

Geopolitical overview: safety and security in Western and Eastern Europe with particular reference to new trends

Highlighting new threats and an innovative approach to the necessary regional Knowledge Management Systems

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1. New Threats

The use of Weapons of Mass Destruction (WMD) by international terrorists groups and other non-state actors is considered to be one of the biggest threats to global safety. To prevent non-state actors from acquiring WMD, illicit trafficking in chemical, biological, radiological and nuclear (CBRN) material should be prevented. There are three factors that make the prevention of CBRN material an urgent issue:

Firstly, as a result of several different causes, including the change of national boundaries, easier cross-border mobility, the dismantling of a major portion of the nuclear weapons programme in the former Soviet Union and the expansion of criminality, non-state actors may be potentially able to acquire CBRN materials, transform them into CBRN weapons and then use them as WMD. Even though there have been no cases in which terrorists successfully caused mass deaths through CBRN materials, a number of terrorist or criminal organizations have tried to develop and deploy WMD in the last few years. In 1995, the Aum Shinrikyo cult released the chemical agent sarin in the Tokyo subway system, 12 people died and many were wounded. Although, the cult did not cause mass destruction, the nature of the attack drew attention on terrorists' desire to use weapons of mass destruction (WMD).

Secondly, due to technical innovation, a simple nuclear weapon, such as a gun-type device, even though highly sophisticated in the 1940s, is no longer impossible to produce for non-state actors. Moreover, recent advances in biotechnology, nanotechnology and information technology entail easier and faster technological development at lower cost. This also means that a growing number of actors are able to exploit technical innovation, while it gets harder to determine non-compliance and implement enforcement.

Finally, the existing responses or strategies are not suitable for the new threats posed by illicit trafficking in CBRN material. Up to now, legal norms and international treaties were the main instrument available to the international community for preventing a state from developing CBRN capabilities. Political leadership was also an available instrument to stop proliferation, including retaliation as the best deterrence for preventing a state from attacking another state with CBRN weapons.

However, the strategic validity of these instruments has become questionable with non-state actors, simply because there may be no address at which to deliver the response. Non-state organizations may be “invisible” actors that cannot be identified with a specific country or area, do not leave any warnings before launching a terrorist attack and leave the targeted country immediately after the CBRN attack. The use or the threat to use national or international countermeasures in case of a CBRN attack may be a powerless strategy against an enemy without a face. Not surprisingly, the Resolution 1540 of the UN Security Council, adopted in April 2004, claimed that illicit trafficking in CBRN weapons “adds a new dimension to the issue of proliferation and also poses a threat to international peace and security”.

In this respect, preventing violent non-state actors from obtaining CBRN material, weaponizing and using them as WMD seems to be not only the best strategy, but also the only one.

2. The UN approach towards the problem of CBRN material

The international concerns about chemical, biological, radiological and nuclear (CBRN) materials and weapons are not new issues. It was 1925 when the Geneva Protocol committed the signatory nations to refrain from the use of chemical and

biological weapons after the employment of poison gas during World War I.¹ World War II witnessed the experiment of biological warfare, the use of poison gas and the deployment, for the first time in history, of nuclear weapons. Afterwards, the NATO and the Warsaw Pact nations produced a significant amount of chemical, biological and nuclear weapons during the Cold War, especially from the 1960s to the early 1980s. This escalation led the international community to make efforts to refrain states from developing capabilities in the area of CBRN weapons. The result was a network of interlocking treaties, organizations and multi-lateral inspections that aimed to prevent the proliferation of Weapons of Mass Destruction (WMD). In particular, the Treaty on the Non-Proliferation of Nuclear Weapons (opened for signature in 1968), the Biological Weapons Convention (opened for signature in 1972) and the Chemical Weapons Convention (opened for signature in 1993) were created to halt the spread of WMD.

However, moving into the 21st century, the world community's attention is drawn to a new alarming aspect of WMD: the illicit trafficking and criminal use of CBRN material and weapons.

