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The United Kingdom Delegation to the Organisation for Security and Cooperation in Europe presents its compliments to the participating States of the Forum for Security and Co-operation (FSC), and to the Conflict Prevention Centre, and has the honour to convey its response to the questionnaire on the *Code of Conduct on Politico-Military Aspects of Security* for 2023. The response also includes voluntary information on Private Military and Security Companies and Women, Peace, and Security.

The United Kingdom Delegation avails itself of this opportunity to renew to the delegations, and to the Conflict Prevention Centre, the assurance of its highest consideration.

UNITED KINGDOM DELEGATION
VIENNA

15 December 2023

To all Delegations/Permanent Missions to the OSCE
To the Conflict Prevention Centre



INFORMATION EXCHANGE ON THE CODE OF CONDUCT ON
POLITICO-MILITARY ASPECTS OF SECURITY:
UK CODE OF CONDUCT QUESTIONNAIRE RETURN 2023

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Section I: Inter-State elements

1. Account of measures to prevent and combat terrorism

1.1 To which agreements and arrangements (universal, regional, sub regional and bilateral) related to preventing and combating terrorism is your State a party?

Convention	Signature	Ratification
1. Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963	14 Sep 63	29 Nov 68
2. Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970	16 Dec 70	22 Dec 71
3. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971	23 Sep 71	25 Oct 73
4. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973	13 Dec 74	2 May 79
5. International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979	18 Dec 79	22 Dec 82
6. Convention on the Physical Protection of Nuclear Material, signed at Vienna 3 March 1980	13 Jun 80	6 Sep 91
7. 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, signed at Montreal on 24 February 1988	26 Oct 88	15 Nov 90
8. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Concluded at Rome on 10 March 1988	22 Sep 88	3 May 91

9. Protocol to the above mentioned Convention for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. Concluded at Rome on 10 March 1988	22 Sep 88	3 May 91
10. Convention on the Marking of Plastic Explosives for the Purpose of Detection, Done at Montreal on 1 March 1991	1 Mar 91	28 Apr 97
11. International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997	12 Jan 98	7 Mar 01
12. International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999	10 Jan 00	7 Mar 01
13. International Conventions for the Suppression of Acts of Nuclear Terrorism	14 Sept 05	24 September 09

UNITED KINGDOM ADHERENCE TO EUROPEAN CONVENTION ON TERRORISM

European Convention on the Suppression of Terrorism, concluded at Strasbourg on 27 January 1977	27 Jan 77	24 Jul 78
Council of Europe Convention on the Prevention of Terrorism	16 May 05	UK has not ratified
Protocol amending the European Convention on the Suppression of Terrorism	15 May 03	UK has not ratified
Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism	22 Oct 15	UK has not ratified

The Special European Council on 20 and 21 September 2001 agreed that counterterrorism should be a priority for the Union, both internally and in its relations with third countries. Heads of State and Government endorsed an EU Action Plan on 21 September 2001 to help Member States step up the fight against global terrorism and to improve practical co-operation among Member States. Measures which the EU has taken since September 2001 include:

- agreement on a Euro arrest warrant and fast-track extradition;
- agreement on common EU offences and penalties for terrorist activity;
- conclusion of the EU/US Europol agreement;
- agreement on measures to implement UNSCR 1390 and the provisions in UNSCR 1373; relating to the suppression of terrorist financing.

During the UK Presidency of the EU in 2005, the EU agreed the Counter-Terrorism Strategy which sought to reflect the changing state of the terrorist threat and to bring a greater sense of coherence and prioritisation to the rapidly increasing number of work streams contained within the EU Counter-Terrorism Action Plan elaborated after 9/11. In addition, a Radicalisation and Recruitment Strategy and Action Plan were developed, along with a corresponding Media Communications Strategy.

Treaties do not automatically form part of UK law, and, therefore, before ratifying any treaty the UK must consider whether any amendment of domestic law is required to give effect to the obligations that it contains. This will involve an examination of whether the existing common law or statutory provisions are sufficient to implement the treaty in question, and, if not, legislation will be required to make the necessary amendments. The way in which the main provisions of the twelve international Counter-Terrorism Conventions and the European Convention for the Suppression of Terrorism are implemented, is set out below.¹

Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft 1963

Jurisdiction of State of Registration – Article 3

Section 92 of the Civil Aviation Act 1982 provides for the application of the criminal law to offences committed on board British-controlled aircraft in flight outside the UK. The definition of “British controlled aircraft” is found in section 92(5), and goes somewhat wider than simply aircraft registered in the UK.¹

Powers of the aircraft commander – Articles 5-10

Section 93 of the Civil Aviation Act 1982 sets out the powers of the commander of an aircraft, so as to give effect to these Articles of the Convention.

Unlawful Seizure of Aircraft – Article 11

Specific legislative enactment is unnecessary in respect of this Article. Reasonable force is permissible under the common law in defence of the person, and in relation to preventing crime and arresting offenders by virtue of section 3 of the Criminal Law Act 1967.

Powers and duties of States - Articles 12-15

The necessary legislative enactment is unnecessary beyond the provision of section 93 of the Civil Aviation Act 1982. Powers of detention are primarily regulated under the Police and Criminal Evidence Act 1984. Powers of removal of aliens are regulated under immigration legislation.

Article 16

It is accepted for the purposes of the United Kingdom’s general extradition arrangements with individual States that offences committed aboard aircraft are considered to be offences committed within the territory of the State of registration of such aircraft – Extradition Act 1989 sections 1(4) and Sch.1, para 14. In addition extradition is permitted to contracting parties to the Tokyo Convention in respect of offences committed on board aircraft in flight by virtue of section 22 of the Extradition Act 1989 and the Extradition (Tokyo Convention) Order 1997 (SI no. 1997/1768).

Article 18

The Secretary of State is empowered to make designations in relation to joint air transport operating organisations under s.98 of the Civil Aviation Act 1982.

The Hague Convention for the Suppression of Unlawful Seizure of Aircraft 1970

Article 1 – The Offence

Section 1 of the Aviation Security Act 1982 establishes the offence of hijacking in terms similar to the Convention. Under the general criminal law, accomplices to offences may themselves be prosecuted as

¹ However it is important to note that the UK is made of three different law districts, namely (i) England and Wales, (ii) Scotland, and (iii) Northern Ireland. Whilst primary legislation that has been introduced specifically to implement treaty obligations will usually apply in all three law districts, aspects of substantive and procedural criminal law differ considerably in each. For the sake of brevity, this reply sets out the position in England and Wales. Implementation of the Conventions differs in a number of respects in Scotland and Northern Ireland.

principal offenders under section 8 of the Accessories and Abettors Act 1861. In addition section 6(2)(a) of the Aviation Security Act 1982 establishes ancillary offences in respect of persons in the UK who induce or assist the commission outside the UK of hijackings of military or police aircraft, or aircraft for which the place of take-off and landing is the same as that of the State of registration (matters excluded from the scope of the Convention under Article 3(2) and (3)).

Furthermore, legislation needs to be enacted in order to extend the conventions to the Crown Dependencies and Overseas Territories. The first five conventions detailed below have been extended to all of these territories; the process of extending the remaining seven is on-going.

Article 2 - Penalty

The offence of hijacking is punishable by life imprisonment (section 1(3) of the Aviation Security Act 1982).

Article 3 – Interpretation and exclusions

The interpretation of when an aircraft is considered to be in flight for the purposes of the Convention (Article 3(1)) is mirrored in section 38(3) of the Aviation Security Act 1982. The excluded matters in Articles 3(2) (military and police aircraft) and (3) (aircraft for which the place of take-off and landing is the same as that of the State of registration) are mirrored in section 1(2) of the Aviation Security Act 1982, except (i) where the hijackers of such planes are UK nationals or (ii) the hijacking occurs in the UK or (iii) the aircraft is registered in the UK or used in the service of the UK military or police.

Article 4 - Jurisdiction

Hijacking is an offence under section 1 of the Aviation Security Act 1982, whether it takes place in the UK or elsewhere. In accordance with section 8, proceedings in respect of these offences require the consent of the Attorney-General. Provision is also made for extraterritorial jurisdiction over a number of ancillary offences committed in connection with a hijacking, including homicides and various other offences against the person, as well as explosives offences (section 6(1) of the Aviation Security Act 1982).

Article 5 – Joint air transport operating organisations

The Secretary of State is empowered to make designations in relation to joint air transport operating organisations under s.98 of the Civil Aviation Act 1982.

Article 6 – Detention and investigation

Specific implementing legislation is not required, since powers of detention and investigation are governed primarily under the Police and Criminal Evidence Act 1984 and its associated Codes of practice. Further powers of investigation and detention in relation to terrorist activity are contained in the Terrorism Act 2000. Arrests can be made without having first to seek the consent of the Attorney-General, by virtue of section 25 of the Prosecution of Offences Act 1985.

Article 7 aut dedere aut judicare

Specific legislative implementation of this provision in UK law is unnecessary, though it will be observed by the authorities deciding upon extradition and prosecution.

Article 8 – Extradition

The UK has various general extradition arrangements with individual States under which the offences covered by the convention are included as extradition crimes. However where no such general arrangement exists, extradition is permitted to contracting parties of The Hague Convention in respect of offences under sections 1, 6(1) and 6(2)(a) of the Aviation Security Act 1982, by virtue of section 22 of the Extradition Act 1989 and the Extradition (Hijacking) Order 1997 (SI no. 1997/1763).

Article 9 – Preventive Measures

Specific legislative enactment is unnecessary in respect of this Article. Reasonable force is permissible under the common law in defence of the person, and in relation to preventing crime and arresting offenders by virtue of section 3 of the Criminal Law Act 1967. However section 7 of the Aviation Security Act 1982 enables the police to take measures to prevent a person from embarking on an aircraft where they suspect he intends to commit hijacking offences.

Article 10 – Mutual Legal Assistance

The United Kingdom co-operates in criminal proceedings and investigations with the authorities of other States in accordance with the provisions of the Criminal Justice (International Co-operation) Act 1990.

Article 11 – Notifications

Specific legislative authority is not required in this respect.

The Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation 1971

Article 1 – The Offences

The offences set out in Article 1(1) are reflected in the provisions of sections 2(1), 2(2), 3(1), and 3(3) of the Aviation Security Act 1982.

As regards attempts and accomplices for the purposes of Article 1(2), section 2(2) of the Aviation Security Act 1982 provides that it is an offence to place a device or substance on an aircraft which is likely to destroy or damage it. Additionally, under the general criminal law, attempts to commit one of these offences are covered by the Criminal Attempts Act 1981, and accomplices to offences may themselves be prosecuted as principal offenders under section 8 of the Accessories and Abettors Act 1861.

Further, section 6(2)(b) of the Aviation Security Act 1982 establishes an ancillary offence in respect of persons in the UK who induce or assist the commission outside the UK of the destruction or sabotage of military or police aircraft, or the commission of violent acts which are likely to endanger the safety of such aircraft. Section 6(2)(c) establishes an ancillary offence in respect of persons in the UK who induce or assist the commission outside the UK of destruction or damage to property likely to endanger the safety of aircraft. Section 6(2)(c) also establishes an ancillary offence in relation to persons in the UK who induce or assist the commission outside the UK of the communication of false or misleading information which endangers or is likely to endanger the safety of aircraft in flight.

Article 2 Interpretation

The interpretation of when an aircraft is considered to be “in flight” or “in service” for the purposes of the Convention is mirrored in section 38(3) of the Aviation Security Act 1982.

Article 3 Penalties

Offences under Sections 2 and 3 of the Aviation Security Act 1982 are punishable by life imprisonment.

Article 4 – Exclusions

The UK legislation limits the exclusions in Article 4 of the Convention in certain respects.

Article 5 – Jurisdiction

The offences under section 2 of the Aviation Security Act 1982, (i.e. the destruction or damage to aircraft in service, acts of violence which endanger the safety of aircraft, and placing of a device or substance on board an aircraft likely to destroy or damage aircraft or endanger their safety) are offences in UK law, whether they are committed in the UK or elsewhere, whatever the nationality of the accused, and whatever the State in which the aircraft is registered (section 2(3)). In accordance with section 8, proceedings in respect of these offences require the consent of the Attorney-General.

For the offences under section 3 of the Aviation Security Act 1982 (i.e. the destruction or damage to property such as to endanger the safety of aircraft in flight, and the communication of false or misleading information such as to endanger the safety of aircraft in flight), the grounds of jurisdiction are set out in section 3(5) and reflect the grounds set out in Article 5(1) of the Convention.

Article 6 – Detention and investigation

Specific implementing legislation is not required, since powers of detention and investigation are governed primarily under the Police and Criminal Evidence Act 1984 and its associated Codes of Practice. Further powers of investigation and detention in relation to terrorist activity are contained in the Terrorism Act 2000. Arrests can be made without having first to seek the consent of the Attorney-General, by virtue of section 25 of the Prosecution of Offences Act 1985.

Article 7 – aut dedere aut judicare

Specific legislative implementation of this provision in UK law is unnecessary, though it will be observed by the authorities deciding upon extradition and prosecution.

Article 8 – Extradition

The UK has various general extradition arrangements with individual States under which the offences covered by the convention are included as extradition crimes. However, where no such general arrangement exists, extradition is permitted to contracting parties of the Montreal Convention in respect of offences under sections 2, 3, 6(2)(b) and 6(2)(c) of the Aviation Security Act 1982, by virtue of section 22 of the Extradition Act 1989 and the Extradition (Aviation Security) Order 1997 (SI no.1997/1760).

Article 9 – Joint air transport operating organisations

The Secretary of State is empowered to make designations in relation to joint air transport operating organisations under s.98 of the Civil Aviation Act 1982.

Article 10 – Preventive measures

Specific legislative enactment is unnecessary in respect of this Article. Reasonable force is permissible under the common law in defence of the person, and in relation to preventing crime and arresting offenders by virtue of section 3 of the Criminal Law Act 1967. However, section 7 of the Aviation Security Act 1982 enables the police to take measures to prevent a person from embarking on an aircraft where they suspect he intends to commit hijacking offences.

Article 11 – Mutual Legal Assistance

The United Kingdom co-operates in criminal proceedings and investigations with the authorities of other States in accordance with the provisions of the Criminal Justice (International Co-operation) Act 1990.

Articles 12 and 13 - Notifications

Specific legislative authority is not required in this respect.

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents 1973

Articles 1 and 2 – The Offences

Most of the offences set out in Article 2(1) are offences against the general criminal law in the UK, whether committed against internationally protected persons or not. Hence murder, manslaughter, culpable homicide, rape, assault occasioning actual bodily or causing injury, kidnapping, abduction, false imprisonment or plagium, as well as the various statutory offences under sections 18, 20-24, 28-30, and 56 of the Offences Against the Persons Act, and the offence of causing explosions with intent to endanger life under s.2 of the Explosive Substances Act 1883, are well-established offences when committed in the United Kingdom. Similarly, criminal damage and arson are established statutory offences under the Criminal Damage Act 1971 when committed within the UK.

However, section 1(1) of the Internationally Protected Persons Act 1978 provides for the application of the law extraterritorially when these offences are committed against an internationally protected person.

Section 1(2) of the 1978 Act also provides that attempts to commit one of those acts, or aiding or abetting others to do so, whether the attempt or aiding or abetting took place in the UK or not is an offence. Similarly, section 1(3) creates the offence of threatening to commit one of the offences, or attempting, aiding or abetting such threat.

