

SWISS DELEGATION
TO THE OSCE

1. Annual Security Review Conference 2004

Swiss Intervention

Session 1 – Preventing and combating terrorism

Mr Coordinator, Ladies and Gentlemen,

Let me first thank the two keynote speakers for their most thoughtful presentations. These presentations indeed contain important contributions to the discussion on OSCE's further engagement in the *prevention of* and *fight against* terrorism.

In 2001, OSCE participating States pledged their commitments to combat terrorism in the Bucharest Plan of Action. This Plan of Action has been complemented by the Bishkek Programme of Action and the OSCE Charter on Preventing and Combating Terrorism. Where do we stand today with regard to the implementation of these documents?

The Bucharest Plan of Action stresses the need for participating States to become parties to all 12 United Nations conventions and protocols relating to terrorism, if possible by 31 December 2002. 29 participating States have now ratified these Conventions, as opposed to 20 this time last year. We are therefore making progress. Yet we still fall short from our common objective, and efforts must be pursued in this domain.

The Bucharest Plan of Action gives solid guidance for OSCE's comprehensive approach to security. The OSCE is tasked to address those factors which may engender terrorism or extremism. In particular through the promotion of human rights, tolerance and multi-

culturalism, including anti-discrimination; institution building, strengthening the rule of law and state authorities.

The Bucharest Plan of Action stresses that the OSCE has a key role to play in ensuring that participating States put in place an appropriate legal framework to fight terrorism and in promoting human rights. While we, like everyone else, recognize that the threat of terrorism requires specific measures, we believe that it is essential to refrain from any steps which would violate fundamental freedoms. Such steps are likely to reinforce rather than weaken terrorist movements. In pursuing the objective of eradicating terrorism, it is essential that States strictly adhere to their international obligations to uphold human rights and fundamental freedoms. Reinforcing the rule of law and the respect for human rights are central elements of a comprehensive strategy seeking to eliminate the threat of terrorism.

In other words, the OSCE and its participating States must both take specific steps to fight terrorism and ensure that engagements in the field of human dimension are upheld. What is in play here is the credibility of the OSCE. In this regard, let me refer to the most useful Food for thought Paper prepared by ODIHR for this Conference. We supports its recommendations for further action, especially that the OSCE seeks to formalise its endorsement of the *Council of Europe's Guidelines on Human Rights and the fight against terrorism*. ODIHR has also a key role to assume in helping and monitoring that humanitarian and human right norms are not compromised by legislation dealing with terrorism. It goes without saying that ODIHR should be given adequate resources to fulfill this task. But such a task belongs not only to ODIHR, but to all participating States and most of all it calls for a close cooperation with parliamentarians; the OSCE Parliamentary Assembly having a central role to play in this process.

The importance of the continuing implementation of the Small Arms and Light Weapons Document and the Code of Conduct on the Politico-Military Aspects of Security to the fight against terrorism is also stressed by the Bucharest Plan of Action. The **OSCE SALW Document** has been key in enabling the OSCE to address the threat posed by MANPADS to civilian aviation. With the initiatives also taken by the ATU in this domain, the OSCE has taken important first steps in this respect. As far as this particular threat goes, much still remains to be done. In addition, there is much to be said in favour of drawing on the specific expertise of different institutions, whose contributions is important to effectively address this issue. Swit-

Switzerland has the intention to address the question of MANPADS within the EAPC/PfP framework later this year, in an event to which the OSCE will be closely associated.

The **Code of Conduct on Politico-Military Aspects of Security** embodies the OSCE's comprehensive approach to security. On the one hand, this document asks participating States to cooperate in the fight against terrorism. On the other hand, the Code of Conduct lays out clear rules of behaviour for security actors. This includes notably articles 30 of the Code, which states that "Each participating State will instruct its armed forces personnel in international humanitarian law, rules, conventions and commitments governing armed conflict". In particular, we would like to stress the importance of the process of information exchange pertaining to this Document in ensuring its implementation, in particular question 1 of this information exchange.

Ladies and Gentlemen,

Suppressing the financing of terrorism has also been identified as a priority by the OSCE. This includes the Permanent Council Decision that participating States will complete the Financial Action Task Force's (FATF) self-assessment questionnaire on compliance with the eight special recommendations on terrorist financing. However, not all participating States have yet done so. Efforts have therefore to be pursued in this domain and assistance provided to these countries if necessary. A leading financial centre, Switzerland has developed a wide range of effective instruments to combat money laundering and organised crime, mechanisms that are as pertinent to fight terrorism as to fight other types of criminality. We are ready to share this expertise with other states.

We also believe that greater use could be made of the recently created Counter Terrorism Network (CTN). For many participating States, experience with the CTN has been limited to the reception of the ATU Newsletter. We therefore believe that there still is untapped capacity in terms of the use of this network.

As mentioned on many occasions, addressing the security threat posed by terrorism is beyond the capacities and mandate of any single multilateral organisation. Collaboration among such institutions is called for and Switzerland welcomes the fact that the OSCE has reinforced its

co-operation with the UN CTC or UNODC or ICAO. Switzerland is also convinced that the OSCE and the EAPC/PfP offer complementary frameworks for the fight against terrorism, as they do in many other domains as well. Switzerland is convinced that co-operation between these two structures could be further expanded, and that they could benefit from an upgrading of their contacts. The Bucharest Plan of Action also stresses the importance of strengthening cooperation with Partners for co-operation, including Mediterranean Partners. Switzerland believes that this last dimension should be actively implemented and these Partners associated to our works whenever possible.

Thank you for your attention.