Hitherto, legal norms and international treaties were the main instrument available to the international community for preventing a state from developing CBRN capabilities. Political leadership was also an available instrument to stop proliferation, including retaliation as the best deterrence for preventing a state from attacking another state with CBRN weapons.

Even so, the strategic validity of these instruments has become more difficult to apply when dealing with non-state actors, simply because there may be no address at which to deliver the response. Non-state organizations may be "invisible" actors that cannot be identified with a specific country or area, do not leave any warnings before launching a terrorist attack and leave the targeted country immediately after the CBRN attack. The use or the threat to use national or international counter-measures in case of a CBRN attack may be a powerless strategy against an enemy without a face.

¹ Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare

Not surprisingly, the Resolution 1540 of the UN Security Council, adopted in April 2004, claimed that illicit trafficking in CBRN weapons “adds a new dimension to the issue of proliferation and also poses a threat to international peace and security’. The resolution focuses on combating the production, acquiring and use of weapons of mass destruction and their means of delivery by non-state actors.

In line with the new challenges and priorities, the international community has reshaped the political agenda. In April 2005 the UN General Assembly adopted the International Convention for the Suppression of Acts of Nuclear Terrorism. The Convention details offences relating to unlawful and intentional possession and use of radioactive material or a radioactive device, and use or damage of nuclear facilities.

On 8 September 2006, the General Assembly unanimously adopted the United Nations Global Counter-Terrorism Strategy (A/RES/60/288). The Strategy reaffirms the international community’s firm resolve to strengthen the global response to terrorism. It is a unique global instrument that aims to enhance national, regional and international efforts to counter terrorism by elaborating a broad range of counter-terrorism measures, underpinned by the commitment to uphold the rule of law and human rights.

This new UN strategy to combat terrorism has inspired a new sense of ownership across all Member States. Instead of designing countermeasures through legally-binding UN Security Council resolutions, terrorism is now confronted through an inclusive and holistic approach. In other words, this strategy is forged on consensus among all States.

To ensure overall coordination and coherence in the counter-terrorism efforts, the Secretary-General established in July 2005 the Counter-Terrorism Implementation Task Force (CTITF). The CTITF is a coordinating and information-sharing body that serves as a forum to discuss strategic issues and ensure coherent action across the UN system in counter-terrorism. Chaired by the Office of the Secretary-General, it consists of 24 UN system entities working together under mandates from the General Assembly, the Security Council, and various Specialized Agencies, Funds and Programs.

3. UNICRI activities

UNICRI as UN entity specialized in Applied Research and a part of the Counter-Terrorism Implementation Task Force (CTITF), has contributed to the implementation of international agenda on the topic of WMD. With more than 35 years of international action, UNICRI has acquired a unique experience in dealing with crime and justice problems within broader policies for security governance, socio-economic change and development, and the protection of human rights.

In line with the UN policy in the field of CBRN threats, UNICRI has developed the worldwide programme Strengthening International Cooperation to Combat Illicit Trafficking and Criminal Use of CBRN (chemical, biological, radiological and nuclear) Substances and Weapons. The aim of the Programme is to improve states' capabilities to prevent and combat the illicit trafficking and criminal use of CBRN material. More specifically, the programme aims to:

1. Strengthen the *exchange of information* on CBRN among national authorities and international organizations;
2. Develop a *CBRN unified analysis* that combines analysis on illicit trafficking and criminal use of CBRN material as well as other illicit material (such as drugs and small arms);
3. Improve *national expertise and responses especially on illicit trafficking of biological and chemical material* by transferring analytical outcomes as well as accumulated international and national experience.

The collection and exchange of information among countries and international/regional organizations is fundamental in order to intercept illicit trafficking in CBRN material and to refrain terrorists from obtaining material suitable for a CBRN attack. In particular, when the first line of defense fails (preventing unauthorized persons from stealing or illegally acquiring or developing CBRN materials), the sharing and use of information become vital to prevent the passage of CBRN materials into the hands of terrorists.