Article 3 – Jurisdiction

The offences under section 1 of the Internationally Protected Persons Act are offences for the purposes of UK law whether they are committed within the UK or not. However, in relation to offences under the Act (i.e. essentially those involving the assertion of extraterritorial jurisdiction, proceedings require the consent of the Attorney-General (section 2 of the 1978 Act).

Articles 4 and 5 - Preventive measures and co-operation

No specific legislative measures are necessary beyond the usual police powers and the arrangements for co-operation in this respect.

Article 6 – Detention and investigation

Specific implementing legislation is not required, since powers of detention and investigation are governed primarily under the Police and Criminal Evidence Act 1984 and its associated Codes of Practice. Further powers of investigation and detention in relation to terrorist activity are contained in the Terrorism Act 2000. Arrests can be made without having first to seek the consent of the Attorney-General, by virtue of section 25 of the Prosecution of Offences Act 1985.

Article 7 aut dedere aut iudicare

Specific legislative implementation of this provision in UK law, is unnecessary, though it will be observed by the authorities deciding upon extradition and prosecution.

Article 8 – Extradition

The UK has various general extradition arrangements with individual States under which the offences covered by the convention are included as extradition crimes. However, where no such general arrangement exists, extradition is permitted to contracting parties of the Convention in respect of offences under sections 1(1)(a), 1(1)(b) and 1(3) of the Internationally Protected Persons Act 1978, by virtue of section 22 of the Extradition Act 1989 and the Extradition (Internationally Protected Persons) Order 1997 (SI no. 1997/1764).

Article 9 – Fair Treatment

There are numerous guarantees in relation to fair treatment in criminal procedural law, notably the Police and Criminal Evidence Act 1984. Treatment must also meet the standards of the European Convention of Human Rights under the Human Rights Act 1998.

Article 10 – Mutual Legal Assistance

The United Kingdom co-operates in criminal proceedings and investigations with the authorities of other States in accordance with the provisions of the Criminal Justice (International Co-operation) Act 1990.

Article 11 – Notification

Specific legislative authority is not required in this respect.

The International Convention against the Taking of Hostages 1979

Article 1- The Offence

The offence of “hostage-taking” is established in UK law by section 1 (1) of the Taking of Hostages Act 1982 in similar terms to Article 1(1) of the Convention. As regards attempts and accomplices (Article 1(2)), under the general criminal law, attempts are covered by the Criminal Attempts Act 1981, and accomplices are covered under section 8 of the Accessories and Abettors Act 1861.

Article 2 - Penalty

The offence of hostage taking is punishable by life imprisonment (section 1(2) of the Taking of Hostages Act 1982).

Article 3

No specific legislative enactment is required in this respect.

Article 4 - Preventive measures and co-operation

No specific legislative measures are necessary in this respect beyond the usual police powers and the arrangements for co-operation in this respect.

Article 5 - Jurisdiction

Hostage taking is an offence under section 1 of the Taking of Hostages Act 1982, whether it takes place in the UK or elsewhere. By section 2 of that Act, proceedings require the consent of the Attorney-General.

Article 6 – Detention and investigation

Specific implementing legislation is not required, since powers of detention and investigation are governed primarily under the Police and Criminal Evidence Act 1984 and its associated Codes of Practice. Further powers of investigation and detention in relation to terrorist activity are contained in the Terrorism Act 2000. Arrests can be made without having first to seek the consent of the Attorney-General, by virtue of section 25 of the Prosecution of Offences Act 1985.

Article 7 – Notification

Specific legislative authority is not required in this respect.

Article 8 aut dedere aut iudicare

Specific legislative implementation of this provision in UK law is unnecessary, though it will be observed by the authorities deciding upon extradition and prosecution.

Articles 9 and 10 – Extradition

The UK has various general extradition arrangements with individual States under which the offences covered by the convention are included as extradition crimes. However, where no such general arrangement exists, extradition is permitted to contracting parties of the Convention in respect of offences under the Taking of Hostages Act 1982, by virtue of section 22 of the Extradition Act 1989 and the Extradition (Taking of Hostages) Order 1997 (SI no. 1997/1767).

Article 11 - Mutual Legal Assistance

The United Kingdom co-operates in criminal proceedings and investigations with the authorities of other States in accordance with the provisions of the Criminal Justice (International Co-operation) Act 1990.

Articles 12-15

No legislative enactment is required in these respects.

The Convention on the Physical Protection of Nuclear Material 1979

Article 7 - The Offences

Most of the offences set out in Article 7 are offences against the general criminal law in the UK, whether committed in relation to nuclear material or not. Hence murder, manslaughter, culpable homicide, assaults as well statutory offences under sections 18 and 20 the Offences Against the Persons Act, and section 1 of the Criminal Damage Act 1971, are well-established offences when committed in the UK law. Similarly, theft, embezzlement, robbery, burglary, aggravated burglary, fraud and extortion are established offences when committed within the UK.

However, section 1(1) of the Nuclear Materials Act 1983 provides for the application of the criminal law extraterritorially when these offences are committed outside the UK in relation to or by means of nuclear material.

Section 2 of the 1983 Act also provides that preparatory acts and threats to obtain nuclear material in relation to these offences shall themselves be offences (in accordance Article 1(1) (e) and (g) of the Convention). In addition under the general criminal law, attempts are covered by the Criminal Attempts Act 1981, and accomplices are covered under section 8 of the Accessories and Abettors Act 1861.

Penalties vary in according to the different crimes charged. An indication of the gravity with which these crimes are viewed in UK law can be seen from section 2(5) of the 1983 Act which provides for a maximum sentence of 14 years, in relation to the offences concerning preparatory acts and threats in section 2.

Article 8 – Jurisdiction

The offences under sections 1 and 2 of the Nuclear Material (Offences) Act 1983 are offences for the purposes of UK law whether they are committed within the UK or not. However, in certain cases, essentially involving the assertion of extraterritorial jurisdiction, the consent of the Attorney-General is required in relation to prosecutions (section 2 of the 1978 Act).

Article 9 – Detention and investigation

Specific implementing legislation is not required, since powers of detention and investigation are governed primarily under the Police and Criminal Evidence Act 1984 and its associated Codes of Practice. Further powers of investigation and detention in relation to terrorist activity are contained in the Terrorism Act 2000. Arrests can be made without having first to seek the consent of the Attorney-General, by virtue of section 25 of the Prosecution of Offences Act 1985.

Article 10 - aut dedere aut judicare

Specific legislative implementation of this provision in UK law is unnecessary, though it will be observed by the authorities deciding upon extradition and prosecution.

Article 11 – Extradition

The UK has various general extradition arrangements with individual States under which the offences covered by the convention are included as extradition crimes. However, where no such general arrangement exists, extradition is permitted to contracting parties of the Convention in respect of offences under sections 1(1) and 2 of the Nuclear Material (Offences) Act 1983, by virtue of section 22 of the Extradition Act 1989 and the Extradition (Protection of Nuclear Material) Order 1997 (SI no.1997/1765).

Article 12 – Fair Treatment

There are numerous guarantees in relation to fair treatment in criminal procedural law, notably the Police and Criminal Evidence Act 1984. Treatment must also meet the standards of the European Convention of Human Rights under the Human Rights Act 1998.

Article 13 – Mutual Legal Assistance

The United Kingdom co-operates in criminal proceedings and investigations with the authorities of other States in accordance with the provisions of the Criminal Justice (International Co-operation) Act 1990.

Protocol for the Suppression of Unlawful Acts of Violence at Airports 1988

This supplementary Protocol to the 1971 Montreal Convention is given effect in UK law under section 1 of the Aviation and Maritime Security Act 1990. The offences set out in Article 1 of the Protocol are given effect in UK law by sections 1(1) and 1(2) of the 1990 Act. Offences are punishable by life imprisonment (section 1(5)). Extraterritorial jurisdiction is provided for under Section 1(3), but the consent of the Attorney-General is required for the institution of proceedings (section 1(7)). Extradition is provided for as per the 1971 Montreal Convention.

The Rome Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation 1988

Article 3 – The Offences

The offences set out in Article 3(1) of the Convention are implemented in UK law in the following sections of the Aviation and Maritime Security Act 1990:

- Section 9 - hijacking of ships;
- Section 11(1) (c) - acts of violence such as to endanger a ship;
- Section 11(1) (a) and (b) - destruction of and damage likely to endanger the safety of ships;
- Section 11(2) - placing on board of a device or substance likely to destroy or damage a ship;
- Section 12(1) - destruction or damage of maritime navigational facilities;
- Section 12(3) - communication of false information endangering safety of ships;
- Section 14 - violent acts ancillary to the commission of the offences in sections 9, 11, and 12.

As regards attempts and accomplices (Articles 3(2) (a) and (b)) under the general criminal law, attempts are covered by the Criminal Attempts Act 1981, and accomplices are covered under section 8 of the Accessories and Abettors Act 1861. In accordance with Article 3(2) (c), threats are made offences by section 13 of the Aviation and Maritime Security Act 1990.

Article 5 – The penalties

The offences contained in sections 9, 11, 12 and 13 of the Aviation and Maritime Security Act 1990 are all punishable by life imprisonment (see sections 9(3), 11(6), 12(7) and 13(5) respectively).

Article 6 – Jurisdiction

The offences under sections 9, 11, 12, 13 and 14 of the Aviation and Maritime Security Act 1990 are offences for the purposes of UK law whether they are committed within the UK or not. However, the consent of the Attorney-General is required in relation to prosecutions (section 16).

Article 7 – Detention and investigation

Specific implementing legislation is not required, since powers of detention and investigation are governed primarily under the Police and Criminal Evidence Act 1984 and its associated Codes of Practice. Further powers of investigation and detention in relation to terrorist activity are contained in the Terrorism Act 2000. Arrests can be made without having first to seek the consent of the Attorney-General, by virtue of section 25 of the Prosecution of Offences Act 1985.

Article 10 - aut dedere aut iudicare and fair treatment

Specific legislative implementation of Article 10(1) in UK law is unnecessary, though the authorities deciding upon extradition and prosecution will observe it. There are numerous guarantees in relation to fair treatment in criminal procedural law, notably the Police and Criminal Evidence Act 1984. Treatment must meet the standards of the European Convention of Human Rights under the Human Rights Act 1998.

Article 11 – Extradition

The UK has various general extradition arrangements with individual States under which the offences covered by the convention are included as extradition crimes. However, where no such general arrangement exists, extradition is permitted to contracting parties to the Convention in respect of offences under sections 9, 11, 12, or 13 of the Aviation and Maritime Security Act 1990, by virtue of section 22 of the Extradition Act 1989 and the Extradition (Safety of Maritime Navigation) Order 1997 (SI no. 1997/1766).

Article 12 – Mutual Legal Assistance

The United Kingdom co-operates in criminal proceedings and investigations with the authorities of other States in accordance with the provisions of the Criminal Justice (International Co-operation) Act 1990.

Article 13 - Preventive measures and co-operation

No specific legislative measures are necessary in this respect beyond the usual police powers and the arrangements for co-operation in this respect.

Articles 14 -15 - Notifications

No legislative enactment is required in these respects.

Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf

Article 2 – The Offences

The offences set out in Article 2(1) of the Convention are implemented in UK law in the following sections of the Aviation and Maritime Security Act 1990:

Section 10 - seizure of platforms;

Section 11(1) (c) - acts of violence such as to endanger the safety of a platform;

Section 11(1) (a) and (b) - destruction of and damage likely to endanger the safety of a platform;

Section 11(2) - placing on board of a device or substance likely to destroy or damage a Platform;

section 14 - violent acts ancillary to the commission of the offences in sections 10 and 11.

As regards attempts and accomplices (Articles 2(2) (a) and (b)) under the general criminal law, attempts are covered by the Criminal Attempts Act 1981, and accomplices are covered under section 8 of the Accessories and Abettors Act 1861. Threats under Article 2(2) (c) are made offences by section 13 of the Aviation and Maritime Security Act 1990.

Article 5 – The penalties

The offences contained in sections 10, 11, and 13 of the Aviation and Maritime Security Act 1990 are all punishable by life imprisonment (see sections 10(2), 11(6), and 13(5) respectively).

Article 6 – Jurisdiction

The offences under sections 10, 11, 13 and 14 of the Aviation and Maritime Security Act 1990 are offences for the purposes of UK law whether they are committed within the UK or not. However, the consent of the Attorney-General is required in relation to prosecutions (section 16).

In other respects the Protocol is implemented in UK law as per the 1988 Rome Convention.

The Convention on the Marking of Plastic Explosives for the Purposes of Detection 1991

The Convention is implemented in UK law by *The Marking of Plastic Explosives for Detection Regulations 1996* (SI No. 890/1996), made under enabling powers in the Health and Safety at Work Act 1974. The Regulations prohibit the manufacture of unmarked explosives in accordance with Article II of the Convention. The Regulations prohibit the importation into the UK of unmarked explosives. Further restrictions to prohibit and prevent the transfer into or out of the territory of the UK in accordance with Article III may be given effect through the licensing system generally applicable to importation and exportation. The Regulations also prohibit the possession of unmarked explosives and save in respect of stocks held for military and police purposes.

The International Convention for the Suppression of Terrorist Bombings 1997

Article 2 – The Offences.

Offences relating to explosives have long been a part of UK criminal law. The Offences Against the Person Act 1861 provides for the following offences:

- (a) causing bodily harm by gunpowder (section 28);
- (b) causing gunpowder to explode with intent to do grievous bodily harm (section 29); and
- (c) placing gunpowder near a building with intent to cause bodily injury.

In addition under the Explosive Substances Act 1883 the following are offences:

- (a) causing an explosion likely to endanger life or property (section 2);
- (b) doing any act with intent to such explosion, conspiring to cause such an explosion, or making or possessing explosive with intent to endanger life or property (section 3);
- (c) acting as an accessory to either of the above offences (section 5).

Section 1 of the Biological Weapons Act 1974, and section 2 of the Chemical Weapons Act 1996, create various offences concerning the use possession and development of biological and chemical weapons respectively. Similar offences in relation to the use of nuclear weapons are established under section 47 of the Anti-Terrorism, Crime and Security Act 2001.

As regards attempts and accomplices (Articles 2(2) and 2(3)) under the general criminal law, attempts are covered by the Criminal Attempts Act 1981, and accomplices are covered under section 8 of the Accessories and Abettors Act 1861. Conspiring to commit offences is also an offence by virtue of section 1 of the Criminal Law Act 1977.

Finally a person who directs a terrorist organisation commits an offence under section 56 of the Terrorism Act 2000.

Article 4 – Domestic Criminal Law and Penalties

The offences contained in Article 2 are part of UK domestic law by virtue of the statutory provisions set above. Offences under section 2,3 and 5 of the Explosive Substances Act 1883; section 1 of the Biological Weapons Act 1974; section 2 of the Chemical Weapons Act 1996; and section 47 of the Anti-Terrorism, Crime and Security Act 2001 are all punishable by life imprisonment.

Article 5

The offences in UK law cited above are offences regardless of such motivations on the part of the accused.

