and its Protocols; and
- Incorporates provisions authorizing the refusal to extradite to a country where the
  person in question is at risk of being sentenced to death or of being subjected to
  torture.

1990 Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime. Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: <a href="http://www.coe.int/en/web/conventions/full-list/-">http://www.coe.int/en/web/conventions/full-list/-</a>

/conventions/treaty/141/signatures?p\_auth=pcOXA2pn

o Provides for enhanced international co-operation and mutual assistance in investigating crime and tracking down, seizing and confiscating proceeds from crime.

**2001 Convention on Cybercrime**. Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: <a href="http://www.coe.int/en/web/conventions/full-list/conventions/treaty/185/signatures?p">http://www.coe.int/en/web/conventions/full-list/conventions/treaty/185/signatures?p</a> auth=pcOXA2pn

o Pursues a common policy aimed at the protection of citizens against cybercrime through the adoption of appropriate legislation and the promotion of international co-operation.

**2005** Council of Europe Convention on the Prevention of Terrorism. Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: <a href="http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/196/signatures?p">http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/196/signatures?p</a> auth=pcOXA2pn

- o Defines as criminal offences certain acts that may lead to the undertaking of terrorist acts, in particular public provocation, recruitment and training; and
- o Provides for strengthened national and international co-operation in the prevention of terrorism through national prevention policies and modification of existing extradition and mutual assistance arrangements.

2015 Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism. Open for signature by the Signatories to the Convention, and for accession by the non-member states which have acceded to the Convention. Deposited with the Secretary-General of the CoE. Information on status provided by CoE available at: http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/217/signatures?p auth=gp5dUfv8

Adds a number of acts, including taking part in an association or group for the purpose of terrorism, receiving terrorist training, travelling abroad for the purposes of terrorism and financing or organising travel for this purpose, a criminal offence. The Protocol also provides for a network of 24-hour-a-day national contact points facilitating the rapid exchange of information.

2005 Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism. Deposited with the Secretary-General of the Council of Europe. Information on status provided by CoE, available at: <a href="http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/198/signatures?p">http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/198/signatures?p</a> auth=pcOXA2pn

o Creates measures to prevent terrorists being financed through money laundering.