Obviously some information cannot be shared, especially when it concerns investigation procedures or other national interests. However, a rapid cross-border sharing on CBRN incidents (including kind of material seized or stolen) may help identify illicit routes timely and deliver an effective response. Since several authorities and agencies are involved within and between countries, it is necessary to establish clear channels of communication and allocation of responsibilities to ensure a rapid and effective flow of information and optimize efforts. Failure to collect and share information among these bodies would make analysis more difficult and preventative strategy weaker.

At present, there are different obstacles (for example no clear communication channels, lack of harmonization of definitions and standardization of data collection) that hamper an effective and rapid sharing of CBRN-related information. These obstacles are present within country, between agencies of different countries and between countries and international organizations.

4. UNICRI Innovative approach towards Regional Knowledge Management Systems

In order to address problems above discussed, the European Commission relied on UNICRI to develop regional Knowledge Management Systems, which promote sharing of information, best practices, and lists of national and regional experts.

The aim of the systems is to promote and improve the exchange of information and knowledge among States, and between States and International/Regional Organisations through a permanent and standardised process of collection, management and dissemination of technical data and information on illicit trafficking of CBRN materials.

International and Regional organizations are very important actors in the field of the prevention of illicit trafficking of CBRN weapon usable material and play a significant role within the system. The Knowledge Management System has been established with the technical support of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons, EUROPOL, the SECI Center and the World Customs Organization.

The systems facilitate the interaction of the national experts and representatives from international/regional organizations through high quality and secure IT connections. The Knowledge Management System will assist the participating countries in:

- **Promoting and improving the exchange of information** and knowledge among countries, and between countries and international organizations. Through the system, the participating States will access to information that will help them fulfil their obligations in terms of United Nations Security Council Resolution 1540, paragraph 3 (point c and d), concerning the development of appropriate measures in the areas of effective border controls, law enforcement efforts to detect illicit trafficking of CBRN material, and national export controls and trans-shipment controls.

- Elaborating and promoting analytical tools to produce **regional risk assessments** and identify overall national vulnerabilities and needs on illicit trafficking of biological and chemical material.
- **Improving countries expertise** to prevent illicit trafficking of chemical and biological material by exploiting and managing experience and knowledge accumulated.
- **Harmonize policies and measures** to prevent incidents of illicit trafficking of biological and chemical material.

Within the Knowledge Management System Project UNICRI plays the role of facilitator, providing a platform for all different stakeholders, States and organizations, to share information and expertise and seeks to provide States with a sense of ownership of the System. Eventually the system should become self-sustainable, becoming a stable instrument that improves States' capabilities to prevent illicit trafficking of CBRN weapon usable material.

The pivotal point of the Knowledge Management System is that it intends to make full use of the capabilities and experience of the participating International/Regional Organisations. Lessons learned and good practices already exist, especially in the field of preventing illicit trafficking of radiological and nuclear material. Rather than "re-invent the wheel", the project aims to assist States in absorbing these countermeasures and encourage them to develop an organisational learning approach through which States' experts would learn collectively how to identify problems/solutions by incorporating and adapting experiences that are made within the system.

Addressing the threat of illicit trafficking of chemical, biological, radiological and nuclear (CBRN) material in today's world is different from addressing the legacy of Cold War in the Former Soviet Union. The growing nuclear energy demand, biotechnology development and pandemics will without any doubt be accompanied by increased non-proliferation challenges, and in particular the threat of illicit trafficking of CBRN material.

UNICRI in cooperation with the European Commission and the technical support of international and regional organizations launched the first Knowledge Management System in 2008, in the region 'South East Europe and the Caucasus'. The second Knowledge Management System, which focuses on North Africa and some countries in the Middle East, is launched in March 2009. The Systems, designed to improve coordination between countries and international/regional organizations, will to make a significant contribution to implementation of innovative policies to promote a security culture.