Article 6 – Jurisdiction

By virtue of section 62 of the Terrorism Act 2000 extraterritorial jurisdiction is extended over the offences under Articles 2, 3 and 5 of the Explosive Substances Act 1883, and the offences in section 1 of the Biological Weapons Act 1974 and section 2 of the Chemical Weapons Act 1996. However, by virtue of section 117 of the Terrorism Act 2000, the consent of the Attorney-General to prosecutions will be required where such extraterritorial jurisdiction is to be asserted. Extraterritorial jurisdiction is also exercisable with the consent of the Attorney-General in respect of offences relating to use etc. of nuclear weapons under section 47 of the Anti-Terrorism, Crime and Security Act 2001.

Article 7 – Detention and investigation

Specific implementing legislation is not required, since powers of detention and investigation are governed primarily under the Police and Criminal Evidence Act 1984 and its associated Codes of Practice. Further powers of investigation and detention in relation to terrorist activity are contained in the Terrorism Act 2000. Arrests can be made without having first to seek the consent of the Attorney-General, by virtue of section 25 of the Prosecution of Offences Act 1985.

Article 8 - aut dedere aut iudicare

Specific legislative implementation of this Article in UK law is unnecessary, though it will be observed by the authorities deciding upon extradition and prosecution.

Article 9 – Extradition

The UK has various general extradition arrangements with individual States under which the offences covered by the convention are included as extradition crimes. However, where no such general arrangement exists, extradition is permitted to contracting parties to the Convention in respect of offences under sections 2, 3 and 5 of the Explosive Substances Act 1883, section 1 of the Biological Weapons Act 1974 and section 2 of the Chemical Weapons Act 1996, by virtue of section 22 of the Extradition Act 1989 (as amended by section 64 of the Terrorism Act 2000).

Article 10 – Mutual Legal Assistance

The United Kingdom co-operates in criminal proceedings and investigations with the authorities of other States in accordance with the provisions of the Criminal Justice (International Co-operation) Act 1990.

Article 11 – Exclusion of the Political Offence Exception

This Article is given effect by section 24(5) of the Extradition Act (inserted by virtue of section 64(4) of the Terrorism Act 2000). Under that provision offences under sections 2, 3 and 5 of the Explosive Substances Act 1883, section 1 of the Biological Weapons Act 1974 and section 2 of the Chemical Weapons Act 1996 shall not be considered political offences for the purposes of the political offence exception in extradition.

Article 14 – Fair Treatment

There are numerous guarantees in relation to fair treatment in criminal procedural law, notably the Police and Criminal Evidence Act 1984. Treatment must meet the standards of the European Convention of Human Rights under the Human Rights Act 1998.

Article 15 – preventive measures

In relation to Article 15(a) it should be noted that by virtue of sections 59-61 of the Terrorism Act 2000 incitement to terrorism overseas is an offence in UK law.

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

Article 2 – The Offences

The offences set out in Article 2(1) of the Convention are reflected in UK law in the following offences under the Terrorism Act 2000:

- (a) Fund-raising for the purposes of terrorism (section 15);
- (b) Use and possession of money for the purposes of terrorism (section 16);
- (c) Involvement in funding arrangements for the purposes of terrorism (section 17);
- (d) Money laundering and similar offences in relation to terrorist property (section 18).

As regards attempts and accomplices (Articles 2(4) and 2(5)) under the general criminal law, attempts are covered by the Criminal Attempts Act 1981, and accomplices are covered under section 8 of the Accessories and Abettors Act 1861. Conspiring to commit offences is also an offence by virtue of section 1 of the Criminal Law Act 1977.

A person who directs a terrorist organisation commits an offence under section 56 of the Terrorism Act 2000.

Article 4 – Domestic Criminal Law and Penalties

The offences contained in Article 2 are part of UK domestic law by virtue of the statutory provisions set above. The maximum custodial sentence in relation to offences under section 15-18 of the Terrorism Act

2000 is 14 years imprisonment (section 22). The offence of directing a terrorist organisation under section 56 of that Act is punishable by life imprisonment.

Article 6

The ideological or similar other motivation of the offender offers no excuse in relation to the offences under sections 15-18 of the Terrorism Act 2000, but rather is a defining element of “terrorism” for the purposes of the Act (section 1).

Article 7 – Jurisdiction

By virtue of section 63 of the Terrorism Act 2000 general extraterritorial jurisdiction is extended over the offences under sections 15-18 of the same Act. However, by virtue of section 117 of the Terrorism Act 2000, the consent of the Attorney-General to prosecutions will be required where such extraterritorial jurisdiction is to be asserted.

Article 8 – Seizure of Terrorist Funds

In addition to general powers of the police and other financial authorities to freeze and forfeit funds and property used in connection with criminal and prohibited activities, the Terrorism Act 2000 provides additional powers in relation to the investigation, freezing and forfeiture of terrorist funds.²

Article 9 – Detention and investigation

Specific implementing legislation is not required, since powers of detention and investigation are governed primarily under the Police and Criminal Evidence Act 1984 and its associated Code of Practice. Further powers of investigation and detention in relation to terrorist activity are contained in the Terrorism Act 2000. Arrests can be made without having first to seek the consent of the Attorney-General, by virtue of section 25 of the Prosecution of Offences Act 1985.

Article 10 - aut dedere aut iudicare

Specific legislative implementation of this Article in UK law is unnecessary, though the authorities deciding upon extradition and prosecution will observe it.

Article 11 – Extradition

The UK has various general extradition arrangements with individual States under which the offences covered by the convention are included as extradition crimes. However, where no such general arrangement exists, extradition is permitted to contracting parties to the Convention in respect of offences under sections 15-18 of the Terrorism Act 2000, by virtue of section 22 of the Extradition Act 1989 (as amended by s.64 of the Terrorism Act 2000).

Article 12 – Mutual Legal Assistance

The United Kingdom co-operates in criminal proceedings and investigations with the authorities of other States in accordance with the provisions of the Criminal Justice (International Co-operation) Act 1990.

Article 14 – Exclusion of the Political Offence Exception

This Article is given effect by section 24(5) of the Extradition Act (inserted by virtue of section 64(4) of the Terrorism Act 2000). Under that provision, offences under sections 15-18 of the Terrorism Act 2000 shall not be considered political offences for the purposes of the political offence exception in extradition.

Article 17 – Fair Treatment

There are numerous guarantees in relation to fair treatment in criminal procedural law, notably the Police and Criminal Evidence Act 1984. Treatment must meet the standards of the European Convention of Human Rights under the Human Rights Act 1998.

European Convention on the Suppression of Terrorism 1977

Articles 1 and 2 – Exclusion of the Political Offence Exception

The exclusion of the political offence exception in extradition proceedings in connection with the crimes listed in Article 1 of the Convention, is implemented in UK law under Section 1 of the Suppression of

² The Anti-Crime and Security Act 2001 also includes powers to seize and forfeit listed assets and powers to freeze bank accounts and forfeit money as amended by Criminal Finances Act 2017

Terrorism Act 1978. The full list of crimes in UK law to which the exclusion applies is set out in Schedule 1 to the Act.

Article 4 – Extraditable Offences

This Article is given effect in UK law by section of the Suppression of Terrorism Act 1978.

Article 6 – Jurisdiction

Under section 4 of the Suppression of Terrorism Act 1978 jurisdiction can be asserted over certain of the offences contained in Schedule 1 to the Act where they were committed in the territory of a State party to the Convention. However, the consent of the Attorney-General is required in relation to prosecutions for acts made unlawful under that section 4(4) of that Act (i.e. in cases in which extraterritorial jurisdiction is claimed).

Article 8 - aut dedere aut judicare

Specific legislative implementation of this Article in UK law is unnecessary, though the authorities deciding upon extradition and prosecution will observe it.

Article 9 – Mutual Legal Assistance

The United Kingdom co-operates in criminal proceedings and investigations with the authorities of other States in accordance with the provisions of the Criminal Justice (International Co-operation) Act 1990.

For bilateral treaties regarding mutual legal assistance in criminal matters please refer to the list below:

_ Antigua and Barbuda 1997 - concerning the investigation, restraint and confiscation of the proceeds and instruments of crime
eif: 01/10/2004 Treaty Series 004/2004 : Cm 6336

_ Algeria 2006 – on Mutual Legal Assistance in Criminal Matters
eif: 27/03/07 Treaty Series 0117/2010, Cm 7922

_ Argentina 1991 - concerning mutual judicial assistance against illicit drug trafficking
eif: 06/01/94 Treaty Series 031/1994 : Cm 2592

_ Australia 1988 - concerning the investigation of Drug Trafficking and confiscation of the proceeds and instruments of crime
eif: 12/09/1990 Treaty Series 088/1990 : Cm 1342

_ Australia 1997 - concerning the investigation, restraint and confiscation of the proceeds and instruments of crime
eif: 10/05/2000 Treaty Series 077/2000 : Cm 4760

_ Bahamas 1988 - concerning the investigation of drug trafficking and confiscation of the proceeds of drug trafficking
eif: 24/10/90 Treaty Series 013/1991 : Cm 1448

_ Bahrain 1990 - concerning mutual assistance in relation to drug trafficking
eif: 01/01/92 Treaty Series 007/1994 : Cm 2474

_ Barbados 1991 - concerning mutual assistance in relation to drug trafficking
eif: 01/06/93 Treaty Series 031/1993 : Cm 2240

_ Bolivia 1994 - on mutual legal assistance in relation to illicit drug trafficking
Not yet in force. Not yet published

_ Canada 1988 and amended 1992 - on mutual assistance in criminal matters
[1988] eif: 04/08/1990 Treaty Series 084/1990 : Cm 1326
[1992] eif: 17/09/1993 Treaty Series 074/1993 : Cm 2383

_ Brazil 2005 - on mutual legal assistance in criminal matters

eif: 13/04/2011, Treaty Series 019/2011: Cm 8087

_ Cayman Islands 2009 – Regarding the Sharing of Confiscated Proceeds of Crime (MoU) Not yet in Effect Not published

_ Chile 1995 - concerning MA in relation to illicit trafficking in narcotic drugs and psychotropic substances
eif: 01/02/1996 Treaty Series 063/1997 : Cm 3775

_ Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Hong Kong Special Administrative Region of the People's Republic of China concerning Mutual Legal Assistance in Criminal Matters (signed 23/01/1998)
eif: 09/02/2002, Treaty Series 018/2002, Cm.5502

_ Treaty between the United Kingdom of Great Britain and Northern Ireland and the People's Republic of China on Mutual Legal Assistance in Criminal Matters (signed 02/12/2013).
eif: 15/01/2016, Treaty Series 010/2016, Cm.9199

_ Exchange of Notes between the Government of the People's Republic of China and the Government of the United Kingdom of Great Britain and Northern Ireland extending the Agreement between the Government of the Hong Kong Special Administrative Region of the People's Republic of China and the Government of the United Kingdom of Great Britain and Northern Ireland concerning Mutual Legal Assistance in Criminal Matters, signed at Hong Kong on 23 January 1998, to the Isle of Man (signed 17/08/2004-11/09/2004).
eif: 01/11/2004, Not Published.

_ Colombia 1997 - concerning mutual assistance in relation to criminal matters
eif: 05/12/1999 Treaty Series 040/2002 : Cm 4682

_ Ecuador 1992 - concerning mutual assistance in relation to drug trafficking (treaty series 18 (1993))
eif:01/03/1993 Treaty Series 018/1993 : Cm 2162

_ Grenada 1995 - concerning mutual assistance in relation to drug trafficking
eif: 01/10/2001 Treaty Series 032/2003 : Cm 5940

_ Germany 1961 – E o N providing for Reciprocal Assistance in Criminal Matters between the Police Authorities of the UK and the FRG
eif: 02/05/1961 Treaty Series 066/1961 : Cmnd 1446

_ Guyana 1991 - concerning co-operation in the investigation of drug trafficking offences, the forfeiture of instruments used for or in connection with such offences and the deprivation of drug traffickers of financial benefits from their criminal activities
eif: 24/11/1996 Treaty Series 009/1997 : Cm 3523

_ Hong Kong SAR 1998 - concerning mutual legal assistance in criminal matters
eif: 09/02/2002 Treaty Series 018/2002 : Cm 5502

_ India 1992 - concerning the investigation and prosecution of crime and the tracing, restraint and confiscation of the proceeds and instruments of crime and terrorist funds
eif: 01/05/95 Treaty Series 069/1995 : Cm 2957

_ Ireland 1998 - concerning mutual assistance in relation to criminal matters
eif: 01/06/2004 Treaty Series 027/2005 : Cm 6601

_ Italy 1990 - concerning MA in relation to traffic in narcotic drugs or psychotropic substances and the restraint and confiscation of the proceeds of crime
eif: 08/05/1994 Treaty Series 033/1995 : Cm 2853

_ Treaty on Mutual Legal Assistance in Criminal Matters between the United Kingdom of Great Britain and Northern Ireland and the Hashemite Kingdom of Jordan (signed 24/03/2013),
eif: 01/07/2013, Treaty Series 025/2013, Cm.8681

_ Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Republic of Kazakhstan on Mutual Legal Assistance in Criminal Matters (signed 03/11/2015)
eif: 04/04/2016, Treaty Series 025/2016, Cm.9256

_ Treaty on Mutual Legal Assistance in Criminal Matters between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the State of Kuwait (signed 28/01/2018):
Not yet in Force, Not yet published

_ Libya 2008 – on MA in Criminal Matters
eif: 29/04/2009 Country Series Libya 002/2009 : Cm 7549

_ Malaysia 1989 - on mutual assistance in relation to drug trafficking
eif: 01/01/1995 Treaty Series 042/1995 : Cm 2883

_ Malaysia- on Mutual Assistance in Criminal Matters
EIF: 16/12/2011, Treaty Series 006/2012 Cm.8266

_ Mexico 1990 and 1996 - concerning MA in relation to drug trafficking and concerning MA in the investigation restraint and confiscation of the proceeds and instruments of crime other than drug trafficking
[1990] eif: 01/10/1990 Treaty Series 057/1991 : Cm 1638
[1996] eif: 01/08/1996 Treaty Series 079/1996 : Cm 3358

_ Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United Mexican States to extend the Agreement concerning Mutual Assistance in the Investigation, Restraint and Confiscation of the Proceeds of Crime other than Drug Trafficking signed in Mexico City on 26 February 1996 to the Isle of Man (signed 23/09/2002-14/10/2002).
eif: 14/10/2002, Treaty Series 015/2003, Cm.5816

_ Convention on Mutual Legal Assistance in Criminal Matters between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Morocco (signed 15/04/2013).
Not yet in Force, Country Series Morocco 002/2013, Cm.8683

_ The Netherlands 1993 - to supplement and facilitate the operation of the Convention of the Council of Europe on laundering, search, seizure and confiscation of the proceeds from crime
eif: 02/06/94 Treaty Series 045/1994 : Cm 2655

_ Exchange of Notes extending the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of the Netherlands to Supplement and Facilitate the Operation of the Convention of the Council of Europe on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, concluded at Strasbourg on 8 November 1990, signed at London on 15 September 1993 to the Netherlands Antilles and Aruba (signed 12/11/2003-06/07/2006).
eif: 07/08/2006, Treaty Series 014/2007, Cm.7148

_ Nigeria 1989 - investigation and prosecution of crime and the confiscation of the proceeds of crime
eif: 30/10/93 Treaty Series 018/1994 : Cm 2497

_ Panama 1993 - concerning mutual legal assistance relating to drug trafficking
eif: 01/09/1994 Treaty Series 046/1994 : Cm 2660

_ Paraguay 1994 - concerning mutual assistance in relation to drug trafficking
eif: 21/06/1998 Treaty Series 045/2001 : Cm 5259

_ Philippines 2009 - concerning mutual assistance in Criminal Matters
eif: 01/06/2012 Treaty Series 03/2012, Cm.8398

_ Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of the Philippines to amend the Treaty on Mutual Legal Assistance in Criminal Matters between the United Kingdom of Great Britain and Northern Ireland and

the Government of the Republic of the Philippines, done at London on 18 September 2009 (signed 08/01/2014).

eif: 28/01/2014, Treaty Series 016/2014, Cm.8924

_ Romania 1995 - concerning the restraint and confiscation of the proceeds and instruments of crime

eif: 01/10/2000 Treaty Series 132/2000 : Cm 5008

_ Sweden 1989 - concerning the restraint and confiscation of the proceeds of crime

eif: 01/04/92 Treaty Series 072/1992 : Cm 2079

_ Saudi Arabia 1990 - concerning the investigation of drug trafficking and confiscation of the proceeds of drug trafficking

eif: 20/09/1991 Treaty Series 065/1991 : Cm 2047

_ South Africa 1992 - concerning mutual assistance in relation to drug trafficking

Not yet in Force Not yet published

_ Spain 1989 - concerning the prevention and suppression of drug trafficking and the misuse of drugs

eif: 15/12/1990 Treaty Series 044/1991 : Cm 1614

_ Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Spain extending the Agreement between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Spain concerning the Prevention and Suppression of Drug Trafficking and the Misuse of Drugs, signed at Madrid on 26 June 1989, to Gibraltar (signed 03/04/1991).

eif: 11/03/1992, Treaty Series 063/1992, Cm.2046

_ Thailand 1994 - on mutual assistance in criminal matters

eif: 10/09/1997 Treaty Series 066/1997 : Cm 3783

[2001 ext. to Isle of Man]

eif: 30/08/2002 Treaty Series 015/2003 : Cm 5816

_ Trinidad and Tobago 1998 - concerning mutual assistance in relation to crime,

eif: 05/01/1998 Country Series 001/1998 : Cm 3900

_ Ukraine 1996 - concerning the restraint and confiscation of the proceeds and instruments of criminal activity other than Drug Trafficking

eif: 01/04/97 Treaty Series 047/1997 : Cm 3731

_ Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Ukraine extending the Agreements concerning the Restraint and Confiscation of the Proceeds and Instruments of Criminal Activity other the Drug Trafficking and concerning Mutual Assistance in Relation to Drug trafficking, both done at Kiev on 18 April 1996, to the Isle of Man (signed 17/08/2001-20/02/2002)

eif: 01/04/2002, Treaty Series 015/2003, Cm.5816

_ Treaty between the United Kingdom of Great Britain and Northern Ireland and the United Arab Emirates on Mutual Legal Assistance in Criminal Matters (signed 06/12/2006)

eif: 02/04/2008, Treaty Series 005/2008, Cm.7383

_ United States - concerning the Cayman Islands relating to Mutual Legal Assistance in Criminal Matters

eif: 19/03/1990 Treaty Series 082/1990 : Cm 1316

_ Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning the Investigation of Drug Trafficking Offences and the Seizure and Forfeiture of Proceeds and Instrumentalities of Drug Trafficking (signed 09/02/1988)

eif: 11/04/1989, Treaty Series 032/1989, Cm.755.

_ Exchange of Notes extending the Treaty between the United Kingdom of Great Britain and Northern Ireland and the United States of America concerning the Cayman Islands relating to Mutual Legal Assistance in Criminal Matters - Grand Cayman 3 July 1986 - to Anguilla, British Virgin Islands and Turks and Caicos Islands (signed 09/11/1990)
eif: 09/11/1990, Treaty Series 049/1991, Cm.1624

_ Exchange of Notes extending the Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning the Cayman Islands relating to Mutual Legal Assistance in Criminal Matters - Grand Cayman 3 July 1986 - to Montserrat (signed 26/04/1991)
eif: 26/04/1991, Not Published by UK.

_ Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America extending the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning the Investigation of Drug Trafficking Offences and the Seizure and Forfeiture of Proceeds and Instrumentalities of Drug Trafficking, signed at London on 9 February 1988, to Gibraltar (signed 30/09/1992).
eif: 30/09/1992, Treaty Series 084/1992, Cm.2264

_ Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America extending the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning the Investigation of Drug Trafficking Offences and the Seizure and Forfeiture of Proceeds and Instrumentalities of Drug Trafficking, signed at London on 9 February 1988, to the Isle of Man (signed 30/09/1992).
eif: 30/09/1992, Treaty Series 084/1992, Cm.2264

_ United States 1994 - on mutual legal assistance in criminal matters
eif: 02/12/1996, Treaty Series 014/1997, Cm 3546

_ Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America amending the Agreement concerning the Investigation of Drug Trafficking Offences and the Seizure and Forfeiture of Proceeds and Instrumentalities of Drug Trafficking, signed at London on February 9, 1988 (signed 06/01/1994).
eif: 06/01/1994, Treaty Series 032/1994, Cm.2613

_ Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America further amending the Agreement concerning the Investigation of Drug Trafficking Offences and the Seizure and Forfeiture of Proceeds and Instrumentalities of Drug Trafficking, Done at London on 9 February 1988, as amended by the Exchange of Notes of 6 January 1994 (signed 19/06/1996-29/07/1996).
eif: 29/07/1996, Treaty Series 082/1996, Cm.3380

_ Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America amending the Treaty on Mutual Legal Assistance in Criminal Matters done at Washington on 6 January 1994 (signed 30/04/2001).
eif: 01/05/2001, Treaty Series 008/2002, Cm.5375

_ Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America to extend the Treaty on Mutual Legal Assistance in Criminal Matters signed at Washington on 6 January 1994 to the Isle of Man (signed 02-05/06/2003)
eif: 05/06/2003, Treaty Series 014/2009, Cm. 7671

_ Exchange of Notes to amend the Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning the Cayman Islands relating to Mutual Legal Assistance in Criminals Matters, signed at Grand Cayman on 03 July 1986 (signed 10/09/2004-09/02/2005)
eif: 09/02/2005, Treaty Series 021/2010, Cm.7988

_ United States - with Bermuda - relating to Mutual Legal Assistance in Criminal Matters
[Not yet in Force] Not to be Published (done under Deed of Entrustment)

_ Uruguay 1992 - in relation to drug trafficking
eif: 19/01/1994 Treaty Series 004/1994, Cm 2458

_ Vietnam - Mutual Legal Assistance in Criminal matters (Hanoi 13/1/2009)
eif: 30/09/2009, Treaty Series 088/200, Cm. 7879.

Additional Protocol to the 2005 Convention on the Prevention of Terrorism

On 22 October 2015, the UK signed but has not yet ratified an Additional Protocol to the 2005 Council of Europe Convention on the Prevention of Terrorism. This new measure sets out common and shared minimum standards to tackle the growing terrorist threat posed by individuals, who travel abroad for the purposes of terrorism, often referred to as “foreign terrorist fighters”.

1.2 What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?

The UK approach is to ensure that a comprehensive package of counter-terrorism legislation is in place to adhere to agreements and arrangements that it is a signatory to. In addition, UK counter-terrorism legislation is reviewed and updated as necessary to ensure that the police and the security services have the powers and tools to respond to the evolving threats that the UK faces.

The Terrorist Offenders (Restriction of Early Release) Act (TORER) 2020

In response to the terrorist attacks at Fishmongers' Hall on 29 November 2019 and Streatham on 2 February 2020, the Government passed emergency legislation – the Terrorist Offenders (Restriction of Early Release) Act.

The Act ensures terrorist offenders serve two-thirds of their sentence before they are considered eligible for release. It also brings an end to terrorist offenders being released early automatically, and ensures that any such offenders released before the end of their sentence are subject to a risk assessment by the Parole Board.

The Counter-Terrorism and Border Security Act (CTBS) 2019:

Following the series of terrorist attacks in the UK in 2017, the Prime Minister commissioned a review of the UK's Counter Terrorism strategy, including legislation and Powers.

This review culminated in a revised counter-terrorism strategy, CONTEST 3.0, published in June 2018, and new legislation in the form of the CTBS Act which was introduced to Parliament also in June 2018 and was enacted in February 2019.

The CTBS Act amends terrorism offences to update them for the digital age and modern online technology, and to reflect contemporary patterns of radicalisation and developments in the nature of the terrorist threat. This includes extending the existing offence of collecting or making a record of information likely to be useful to a terrorist, so that it also covers viewing or accessing such material over the internet; introducing an offence of expressing support for a proscribed terrorist organisation reckless as to whether another person will be encouraged to support it, and publishing images of items such as flags or emblems associated with proscribed organisations, in circumstances giving rise to reasonable suspicion the person is a member or supporter of the organisation. The Act also increases the maximum penalties for certain offences, strengthens powers for managing offenders following their release from custody, and enables further terrorism offences committed overseas to be prosecuted in the UK courts.

Sanctions and Anti-Money Laundering Act (SAML) 2018

SAML was enacted in May 2018 and enables the UK to implement United Nations (UN) sanctions regimes and to use domestic sanctions to meet national security and foreign policy objectives. This will allow anti-money laundering and counter-terrorist financing measures to be kept up to date, helping to protect the security and prosperity of the UK and to continue to align the UK with international standards.

It provides a framework for autonomous sanctions to be imposed by the UK including for counter-terrorism purposes. It also provides for the UK to exercise financial sanctions powers to replace the powers contained in the Terrorist Asset Freezing etc. Act 2010.

Counter-Terrorism and Security Act (CTSA) 2015

In response to the Syrian conflict, the CTSA 2015 was introduced to tackle individuals travelling overseas to fight for terrorist organisations or engage in terrorism-related activity and subsequently returning to the UK, and to deal with those already in the UK who pose a risk to the public. The

provisions in this Act aim to ensure that law enforcement and intelligence agencies can disrupt the ability of people to travel abroad to fight, such as in Syria and Iraq, and control their return to the UK. It enhances operational capabilities to monitor and control the actions of those in the UK who pose a threat, and help to combat the underlying ideology that supports terrorism.

The CTSA also extended the statutory remit of the Independent Reviewer of terrorism legislation to include further counter-terrorism legislation, and to increase the Reviewer's autonomy to set their own work-programme within that expanded remit. The full list of the Acts which fall within the IRTL's remit are as follows: The Terrorism Act 2000, the Anti-Terrorism Crime and Security Act 2001, and part 2 of that Act in so far as it relates to terrorism, Part 1 of the Terrorism Act 2006, the Counter-Terrorism Act 2008, the Terrorism Prevention and Investigation Measures Act 2011, Part 1 of the Counter-Terrorism and Security Act 2015 (which covers Temporary Passport Seizure and Temporary Exclusion Orders), and the Sanctions and Anti-Money Laundering Act 2018.

Serious Crime Act 2015

The Act amended the Proceeds of Crime Act 2002, the Computer Misuse Act 1990, Part 4 of the Policing and Crime Act 2009, section 1 of the Children and Young Persons Act 1933, the Sexual Offences Act 2003, the Street Offences Act 1959, the Female Genital Mutilation Act 2003, the Prohibition of Female Genital Mutilation (Scotland) Act 2005, the Prison Act 1952 and the Terrorism Act 2006; to make provision about involvement in organised crime groups and about serious crime prevention orders; to make provision for the seizure and forfeiture of drug-cutting agents; to make it an offence to possess an item that contains advice or guidance about committing sexual offences against children; to create an offence in relation to controlling or coercive behaviour in intimate or family relationships; to make provision for the prevention or restriction of the use of communication devices by persons detained in custodial institutions; to make provision approving for the purposes of section 8 of the European Union Act 2011 certain draft decisions under Article 352 of the Treaty on the Functioning of the European Union relating to serious crime; to make provision about codes of practice that relate to the exercise and performance, in connection with the prevention or detection of serious crime, of powers and duties in relation to communications; and for connected purposes.

The Act also includes a provision which extended UK territorial jurisdiction over sections 5 and section 6 of the Terrorism Act 2006. This enables the prosecution of those who have prepared or trained for terrorism overseas and came into force in March 2015. The measure aims to tackle UK-linked individuals and those who seek to harm UK interests. Any prosecution under this provision requires the express consent of the Attorney General, in addition to satisfying the Crown Prosecution Service and the police that there is sufficient evidence and a public interest to prosecute. As an additional safeguard, sections 5 and 6 of the Terrorism Act 2006 fall within the remit of the Independent Reviewer of Terrorism Legislation.

Terrorism Prevention and Investigation Measures Act 2011

The Act allows the Home Secretary to impose a powerful range of disruptive measures on a small number of people who pose a real threat to our security but who cannot be prosecuted or, in the case of foreign nationals, deported. These measures include; overnight residence requirements, daily police reporting, a GPS tracking tag, exclusion from specific places, limits on association, limits on the use of financial services and use of telephones and computers, and a ban on holding travel documents. The **Counter-Terrorism and Security Act 2015** enhanced the Terrorism Prevention and Investigation Measures (TPIM) Act 2011. The amendments include:

- allowing the Secretary of State to require TPIM subjects to reside in a particular location up to 200 miles from their current locality;
- providing for additional measures to restrict a subject's travel outside the area in which their residence is situated;
- including a power to require a TPIM subject to meet with organisations or other persons specified by the Secretary of State;

- creating a new measure prohibiting TPIM subjects from acquiring/holding a firearms licence, offensive weapons or explosives;
- increasing the sentence for breaching a TPIM travel measure from a maximum of five years to a maximum of ten years, where the person travels outside the area in which their residence is situated or where they leave the UK;
- amending the definition of terrorism-related activity in the TPIMs Act to remove conduct which gives 'support or assistance' to individuals who are known or believed by the individuals concerned to be involved in the 'encouragement or facilitation of acts of terrorism'; and
- raising the threshold for imposing a TPIM notice to the Secretary of State being satisfied on the 'balance of probabilities' that the individual has been engaged in terrorism-related activity.

In July 2010, the then Home Secretary announced her intention to review counter-terrorism and security powers. The purpose of the review was to look at the issues of security and civil liberties in relation to the most sensitive and controversial counter-terrorism and security powers. The aim of the review was to ensure that the powers are necessary, effective and proportionate. The review examined six key counter-terrorism and security powers and measures.

The key recommendations resulted in changes to the following areas:

Pre-charge detention of terrorist suspects. The review concluded that the maximum period of pre-charge detention in respect of terrorist suspects under the Terrorism Act 2000, should be reduced from 28 days to 14 days. The review found that 28 days were not routinely needed in terrorism investigations and this should be reflected in legislation by the repeal, through section 57 of the Protection of Freedoms Act 2012, of the existing 28 day provisions contained in the Terrorism Act 2006. Emergency legislation has been drafted which would temporarily extend the maximum period of pre-charge detention to 28 days but this would only be introduced in the most exceptional circumstances.

Terrorism stop and search powers. The review concluded that existing powers under sections 44 – 47 of the Terrorism Act 2000 were too broad, and noted that the European Court of Human Rights had found them to violate the appellants' Article 8 rights in the case of *Gillan & Quinton vs United Kingdom*. These powers, where authorised, allowed police to stop and search vehicles and individuals without suspicion in potentially a large geographical area and for purposes that did not need to be connected to specific intelligence of a terrorist threat. The powers were repealed and replaced through the Protection of Freedoms Act 2012 with section 47A of and Schedule 6B to the Terrorism Act 2000, which provide a more limited power that can only be authorised in relation to the minimum area and duration of time necessary to prevent a specific act of terrorism, and authorisations must be confirmed by the Secretary of State within 48 hours, otherwise they will cease to have effect.

Deportation with Assurances. The review recommended a stronger effort to deport foreign nationals involved in terrorist activities in this country, while fully respecting our human rights obligations.

Counter Terrorism Act 2008

The Act confers further powers to gather and share information for counter-terrorism and other purposes; to make further provision about the detention and questioning of terrorist suspects and the prosecution and punishment of terrorist offences; to impose notification requirements on persons convicted of such offences; to confer further powers to act against terrorist financing, money laundering and certain other activities; to provide for review of certain Treasury decisions and about evidence in, and other matters connected with, review proceedings; to amend the law relating to inquiries; to amend the definition of "terrorism"; to amend the enactments relating to terrorist offences, control orders and the forfeiture of terrorist cash; to provide for recovering the costs of policing at certain gas facilities; to amend provisions about the appointment of special advocates in Northern Ireland; and for connected purposes.

The Counter-Terrorism Act 2008 includes:

- Post charge questioning for terrorism suspects;
- Power to remove documents for examination;
- Enhanced sentences for those convicted of non-terrorist offences (such as conspiracy to murder) but where the offence is clearly related to terrorism;
- Notification requirements for convicted terrorists which requires them to notify certain personal information such as name, address and travel plans and confirm such details annually;
- Power on the disclosure of information to intelligence services;
- Power to retain and use covertly obtained DNA and fingerprints;
- Ability to ban convicted terrorists from travelling overseas;
- Offence of eliciting information about members of armed forces, intelligence agencies or police;
- Powers for the Treasury to direct financial and credit institutions to take certain action in respect of business with persons in a non-EEA country of money laundering, terrorist financing or proliferation concern;
- Powers allowing the Treasury to base its financial restriction decisions on all available intelligence including closed material (i.e. material the disclosure of which would be contrary to the public interest).

Investigatory Powers. The Investigatory Powers Act 2016 is the legislative framework regulating law enforcement and the security and intelligence agencies' powers to obtain communications and data about communications (including the interception of communications and the retention and acquisition of communications data). It ensures that these powers – and the safeguards that apply to them – are clear and understandable.

The 2016 Act radically overhauled the way these powers are authorised and overseen. It makes clear the specific circumstances in which various investigatory powers may be used and the strict safeguards that apply, ensuring that any interference with privacy is necessary, proportionate, authorised and accountable.

It also introduced a 'double-lock' for warrants authorising use of more intrusive powers. Except in urgent cases, for example an imminent threat to life, these warrants cannot be issued until they have been approved by an independent judicial commissioner.

The Act also created a powerful new Investigatory Powers Commissioner (IPC) to oversee how the investigatory powers, available to the UK security and intelligence agencies and other public authorities, are used. The Commissioner publishes a report annually, which is available on his office's website.³

In 2018 the UN Special Rapporteur for the Right to Privacy, Joseph Cannataci, conducted an extensive review of the UK's privacy protection framework. He assessed the UK as having *"...equipped itself with a legal framework and significant resources designed to protect privacy without compromising security. Given its history in the protection of civil liberties and the significant recent improvement in its privacy laws and mechanisms, the UK can now justifiably reclaim its leadership role in Europe as well as globally."*

He also wrote: *"I am satisfied that the UK systematically employs multiple safeguards which go to great lengths to ensure that unauthorized surveillance does not take place, and that when authorization is sought it is granted only after the necessity and proportionality of the surveillance measure are justified on a case-by-case basis."*

³ <https://www.ipco.org.uk/>

Immigration Act 2014

Prior to the Immigration Act 2014, Section 40 of The British Nationality Act 1981, as amended in 2002 and 2006, allowed the Home Secretary to:

- Deprive any British citizen (British born, registered or naturalised) of their nationality if satisfied that deprivation would be conducive to the public good, provided that it would not make them stateless.
- Deprive a naturalised or registered British citizen of their nationality if satisfied that it was gained by means of fraud, false representation or concealment of material fact.
- The Immigration Act 2014 included a provision to strengthen existing deprivation of citizenship power to enable deprivation of naturalised British citizens (i.e. not British born, or registered British Citizens) on conducive grounds where they have conducted themselves in a manner 'seriously prejudicial to the vital interests of the UK' even if this leaves them stateless, in cases where the Home Secretary has reasonable grounds to believe that the person could, under the laws of another country or territory, become a national of that country or territory. "Conduct considered seriously prejudicial" is a higher test and considered to be a distinct sub-set of non-conducive cases involving national security (including espionage and terrorism) and those who take up arms against British or allied forces.

UK Borders Act 2007

The UK Borders Act increased the powers the Home Office has to build stronger borders, tackle organised crime and remove incentives for illegal immigrants wanting to come to Britain.

The UK Borders Act:

- introduced powers to require persons subject to immigration control to apply for a biometric immigration document, strengthening and standardising the format of immigration documents confirming a migrant's status and conditions of stay in the UK;
- provided new powers to immigration officers allowing them to detain at ports in England, Wales and Northern Ireland (subsequently amended to include the UK control zones in France and Belgium at international rail stations and the fixed Channel Tunnel link terminal in the UK), individuals who they think may be liable to arrest by a constable or subject to an arrest warrant;
- to arrest those they believe to have fraudulently been acquiring asylum support and to access Her Majesty's Revenue Customs (HMRC) data to track down illegal immigrants;
- extended powers to enable the prosecution of those who facilitate or traffic from abroad, even if their crimes were committed outside of the UK;
- required automatic consideration for deportation of foreign national offenders sentenced to 12 months or more in prison, thus sending out a clear message that those who abuse the hospitality of the UK by committing serious crimes will not be tolerated;
- introduced a Code of Practice to keep Children Safe from Harm which the Home Office will have regard to when dealing with children and;
- established an independent Chief Inspector of Borders and Immigration.

Criminal Finances Act 2017

The Criminal Finances Act 2017 gives law enforcement agencies and partners, further capabilities and powers to recover the proceeds of crime, tackle money laundering, tax evasion and corruption, and combat the financing of terrorism.

Charities Act 2011

The Charities Act 2011 is the legislation under which charities operate, the Act defines what constitutes a charity and how its funds must be accounted for. Provisions of the Act include an

expansion of offences which automatically disqualify an individual from being a charity trustee – these include a range of terrorism offences and individuals subject to an asset freeze, a general power to disqualify individuals from acting as trustees and amending existing law to enable the commission to consider past conduct, in another charity, against a trustee.

THE DEVELOPMENT OF NEW NATIONAL ACTION PLANS OR STRATEGIES RELATING TO TERRORISM

The UK has had a comprehensive strategy in place to counter the threat to the UK and to UK interests overseas from terrorism since 2003. This is known as the Counter Terrorism Strategy (CONTEST), and its aim is to reduce the risk to the UK and its citizens and interests overseas from terrorism, so that people can go about their lives freely and with confidence.

Following the Strategic Defence and Security Review in 2015, the UK Government increased resources for counter-terrorism police and the security and intelligence agencies, increased investment in aviation security and in digital surveillance, made additional investments in the counter-terrorism capabilities of its armed forces, and also increased its global network of counter-terrorism and counter-extremism experts.

The latest review of CONTEST was led by the Home Office and published in June 2018. It included lessons learned from the terrorist attacks in 2017. The strategy is structured in terms of four work-streams:

- Pursue – to stop terrorist attacks;
- Prevent – to stop people from becoming terrorists or supporting terrorism;
- Protect – to strengthen our protection against terrorist attack;
- Prepare – where an attack cannot be stopped, to mitigate its impact.

CONTEST is designed to be a comprehensive strategy: Prevent safeguards people from becoming terrorists or supporting terrorism; Pursue aims to stop terrorist attacks; Protect strengthens our protection against a terrorist attack and reduces our vulnerabilities; and Prepare mitigates the impact of a terrorist incident and ensures recovery as quickly as possible. Together, these work strands reduce the threat from terrorism, reduce the UK's vulnerability to terrorist attacks, and increase our resilience, and so reduce the overall risk from terrorism to the UK and our interests overseas.

1.3 What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

In England and Wales, the police service, working with the Security Service, is responsible for disrupting or responding to terrorist incidents in the UK. The police play a vital role in each of the four strands of CONTEST (the UK counter terrorism strategy). Around the country there are eleven regional counter terrorism units (CTU) and intelligence units (CTIU), which bring together intelligence, operations and investigation functions, engaging with a range of partners to prevent terrorist activity. The regional Counter Terrorism Units gather intelligence and evidence to help prevent, disrupt and prosecute terrorists and terrorist activities. Each CTU provides coordination and specialist support and has a wide range of expertise including skilled detectives, financial investigators, analysts, forensic specialists and high-tech Investigators.

Counter terrorism throughout the UK is the responsibility of the UK Government, but policing and justice are devolved in Scotland and Northern Ireland; Police Scotland and the Police Service of Northern Ireland have their own units with similar capabilities. For the UK, countering terrorism within the boundaries of the UK is primarily the concern of the civil security authorities. Nevertheless, it is recognised that terrorist threats to the UK emerge in other States and this is where military capabilities might be employed to counter the threat. The Ministry of Defence (MOD) has a part to play alongside other Departments like the Foreign, Commonwealth & Development Office (FCDO) , and this 'integrated approach' is at the heart of the UK's considerations when tackling the threat of terrorism overseas.

The employment of lethal force is at one end of the spectrum of military activities and is a last resort. Military skills are used widely throughout the world to enable security, and contribute to the UK's significant commitment to aid and development overseas. The Joint Counter-Terrorist Training & Advisory Team continues to provide military counter-terrorism capacity building support to countries in the Middle East and the Horn of Africa that have asked for UK military counter-terrorism assistance. The MOD's International Policy & Planning (IPP) branch also sponsors the provision of Short Term Training Team (STTT) assistance in a similar context, but normally in lower threat areas and generally in a broader context than just counter-terrorism.

Defence has a part to play on all four CONTEST strands using military capability. The military supports 'Pursue' through primarily counter-terrorism capacity building for partner nations, and also supports 'Protect' by encouraging improved domestic security and cooperation between the Armed Forces and the UK civilian Emergency Services. In the event of a terrorist attack that exceeds the capability or immediate capacity of the UK civilian response, the military can provide support to 'Prepare' through Military Aid to the Civil Authorities.

In November 2020, the Chancellor committed funding for a Counter-Terrorism Operations Centre (CTOC), which will transform our ability to fight terrorism and help keep the public safer. This centre will create a single integrated CT system. For the first time, it will co-locate all the existing London-based key actors including: government departments; the security and intelligence agencies; law enforcement and operational partners; and elements of the judicial system. This will make it easier to share expertise, monitor threats, spot connections, and take action.

1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining inter alia to:

Financing of terrorism

In July 2019, the UK public-private sector published a joint Economic Crime Plan which represents a step-change in our response to economic crime out to 2022. It builds on commitments made in the UK's 2016 Anti-Money Laundering and Counter-Terrorist Financing Action Plan.

The UK strategy focused on reducing fundraising, reducing the movement of terrorist finance and reducing access to terrorist finance. Action against terrorist finance includes safeguards to prevent terrorists using common methods to raise funds, move or use finances. Financial intelligence and financial investigation tools are used to support all counter-terrorist investigations; and asset freezing can be used to disrupt the activity of terrorists and their supporters. The financial sector plays a significant role in preventing terrorist abuse, by carrying out 'know your customer' checks and by identifying suspicious customers or activity.

In January 2020, the Government retained the European Union (EU) Fifth Money Laundering Directive within UK law by updating the Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017, which improves transparency and the existing preventative framework to more effectively counter money laundering and terrorist finance. Amendments to the MLRs resulting from retaining the 5MLD expanded the regulated sector to include crypto asset exchanges, custodian wallet providers, letting agency businesses and art market participants – one of the most comprehensive responses globally and will continue to implement reporting obligations. These sectors (along with others in the regulated sectors) are obliged by law to provide the National Crime Agency (NCA) with Suspicious Activity Reports on any financial activity they suspect may be related to terrorism.

The UK regulates and supervises businesses most at risk of facilitating and enabling money laundering and terrorist financing, including financial institutions and Money Service Businesses (MSBs). These regulated enterprises must understand their risks and obligations by applying effective due diligence and compliance measures. The Charity Commission plays an important role in preventing the abuse of charitable organisations to raise or move funds for terrorists. The Charity Commission remains uniquely placed to intervene in cases where prosecutions are not possible to tackle abuse, and potential abuse, of the charitable sector for terrorist purposes.

The UK's legislative framework provides for various terrorism offences under the Terrorism and Counter-Terrorism Acts of 2000, 2006, 2008 and 2015, Criminal Finances Act 2017 (CFA), Anti-Terrorism, Crime and Security Act 2001, Crime and Courts Act 2013, Charities Act 2011, the Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017 and the Terrorist Asset Freezing Act 2010. The latter Act will (timing subject to EU exit considerations) be replaced with a new domestic sanctions regime, using powers from the Sanctions and Anti-Money Laundering Act 2018. Financial tools are designed and used to disrupt terrorists and their supporters. The Government established OFSI (the Office for Financial Sanctions Implementation) in March 2016 to lead implementation of financial sanctions and terrorist asset freezing in the UK. The UK robustly implements Al Qaida and Taliban asset freezes by EC Regulation 881/2002, underpinned by domestic secondary legislation.

To combat the international financing of terrorism, the UK works closely with other Governments and international organisations such as the Financial Action Task Force (FATF), to develop and enforce international standards and share best practice, to ensure all countries have robust systems in place for countering the financing of terrorism. In December 2018, FATF published the UK's Mutual Evaluation Report where the UK achieved the highest score for our counter terrorist finance efforts.

Terrorists have long used kidnap for ransom to raise money to increase their capability. The UK has been clear that money or property to a terrorist group in response to a ransom demand only fuels further terrorist activity and encourages kidnaps. The UK introduced legislation to strengthen its

position on payments made in relation to terrorist demands. The Counter-Terrorism and Security Act 2015 included a measure which explicitly prohibits the reimbursement of a payment where an insurer knows or has reasonable cause to suspect has been made in response to a terrorist demand.

Border Control

On 12 February 2015, the Counter-Terrorism and Security Act 2015 entered into force. This legislation was adopted in the context of a heightened threat to UK national security from radicalised individuals travelling to and returning from Syria and Iraq. The legislation makes provision to stop people travelling overseas to fight for terrorist organisations or engage in terrorism-related activity and subsequently returning to the UK, and to deal with those already in the UK who pose a risk to the public. The provisions in the Act ensure that the law enforcement and intelligence agencies can disrupt the ability of people to travel abroad to fight, such as in Syria and Iraq, and control their return to the UK.

The Act strengthens powers to place temporary restrictions on travel where a person is suspected of involvement in terrorism. It enhances existing Terrorism Prevention and Investigation Measures to monitor and control the actions of individuals in the UK who pose a threat, including restrictions on their travel. It implements a number of measures on border and international transport security. These include extending the scope for authority-to-carry (“no fly”) schemes to refuse carriers to carry specified classes of individual to and from the UK; allowing the Secretary of State to make regulations in relation to passenger, crew and service information which support the operation of the UK’s Border System (including the authority to carry arrangements); and to give directions in relation to security measures to aviation, shipping or rail transport operating to the UK. The Act also introduces powers to make regulations which impose penalties for failure to comply with requirements to provide passenger, crew and service information; an authority-to-carry scheme; or, in the case of aircraft, screening requirements. The Authority to Carry Scheme 2015 entered into operation in March 2015.

Schedule 7 of the Terrorism Act 2000 is a port and border power which enables a counter-terrorism police officer to stop, question and, when necessary, detain and search individuals and goods travelling through a UK port to determine whether that person is or has been involved in the commission, preparation or instigation of acts of terrorism. A new code of practice brought into force various provisions which were passed by parliament under the Counter Terrorism and Border Security Act 2019, including the introduction of safeguards for examining protected material.

A similar Code of Practice for the new hostile state activity port examination powers under Schedule 3 to the Counter-Terrorism and Border Security 2019 Act was scrutinised and passed by Parliament in July 2020 alongside Schedule 7, and was brought into force in October 2020. Schedule 3 was introduced as part of a package of measures to harden the UK’s defences against hostile state activity following the Salisbury poisonings in 2018. These powers allow for a ports police officer to stop, question, search and detain a person at a UK port or the border area for the purpose of determining whether the person is or has been engaged in hostile state activity.

Container and supply chain security

The UK complies with the industry standard practice for securing ISO containers in accordance with the International Maritime Organisation’s International Ship and Port Facilities Security (ISPS) Code. Wider supply chain security is achieved through adherence to specific government departmental publications which outline the appropriate procedures to be followed.

Security of Radioactive Source

The UK Government’s aim is to deny terrorist access to chemical, biological, radiological, nuclear, improvised explosive (CBRNE) materials, whether produced and stored in the UK legally or imported (legally or illegally), and to screen for CBRNE materials entering protected areas, for example at airports. Work with European and other partners is particularly important. Tighter controls on the

movement of CBRNE materials in Europe and beyond reduce their availability to terrorists, directly increasing UK security. European standards are being developed for explosives screening in commercial aviation, building on the measures initiated by the UK and put in place for liquids in August 2006, which seek both to improve explosive detection capability and to reduce disruption and inconvenience to the travelling public.

The multilateral Global Threat Reduction Programme (GTRP) plays an important role in denying terrorists access to CBRNE materials. The aim of the GTRP is to improve the security of fissile materials held around the world; reduce the number of sites containing nuclear and radiological material; contribute to the destruction of chemical weapons stocks; and provide sustainable employment for former weapon scientists whose expertise could otherwise be acquired by terrorist organisations. It is the UK's largest cooperative counter proliferation assistance programme, and is coordinated with other key donors. The UK is a leading participant in international multilateral regimes and instruments designed to combat not only the illicit transfer of CBRNE material, but also their means of delivery; these include the Chemical Weapons Convention, the Biological and Toxin Weapons Convention, the Missile Technology Control Regime and the Nuclear Suppliers Group.

The Cyclamen Programme was established in 2002 as a joint programme between the Home Office and the former HM Customs & Excise to deter or detect the illicit importation of radiological materials into the UK that could be used for terrorist purposes. Cyclamen involves the development and roll-out of a suite of radiological detection systems at ports of entry to the UK, now operated by Border Force.

Substances with legitimate industrial or domestic uses can be exploited by terrorist groups for the purposes of creating a CBRNE or improvised explosive device. Much work has already been undertaken to minimise the opportunities to do so. The UK provides specialist advice to industry on the security of hazardous substances and the sites which handle them. The 'Know Your Customer' campaigns raise awareness about the 'dual-use' nature of certain products and encourage suppliers to be more enquiring of new customers and to report suspicious enquiries to the police.

The Government is delivering a programme to enhance the protective security controls of CBRNE materials. This includes work to reduce accessibility to hazardous substances posing the highest risk, based on their threat, vulnerability and impact across their life-cycle (from their precursors through to their disposal). The Government works with its international partners to improve the security of hazardous substances and potential radioactive sources and to ensure that the UK's measures are not taken in isolation. Awareness-raising measures for specific sectors, such as the academic community, are being delivered and a new regulatory regime, the Environmental Permitting Regulations 2010, has been introduced to license the use of high activity, sealed radioactive sources. The UK provides specialist advice to industry on the security of hazardous substances and the sites which handle them and how to identify and report suspicious incidents.

Use of the Internet and other information networks for terrorist purposes

Terrorists use the internet for:

- Propaganda and recruitment;
- Attack planning and research;
- Communications;
- Financing operations.

The UK believes that the threat to our societies comes not from technology or innovation, but from the terrorists and extremists themselves. States should share information and expertise in combating the threat from criminal and terrorist use of the internet as appropriate, and support capacity building work bilaterally and through suitable international bodies. States should ensure that they have the appropriate legislation, law enforcement capability, and international agreements to support investigations domestically and internationally into terrorist use of the internet.

The UK approach is based on recognising that the rights and obligations that we value offline must similarly be protected online. We seek to act proportionately, with due process and democratic oversight. We employ a dual approach of: 1) seeking to prevent the exploitation of online platforms and the spread of terrorist content; and 2) building the capabilities of civil society groups to promote positive alternatives.

1. Restricting access

As part of our 'Prevent' strategy, the UK Government and law enforcement work with industry to encourage the proactive removal of illegal terrorist content from the internet. There is a clear role for the internet industry and responsible Communications Services Providers (CSPs) to ensure their platforms and users are not exploited by terrorists. We continue to press CSP's to implement best practice and to work together in tackling terrorists' use of their platforms, including through the industry-led Global Internet Forum to Counter Terrorism, and our participation in the Christchurch Call to Action.

The UK police Counter Terrorism Internet Referral Unit (CTIRU) identifies, assesses and refers online content that is in breach of UK terrorism legislation to CSPs for removal, in accordance with platforms' terms of service. The CSP's then voluntarily remove this content if it breaches their terms and conditions. CTIRU have developed positive relationships with CSPs, earning a 'trusted flagger status' with the major ones. This ensures their CTIRU referrals are prioritised for moderation, leading to quicker removal of terrorist content. Since February 2010 in excess of 310,000 individual pieces of terrorist content referred by CTIRU have been removed by companies.

A CSP can choose not to remove content that CTIRU refers to them if it does not think the content breaches terms of service. In this case, such content is stored on the CTIRU filtering list, which is provided to filtering companies or directly to institutions such as universities in order to block content as part of their filtering solutions.

Members of the public can anonymously report online terrorist content to the police (CTIRU) via the UK government website.

The UK is also developing Online Safety Legislation to protect internet users from a range of online harms, including terrorist use of the Internet. This legislation will place a duty of care upon companies towards their users, overseen by an independent regulator. The regulator will have a range of enforcement powers at their disposal, and will provide Codes of Practice setting out how companies can fulfil their duty of care. Our aim with this Legislation is to make the UK the safest place in the world to be online, whilst upholding our commitments to fundamental freedoms and human rights, such as freedom of expression.

2. Promoting positive alternatives

The UK Government has developed considerable expertise in understanding the powerful role that communications can play in reducing the impact of terrorist and extremist influence. An effective response to terrorist and extremist communications must involve tackling extremist ideology; and the psychological and emotional state of mind that offers it fertile ground.

Over the past five years the UK Government has developed a methodological approach to the delivery of highly targeted campaigns which address the range of influences and motivational factors that lead to young people across the UK developing radicalised mindsets; and which match the pace and scale of the communications output of terrorists and extremists.

The UK Government works with a range of civil society groups to safeguard communities from radicalisation and equip them with the ability to challenge the distorted ideologies of groups including Daesh, al-Qa'ida and the far-right. By bringing organisations together with communications professionals and industry experts, the UK builds communications capability and expertise enabling

them to make best use of it. We believe that this approach should be replicated internationally to drown out extremists online.

Legal co-operation including extradition

Terrorist activity has often been conducted by foreign nationals who have come to live in the UK. Following prosecution, or where prosecution is not possible, the deportation of foreign nationals to their country of origin may be an effective means of disrupting terrorism-related activities. Where there are concerns for an individual's safety on return, government to government assurances may be used to achieve deportation in accordance with the UK's human rights obligations.

Deportations with Assurances (DWA) enables the UK to reduce the threat from terrorism by deporting foreign nationals who pose a risk to our national security, while still meeting our domestic and international human rights obligations. This includes Article 3 of the European Convention on Human Rights, which is an absolute right that prohibits torture and inhuman or degrading treatment or punishment.

Assurances in individual cases are the result of careful and detailed discussions, endorsed at a very high level of government, with countries with which we have working bilateral relationships. We may also put in place arrangements – often including monitoring by a local human rights body – to ensure that the assurances can be independently verified. The use of DWA has been upheld by the courts.

In January 2011, the UK Government announced the outcome of its Review of Counter-Terrorism and Security Powers, which included a commitment to expand the policy of deporting foreign nationals engaged in terrorism. As part of this the UK is seeking to agree deportation arrangements with a number of other countries, enhancing how we defend deportation decisions in the courts, and seeking to engage more widely on the policy with other Governments and NGOs.

The UK will consider any extradition request for a person accused or convicted of terrorist offences in accordance with the provisions of its extradition law.

Safe havens and shelter to terrorists

Following prosecution, or where prosecution is not possible, the deportation of foreign nationals to their country of origin may be an effective means of disrupting terrorism-related activities. Where there are concerns for an individual's safety on return, government to government assurances may be used to achieve deportation in accordance with the UK's human rights obligations. Please refer to the previous section for further information.

Prevention of violent extremism and radicalization that lead to terrorism

The UK firmly believes that we must tackle the causes of terrorism as well as its symptoms. That is why there is a preventative strand of CONTEST, the UK's counter-terrorism strategy. Prevent works to (a) challenge terrorist ideology and undermine terrorist ideologues, (b) support those institutions where radicalisation may occur and (c) protect those individuals who may be vulnerable to the influence of terrorism.

Critical energy infrastructure protection from terrorist attack

As part of the UK's counter terrorism strategy CONTEST, UK officials and experts work with owners and operators of infrastructure that is considered critical to the UK (including some energy assets) located in the UK and overseas, in order to provide advice on proportionate security mitigations.

Public-private partnerships (PPPs) in countering terrorism

The UK works very closely with the private sector to exchange and analyse information and intelligence which enables an effective counter terrorist finance response and helps elevate understanding. The Joint Money Laundering Intelligence Taskforce (JMLIT) builds on existing bilateral information sharing relationships between HMG and operational partners and the private sector. Within the JMLIT, the Terrorist Finance Experts Group (TFEG) which meets quarterly, brings together senior representation from over 25 financial institutions, regulators, payment services, civil society, HMG and law enforcement partners to facilitate the exchange of terrorist finance information and develop thematic pieces of work to better understand the typologies and methodologies that support the financing of terrorism, in order to better detect and disrupt the threats. Law enforcement can also request information through JMLIT provided the request is justified, proportionate and necessary. Similarly, LEAs may make use of the NCA's information gateway.

The UK depends on strong PPPs to help deliver its strategic objectives for protective security. As part of the UK government approach to protecting Publicly Accessible Locations (PALs) from a terrorist attack, we work closely with businesses, the police and Centre for the Protection of National Infrastructure (CPNI) to provide those responsible for PALs (including owners, operators and public authorities) with high quality advice and guidance. This advice enables owners and operators to understand the terrorist threat; prepare for all types of terrorist attacks; and ensure appropriate measures may be taken to reduce their vulnerability.

As part of this approach, the UK works with trusted industry partners to share mutually beneficial information regarding terrorist threats, vulnerabilities, mitigations and security improvements across leading crowded places associations and organisations, and with strategic leaders from relevant business sectors. We also work closely with the insurance sector to reduce risk, and have partnered with Pool Reinsurance to develop a new interactive online platform that will help better engage public and private sector organisations and promote CT content.

More broadly, the UK's Joint Security and Resilience Centre (JSaRC) works with industry to find solutions to policy challenges across a wide range of CT areas, including protective security and border security. JSaRC takes a threat agnostic approach to working with the security sector, identifying the most relevant challenges and working partnership to ensure the sector can react to new threats. Looking ahead, the UK will place increasing focus on ensuring that the security sector is prosperous and resilience.

2. Stationing of Armed Forces on Foreign Territory

2.1 Provide information on stationing of your States armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law

The UK has ratified the Agreement between the States Parties to the North Atlantic Treaty regarding the Status of their Forces, completed at Brussels on 19 June 1951.

The UK has ratified the Agreement among the States Parties to the North Atlantic Treaty and the Other States participating in the Partnership for Peace regarding the Status of their Forces, completed at Brussels on 19 June 1995.

UK military forces were deployed in over 35 locations around the world, undertaking a number of standing military tasks and providing assistance to a number of Governments in support of UK commitments and interests. More specifically, in relation to UK armed forces stationed on the territory of other participating States we have the following: Canada (permanent staff for Army Training Exercises and RAF training detachments); Cyprus (UK contribution to UN peacekeeping and UK personnel in Sovereign Base Areas); Germany (permanent training staff); Kosovo (UK contribution to operations in support of NATO and EU); Bosnia and Herzegovina (within NATO HQ); and Estonia and Poland (NATO enhanced Forward Presence). The UK also contributes personnel to the NATO HQs in Belgium and Italy.

Concurrent Jurisdiction

The UK has concurrent jurisdiction in 79 Countries which includes 28 NATO members, 21 Partnership for Peace members (excluding Malta), 30 Bilateral Agreements (with Algeria, Australia, Bahrain, Bermuda, Botswana, Brunei, Cyprus, Egypt, Fiji, Gabon, Ghana, Guyana, Jamaica, Jordan, Kenya, Kuwait, Malawi, Malaysia, Morocco, New Zealand, Oman, Pakistan, Qatar, Sierra Leone, Singapore, South Africa, Tanzania, Trinidad & Tobago, UAE, and Zambia,)

Exclusive Jurisdiction

The UK has exclusive jurisdiction in 19 countries and territories (Afghanistan, Bahamas, Belize, Cameroon, Chad, Ethiopia, Gambia, Iraq, Lebanon⁴, Lesotho, Liberia, Mauritania, Mozambique, Nigeria, Rwanda, Senegal, Somaliland⁵, Sudan, and Uganda).

⁴ The UK is currently in negotiations with Lebanon about renewal of a bilateral agreement.

⁵ Somaliland is a non-UN member state and not recognised by any state.

3. Implementation of other international commitments related to the Code of Conduct

3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence- and security-building as an element of indivisible security is implemented in good faith

The UK is active across a broad range of multilateral organisations aimed at strengthening global security, including NATO, the EU, OSCE and the UN.

The UK's Integrated Review of 2021 maintains bilateral and multilateral security co-operation and Soft Power as a central element of the UK's approach to defence and security. It gives particular consideration to conflict prevention and security co-operation, which includes the field of arms control, disarmament and confidence and security building.

Arms control and Confidence- and Security-Building Measures (CSBMs) are key elements of the UK's Soft Power instrument, which also includes influence operations, humanitarian assistance, counter-proliferation, stabilisation, counter-narcotics, counter-piracy, and counter-terrorism. The influence that is generated through Soft Power directly supports current operations, builds and develops burden-sharing alliances and prepares the ground for contingent operations.

3.2 Provide information on how your State pursues arms control, disarmament and confidence and security-building measures with a view to enhancing security and stability in the OSCE area.

The UK is a participant in, partner state or supportive of all treaties and agreements promoting arms control, disarmament and confidence and security building applicable to the OSCE area. We are proactively engaging in processes to update elements of our security architecture, such as continued modernisation of the Vienna Document CSBMs, and further negotiations on Euro-Atlantic Arms Control Treaties.

The UK is strongly committed to its obligations and promotes the respective instruments actively. In order to facilitate implementation and verification of the relevant treaties and agreements the UK has an established verification agency in the Joint Arms Control Implementation Group (JACIG), based at RAF Henlow. The UK has been engaged in bilateral and multilateral activities to support other nations in improving their individual skills and collective arms control, disarmament and confidence and security building capabilities, on a voluntary basis.

Section II: Intra-State Elements

1. National Planning and Decision-Making Process

1.1 What is the national planning and decision-making process in determining / approving military posture and defence expenditures in your State?

Military Planning and Decision Making

The UK **Ministry of Defence (MOD)** is a Department of State and a Strategic Military Headquarters that directs Military Operations on behalf of the Government. It comprises the Royal Navy, Army, Royal Air Force and United Kingdom Strategic Command (the four Military Commands), the Defence Nuclear Organisation (DNO), the twelve Enabling Organisations providing a range of supporting services, and the Head Office providing strategic direction and leadership.

At the **official level**, leadership of defence is split between the **Chief of the Defence Staff (CDS)**, the professional head of the Armed Forces and the Secretary of State's principal military adviser, the **Vice Chief of the Defence Staff (VCDS)**, running the armed forces aspects of defence business, the **Permanent Secretary**, the Secretary of State's principal policy adviser and the principal departmental Accounting Officer, and the **Second Permanent Secretary**, overseeing Defence transformation, resilience and strategy. The four Military Commands are each led by a Chief who is the Top-Level Budget (TLB) holder responsible for the performance and output of their organisation and, for the three single Service Commands, the head of the Service. The Defence Operating Model sets out how all the parts of MOD work together to deliver Defence outputs and describes the key roles, responsibilities, authorities and accountabilities for all the activities and decision-making processes. Over the past three years, changes have been made to the Defence Operating Model, such as; the creation of United Kingdom Strategic Command; the implementation of Functional Leadership; the introduction of Sponsorship of the department's Enabling Organisations; and improvements to the department's Planning Processes. The Chief Operating Officer is the Design Authority for the Defence Operating Model in overseeing its application across Defence and its future development; including governing and cohering departmental wide change.

A significant part of the Defence Operating Model is **Functional Leadership**. Functional Leadership ensures important cross-cutting activities are delivered across all areas of Defence effectively, efficiently and in line with wider Government policy. In MOD's operating model, tasks and resource are delegated to Commands and Enabling Organisations. This drives coherence, improvement and transformation on crosscutting business processes such as Digital, People, Finance, Commercial, Security, and Logistics Support. Functional Leadership does this by making clear the rules, standards and business activities that must be complied with across all areas of Defence and driving improvement of skills and systems. Operating Model development is a continuous process. Using the overall Defence Operating Model as our framework, we have added greater clarity around the relative interfaces of the individual organisations and Functions within MOD through the development of Command, Enabling Organisation, and Functional Sub-Operating Models in 2022.

Overall, **the Defence Secretary is appointed by the Prime Minister** and accountable to Parliament for the activities of the Ministry of Defence and the Armed Forces. The Secretary of State for Defence is a member of the National Security Council and has overall responsibility for the business of the department including strategic operations and operational strategy, defence planning, programme and resource allocation, nuclear operations, policy and organisations and strategic communications. The Defence Secretary's powers to act come from Parliamentary legislation (for example the Armed Forces Acts) and the common law, as well as from the Royal prerogative, both as a senior member of the government and as the Chair of the Defence Council. The Defence Secretary is one of His Majesty's Principal Secretaries of State and a member of the Cabinet. These are executive roles as part of the government of the day. The Cabinet, chaired by the Prime Minister, is the ultimate decision-making body of government and ministers are bound by the collective decisions of Cabinet.

The Defence Secretary is supported by a number of **Defence Ministers**. These junior ministerial posts, and the individuals in them, may change at the discretion of the Prime Minister. The Defence Secretary sets the specific responsibilities of each minister and directs the Defence ministerial team.

- a. The **Minister of State in the House of Lords** is the Spokesperson in the House of Lords on all Defence matters, responsible for corporate governance, international arms control and counter-proliferation, EU and Asia/Far East Defence engagement.
- b. The **Minister of State for the Armed Forces** is responsible for armed forces activity including operations, operational legal matters, force generation and international defence engagement;
- c. The **Minister of State for Defence Procurement** is responsible for the Defence Equipment Plan, relations with defence industry and exports, science and technology, as well as Defence Equipment and Support reform, and the environment and sustainability.
- d. The **Minister for Defence People and Families** is responsible for armed forces, veterans and civilian people policy.

The **Defence Council** has formal powers of command and administration over the Armed Forces, on behalf of His Majesty the King, who is their Commander-in-Chief. The Defence Council is not involved in the day-to-day running of MOD and the Armed Forces. The strategic direction and oversight of Defence is provided by the Defence Board, chaired by the Defence Secretary, supported by the MOD Executive Committee, chaired by the Permanent Secretary. In addition, the three Service boards (the Admiralty Board, the Army Board and the Air Force Board), which are sub-committees of the Defence Council, meet annually for each Service Chief to report to the Secretary of State on the health of their respective Service. The Defence Board is chaired by the Secretary of State and comprises all Defence Ministers, the Permanent Secretary, the Chief of the Defence Staff, the Vice Chief of the Defence Staff, Director General Finance and up to four non-executive directors (including a lead). It is the main Departmental Board in MOD and is responsible for the top level leadership and management of Defence; its main focus is the strategy and plans for generating military capability. It also ensures alignment of resources and objectives and reviews performance and risk.

Defence Expenditure

Through His Majesty's Treasury, the Government carries out a Spending Review every two-to-three years to allocate Departmental Budgets. Spending Reviews set fixed Departmental Expenditure Limits typically for a three year period. The defence budget is allocated by the Ministry of Defence to its Top Level Budget (TLB) holders, meaning the Service Chiefs, the Commander Strategic Command, the heads of other major delivery organisations and the MOD Head Office itself, who are responsible for the delivery of defence outputs.

The Spring Budget 2023 allocated an additional £5 billion to defence spending over the next two years (2023/24 and 2024/25), and a further £2 billion per year in subsequent years up to 2027/28. This increases defence spending by a total of £11 billion over this five-year period. As a result, the annual defence budget will be £5.8 billion higher in cash terms by the end of the current Spending Review period (£51.7 billion in 2024/25 compared with £45.9 billion in 2021/22). However, when adjusted for inflation, the increase in defence spending over this period is expected to be £1.1 billion. This comes with some hard prioritisation decisions, but also genuine opportunities to break the cycle of recent years, to both modernise Defence and set an affordable multi-year programme. Careful monitoring and management will be needed to ensure that the complex interdependencies of the Integrated Review measures are implemented in a properly controlled manner. Annual Budget Cycle (ABC) 23 will provide an opportunity to consolidate and refine our understanding of the cost of the new programme and to attend to any issues that emerge in the meantime.

1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

The UK is active across a broad range of multilateral organisations aimed at strengthening global security, including NATO, EU, OSCE and UN. In the vast majority of cases, the UK will be working with partner nations, and through NATO, OSCE and UN and, in some cases, informal coalitions. Overall, the UK Force Generation process is sufficiently flexible, agile and balanced and includes diplomatic, international and military engagement at the strategic level to inform military planning.

2. Existing Structures and Processes

2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

The Secretary of State for Defence is an elected member of the British Government and is accountable to Parliament for all Defence matters. They are responsible for the formulation of British defence policy and ultimately for the conduct of all military operations. Defence Ministers account to Parliament for all Defence issues and will appear, when requested, before both Houses and before relevant Parliamentary committees.

The legal basis for Defence comes from two sources: the Crown's constitutional responsibilities and responsibilities imposed by Parliament. Parliament also has an important role in Defence. The Crown's Prerogative powers in relation to Defence are in some cases subject to requirements for Parliamentary approval or are limited by Parliamentary legislation.

Expenditure on Defence is subject to the normal requirements of Parliamentary approval through annual Appropriation Acts. By this mechanism Parliament controls both Defence expenditure and the size of the Armed Forces (the expenditure is voted by Parliament by reference to specified numbers in the Armed Forces).

Under the Bill of Rights 1688 the raising of a standing army within the UK in time of peace is unlawful unless Parliament consents. The constitutional practice adopted on the basis of this requirement is that the consent of both Houses of Parliament is required each year to the continuation in force of legislation under which the Armed Forces are recruited and discipline is maintained. In addition, an Armed Forces Act is required every five years in order to continue in force the legislation that governs Service discipline and the military justice system. The main legislation is now the Armed Forces Act 2006. This was approved by Parliament and came into force in October 2009. In accordance with the requirement for renewal of the Armed Forces legislation, the 2006 Act was renewed, with amendments, by the Armed Forces Act 2016 and more recently by the Armed Forces Act 2021. The 2006 Act provides, among other things, for a system of justice which is compliant with the European Convention on Human Rights and under which criminal conduct by members of the Armed Forces (wherever it occurs) is judged in accordance with what amounts to criminal conduct under the law of England and Wales.

The circumstances in which the Armed Forces may be deployed within the UK in time of peace is governed by: a. the Royal Prerogative (for military tasks where support is supplied in addition to civil authorities' capabilities); b. Defence Council Orders under section 2 of the Emergency Powers Act 1964 (for civilian tasks where support is supplied instead of civil authorities' capabilities), and c. Emergency regulations, such as regulations made under the Civil Contingencies Act 2004 (to deal with events or situations which threaten serious damage to human welfare, the environment and/or the security of the UK); it is a constitutional principle that only by legislation can members of the Armed Forces be given powers beyond those of other citizens; there are additional responsibilities under legislation as to the way the Armed Forces are run; for example to provide for the terms of service of members of the Armed forces and for a system by which they can seek redress of individual grievances.

The Armed Forces Act 2006 replaced the single Service Discipline Acts (the Naval Discipline Act 1957, the Army Act 1955 and the Air Force Act 1955) with a single system of service law that applies to the personnel of all three services. Although a more modern piece of legislation, the Act, and the subsequent 2016 Act, did not set out to make radical changes for the sake of it. The main intention behind the 2006 Act is to support operational effectiveness by the creation of a single system of Service law. This covers the full range of disciplinary work from the internal disciplinary process, which is normally the responsibility of unit commanding officers, right through to the Court Martial.

The Act covers some other important areas such as the right of personnel to make a service complaint; Service Inquiries; and a range of miscellaneous matters such as recruitment, enlistment and terms and conditions of service.

The UK does not have paramilitary or internal security forces.

2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

As explained above, the ultimate constitutional authority for control of the Armed Forces is Parliament.

2.3 What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

The overall purpose of Defence is to defend the UK so that we can live in peace, by providing credible military options to Government in support of UK national interests, alongside other levers of national power and combined with allies and partners. At a time of unprecedented global challenge, the **Integrated Review Refresh** has set out an ambitious vision for a Global Britain which is stronger, more prosperous and resilient. Defence is central to achieving this vision and the Defence Command Paper 'Defence in a Competitive Age' describes how we will contribute to the four overarching objectives set by the Integrated Review, creating new foundations for our prosperity and security to 2025 and beyond. The Defence Command Paper is also due to be refreshed later in 2023. In building a modernised, threat-focused, and sustainable Defence we will:

(a) Shape the international environment. Shaping, balancing, competing and cooperating across the main arenas of systemic competition, working with all who support an open and stable international order and the protection of global public goods.

(b) Deter, defend and compete across all domains. Accelerating the ongoing shift to an integrated approach to deterrence and defence, to counter both state threats and transnational security challenges. NATO is at the core of this effort, but we are clear that – given the changing threat picture – effective deterrence will mean working through other groupings and beyond the Euro-Atlantic theatre. Further, a renewed emphasis on the concept of strategic stability – establishing new frameworks and building a new international security architecture to manage systemic competition and escalation in a multipolar environment.

(c) Address vulnerabilities through resilience. Developing the UK's approach to resilience, shifting to a long-term campaign to address the vulnerabilities that leave the UK exposed to crises and hostile actors. This will strengthen the UK's deterrence by denial and ensure that operational activity under pillar two can be focused where it has the greatest impact.

(d) Generate strategic advantage. Building on IR2021's focus on strategic advantage – the UK's relative ability to achieve our objectives compared to our competitors. In a more contested environment, this is indispensable to maintaining the UK's freedom of action, freedom from coercion and our ability to cooperate with others and is the underpinning for the other pillars of the strategic framework.

3. Procedures related to different forces personnel

3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

The UK does not have military conscription and has no plans to do so; an act of Parliament would be required to re-introduce it. The UK has an all-volunteer regular and reserve armed force. Selection procedures differ slightly for each Service and between officers and other ranks. Applicants are required to meet specified eligibility requirements for their chosen trade and be medically and physically fit. The call out and recall of Reservists is undertaken in accordance with the provisions of the Reserve Forces Act 1996.

3.2 What kind of exemptions or alternatives to military service does your State have?

The UK does not have compulsory military service. The call out and recall of Reservists is undertaken in accordance with the provisions of the Reserve Forces Act 1996. Reservists, or their employers, may apply for exemption or deferral from call out or recall under the provisions of Part VIII of the Reserve Forces Act 1996.

3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

Civil remedies (including cases referable to courts of law and tribunals) are available to UK Service personnel, apart from those which are specifically excluded by legislation. Additionally, there is a statutory redress of individual grievance procedure for all ranks.

The post of Service Complaints Commissioner (SCC) was created by the Armed Forces Act 2006, an Act that also introduced a number of significant changes to the Service complaints system to make it more independent and more transparent. As well as the Service Complaints Commissioner, these included the use of Service complaint panels, with in some cases an independent member to consider some complaints on behalf of the Defence Council. The Commissioner's role was to provide a rigorous and independent oversight of how the complaints system was working and to report to Ministers and to Parliament. The Commissioner also provided an alternative point of contact for Service personnel, or someone acting on their behalf, such as a member of their family, a friend or MP to raise concerns. Because of concerns that UK Service men and women should be treated properly, the Commissioner had special powers where a complaint is about unacceptable behaviour such as: bullying, harassment, discrimination, victimisation, dishonest or improper behaviour. In these cases, by law, the Commissioner had to be kept informed about the handling of an allegation referred by her to the chain of command and of the outcome.

The Armed Forces (Service Complaints and Financial Assistance) Act 2015 amended the relevant provisions for the complaints process and SCC in the Armed Forces Act 2006. A reformed Service complaints system was introduced on 1 January 2016 to make the process shorter and to promote greater confidence in the system through more open communication. The 2015 Act also replaced the SCC with a new Service Complaints Ombudsman (which also came in to force in January 2016).

The Ombudsman has significant new powers, whilst maintaining the right balance between the authority of the military chain of command – which must be responsible for looking after its own people – and strong, independent oversight through the Ombudsman. The Ombudsman has increased powers:

- to overturn a decision by the chain of command to exclude a complaint, for example for being out of time;
- to investigate an allegation of undue delay in the handling of a service complaint that has been made but has not yet been finally determined under the internal complaints process and so is still active;
- to review the handling of a complaint if the complainant is not satisfied once it has completed the internal process;

- to investigate the substance of a complaint once it has completed the internal process; and
- to recommend action to put matters right.

Like the Commissioner before, the Ombudsman is required to produce an annual report on the fairness, effectiveness and efficiency of the system in the preceding calendar year. The MOD will consider the findings and any recommendations made in the report before responding formally to the Ombudsman.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programmes and regulations?

The UK armed forces provide Law Of Armed Conflict (**LOAC**) training to all Service personnel. This includes instruction during initial basic training phases, mandatory core training, instruction at staff and promotion courses, and mission specific pre-deployment training for operations. Service personnel receive LOAC training at a level and frequency that is appropriate to their rank, responsibility, force readiness status and Service.

All UK armed forces personnel undertake mandatory core LOAC training. Navy Personnel undertake Naval Core Training (NCT) 7, Army personnel undertake the Individual Training Requirement ('ITR') in Operational Law, part of the ITR 'Core Education' module, and RAF personnel undertake Module 1, Individual Readiness Training (MOD 1). Armed forces personnel also receive training in relevant operational law prior to operational deployments. The single Service legal branches are involved in training those delivering LOAC training or delivering such training themselves and deliver pre-deployment operational law training. They also ensure that service lawyers deploying on operations are suitably trained in operational law. The single Service legal branches are part of the Operational Law Training Customer Executive Board which oversees, co-ordinates and reports on the operational law training delivered to each of the single Services and at the Defence Academy of the United Kingdom.

All deployed personnel have access to the Joint Service Publication 381 (JSP 381) Aide Memoire on LOAC and Joint Doctrine Publication (JDP 3-46) 'Legal Support to Joint Operations' (Third Edition) which was published in June 2018. This explains to the operational commander how their legal adviser can support them, and to the lawyer what the commander expects of them. It contains an introduction to legal issues associated with military operations, the ways the legal adviser participates in the planning and execution of operations, and the working relationship between the commander and the lawyer. Additionally, the UK Ministry of Defence (**MOD**)'s Joint Service Manual of the Law of Armed Conflict (JSP 383) is published in the public domain through Oxford University Press. It is regarded as an essential reference and source for the following persons: service lawyers who advise the chain of command, legal scholars working in this field, officials working in foreign and defence ministries around the globe, and for military officers and lawyers requiring an understanding of the legal framework of military operations..

Other more recent publications include (i) the fourth edition of Joint Doctrine Publication 1-10, Captured Persons⁶ (published in September 2020) - this gives detailed directions and guidance to members of the UK armed forces who are involved in planning, training for or conducting activities concerning captured persons; and (ii) Joint Service Publication (JSP 985)⁷ on 'Human Security in Defence' (published in December 2021) which provides direction for the incorporation of a Human Security approach into military operations. JSP 985 is an update to the previously numbered JSP 1325 (titled Human Security in Military Operations, published in January 2019) and provides advice and direction as to how UK Defence can integrate seven human security cross-cutting themes into operational work, including children in armed conflict.

The armed forces' training includes instruction on the protection of cultural property in times of armed conflict. In 2017, the UK enacted the Cultural Property (Armed Conflicts) Act, which provides for the ratification and accession of the 1954 Hague Convention and its two Protocols. The Act established the cultural emblem, and a system to authorise, use, prevent and repress misuse of that distinctive (protective) emblem. It also established a new offence of dealing in unlawfully exported cultural property from occupied territory. In November 2017, two guidance documents were published by the government to support the effective implementation of the 1954 Hague Convention and its two

⁶ [Captured Persons \(JDP 1-10\) - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

⁷ [Human security in Defence \(JSP 985\) - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

protocols and the 2017 Act. A Cross-Government Cultural Protection Working Group has also been established. It includes experts from external organisations and among other objectives, aims to ensure that the UK implements effectively the 2017 Act and related international obligations. As part of the UK's ratification of the 1954 Hague Convention, the Ministry of Defence has established a military cultural property protection unit.

Besides the armed forces, the UK National Committee on International Humanitarian Law⁸ also encourages the dissemination and training of international humanitarian law to the armed forces, police, civil servants (practitioner level training courses by the FCDO), teachers, the judiciary, the medical profession, journalists and others as necessary. International humanitarian law is also included as a statutory subject in schools in England in the formal Key Stage 4 (ages 14 - 16) curriculum documentation for citizenship.

4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

The UK ensures that Armed Forces personnel are aware of being individually accountable under both domestic law, including criminal law which may be enforced under military jurisdiction as part of Service law, and international humanitarian law and LOAC. As outlined above, the UK armed forces provide LOAC training to all Service personnel. This includes instruction during initial basic training phases, mandatory core training, instruction at staff and promotion courses, and mission specific pre-deployment training for operations. Service personnel receive LOAC training at a level and frequency that is appropriate to their rank, responsibility, force readiness status and Service.

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

This is undertaken through programmes of training and education based on The UK Defence Language and Cultural Awareness Training Policy, May 2008. Cultural awareness is on a spectrum of education and training aimed at modifying behaviour and creating understanding, ranging from 'Standards and Values', 'Ethos and Heritage', 'Equality and Diversity' training on the non-operational side to 'Combatant Cultural Awareness' on the operational side. Cultural awareness concerns aspects of foreign cultures and has a predominantly operational focus. The components of UK cultural awareness training are as follows:

- **Structures and Politics.** The structures of government, the dynamics and agendas of government, defence, law and order and commerce in a particular country, nation or culture.
- **History.** The effect that ancient and recent history has in shaping national, regional and tribal attitudes, beliefs and relations. Critical in this area are the relative perceptions of 'The West', the UK and Christianity to the particular operational theatre and environment.
- **Social.** The social, religious or cultural conventions which shape operational and social interaction. Examples include entering homes, searching, meetings, use of weapons, the acceptance of hospitality, alcohol, gift giving, dogs and sanitation.
- **Daily Life.** The pattern and quality of life, employment, education, worship, sport, literacy, poverty, diet, home ownership, access to utilities and wages.
- **Verbal and Non-Verbal Communications.** Greetings, insults, words, phrases, gestures and taboos. This can be achieved through a variety of strategies and techniques, for example, residential short courses or workshops, distance learning tasks, or on-line tutorials. Maintenance training should normally be undertaken once an individual is no longer 'in-role' regularly using those language skills. Relations between society and indigenous/foreign police/military forces.
- **Taxonomy.** The level of cultural awareness required varies with both rank and type of operation. The spectrum of cultural awareness requirements can be broadly described as:

⁸ [UK National Committee on International Humanitarian Law: terms of reference - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

- **Top.** 1* upwards for commanders engaged with politicians or defence staff at a regional or national level.
- **High.** Sub-unit upwards for commanders engaged in military / political relations with local and regional representatives of the police, government, armed forces and utilities.
- **Mid.** Section to sub-unit for commanders engaged with local authorities at community level.
- **Low.** All ranks for those who engage with, or whose actions affect, the local population.

Defence Centre for Languages and Culture (DCLC). The DCLC is the UK focus for ensuring the delivery of coherent and cost effective MOD language training, wherever delivered. Consequently, although it has no budgetary influence over training delivery, and whilst individual language training (foreign and English) organisations are responsible for their own rigorous quality assurance measures in accordance with DSAT (JSP 822), the DCLC is responsible for taking the lead in the development of good practice in the delivery of language training and in assisting other MOD schools in the development of relevant processes.

4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

Civil Rights

The military justice system supports operational effectiveness and safeguards individual service members' civil rights. It has to be fair and be seen to be fair. It provides a single coherent source of authority which applies at home and abroad, ensuring that justice is not delayed and is fully compliant with the European Convention on Human Rights.

The Armed Forces are an equal opportunities employer and are committed to ensuring a working environment free from harassment, intimidation and unlawful discrimination, in which each individual is not only valued and respected – but encouraged to realise their full potential.

Armed Forces personnel may join trade and professional associations, as well as organisations representing their interests; they are not prohibited from joining any lawful organisation, including political ones, providing they do not participate in industrial action or in any form of political activity organised by such an organisation.

Political Neutrality

The UK Armed Forces remain impartial and politically neutral. Queen's Regulations ensure that Regular Service personnel are not to take any active part in the affairs of any political organisation, party or movement. Neither are they to participate in political marches or demonstrations, although no restriction is placed upon their attendance at political meetings of such personnel provided that uniform is not worn, Service duties are not impeded, and no action is taken which would bring the Service into disrepute.

Political Accountability

The UK Armed Forces' existence in peacetime is by the consent of Parliament, and both the strength of the Armed Forces and the Defence budget have to be approved by Parliament each year. The consent of Parliament is also required each year to continue in force the legislation that governs the Armed Forces - currently the Armed Forces Act 2021 - and for this legislation to be renewed by an Act of Parliament every five years.

Ministerial Accountability

The Secretary of State for Defence (**SofS**) is accountable to Parliament for all the policies, decisions and actions of Defence that has the most day-to-day impact on people working in Defence. One of

the principles of Ministerial conduct is that: “it is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament are expected to offer their resignation to the Prime Minister”. In practice, SofS is held to account by Parliament in five main ways:

- **Parliamentary Questions (PQs).** Members of Parliament (MPs) and Peers may raise PQs to seek information or to press for action. They may require either an oral or written answer;
- **Parliamentary Debates.** These may include debates on legislation, general topics of interest or issues selected by the major parties. There are typically five set piece debates on Defence in every session in the House of Commons: Defence in the UK, Defence in the world, procurement, Armed Forces personnel and Defence policy. There are also regular adjournment debates in Westminster Hall and in the Commons. The Lords may also hold debates on defence issues;
- **Select Committees.** Select Committee’s roles include examining the expenditure, administration, and policy of the principal Government departments;
- **House of Commons Defence Committee (HCDC).**⁹ The HCDC looks specifically at Defence, and may decide to have an inquiry on any Defence issue. It takes oral and written evidence from Defence Ministers, Service personnel, Defence officials and other interested parties outside Government, before producing a report to which the Secretary of State will then respond. The Public Accounts Committee (PAC), further details of which are given below, and other select committees also obtain evidence, both written and oral, from Defence;
- **Ministerial Correspondence.** MPs may write directly to Ministers about the concerns of their constituents or on a topic in which they have an interest; Peers also write to Ministers and will receive a Ministerial reply.

The SofS is also required to produce an annual report to Parliament on financial and non-financial performance. The Annual Report and Accounts provides a comprehensive overview of Defence and how it has used the resources authorised by Parliament. The National Audit Office (NAO) under the Comptroller and Auditor General (C&AG) certifies the Accounts and reports to Parliament on any qualification of the audit certificate.

- **Permanent Under Secretary of State (PUS).** PUS is the Departmental Accounting Officer and as such is personally accountable to Parliament for the economic, efficient and effective use of Defence resources, prudent administration and the regularity and propriety of Defence expenditure. Chief Executives of Trading Funds have similar accountabilities in respect of their Agencies.
- **The Public Accounts Committee (PAC).** PAC is a select committee of the House of Commons, established to help give Parliament better control of the expenditure of public funds. The role of the PAC is to satisfy itself as to the accounting for, and the regularity and propriety of, expenditure; and also to explore the economy, efficiency and effectiveness issues set out in NAO value for money reports.

4.5 How does your State ensure that its defence policy and doctrine are consistent with international law?

The MOD is responsible for leading the defence contribution to the development of the UK Government’s foreign and security policy and wider government objectives, and for translating those objectives into departmental policy. Within MOD Head Office, MOD Legal Advisers provide legal advice and input into the development of all MOD policy.

The Development, Concepts and Doctrine Centre (**DCDC**) at Shrivenham produces concepts and doctrine, based on MOD policy – underpinned by thorough research – to help inform decisions in Defence strategy, capability development and operations, both now and into the future. Within

⁹ <http://www.parliament.uk/business/committees/committees-a-z/commons-select/defence-committee/>

DCDC, Service lawyers provide legal advice and input in the development of doctrine and other DCDC outputs.

Section III: Public access and contact information

1. Public access

1.1 How is the public informed about the provisions of the Code of Conduct?

Members of the public may request information through the Freedom of Information Act (2000).

1.2 What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

Information related to the Code of Conduct may be requested through the Freedom of Information Act (2000).

1.3 How does your State ensure public access to information related to your State's armed forces?

The MOD places great importance on informing and educating the public about the role and activities of the Armed Forces, and on opening up the MOD to the public. To that end, it puts considerable effort into identifying opportunities to publicise and promote the work of the Armed Forces, and into increasing the means by which such information can be provided to the public.

Press notices are issued and briefings given on all significant decisions and events, for example, decisions on the procurement of equipment, the deployment of forces on operations and major exercises and decisions on policy matters.

The MOD website <https://www.gov.uk/government/organisations/ministry-of-defence> is updated on a regular basis, and provides links to other associated sites, including those maintained by each of the single Services. These sites provide a considerable amount of information about the Armed Forces.

Members of the public can also request information about the UK Armed Forces through the Freedom of Information Act (FOIA), subject to certain exemptions within the Act, and under the Environmental Information Regulations. A FOIA Publication Scheme is maintained on the MOD website, where information of public interest is proactively published:

<https://www.gov.uk/government/organisations/ministry-of-defence/about/publication-scheme>

MOD also proactively publishes datasets under the government's Transparency Framework. These are made available to the public through the MOD website and signposted on the www.data.gov.uk site.

There are a number of other ways for the public to access information on the UK military, including through Parliamentary Questions and Ministerial Correspondence posed through their respective Members of Parliament.

The MOD Annual Report and Accounts is a comprehensive overview of UK Defence and how the MOD has used the resources authorised by Parliament. It has two volumes: the first is MOD's Annual Performance Report for the year, including our contribution to Public Service Agreements and performance against our Departmental Strategic Objective targets. The second comprises the MOD Resource Accounts for the financial year.

Finally, regular links are maintained with the academic community, and conferences and seminars are held at which information is exchanged in an open atmosphere. The services have designated presentation teams that travel the country delivering and staging productions to inform the public about today's defence services. Influential opinion formers from local communities are invited to Core Events, while Special Events are less formal and are usually held in response to an invitation from an interest group; these events provide an excellent opportunity for the general public to hear more

about the work of the armed forces. Community engagement is also actively encouraged at lower levels to promote and maintain a positive relationship between the military and its local community.

2. Contact information

The national point of contact for the implementation of the Code of Conduct:

Joint FCDO/MOD Euro-Atlantic Security Policy Unit
Foreign, Commonwealth & Development Office
King Charles Street
London
SW1A 2AH

Tel: 020 7008 1500

Section IV: Information on democratic political control of Private Military Security Companies and Women, Peace and Security

1. Democratic political control of private military and security companies (PMSCs)

The UK Government is leading efforts with other states, industry and civil society organisations, at both a national and international level, to raise standards across private military and security companies (PMSCs) globally.

Firstly, the UK has led on putting in place a system to independently monitor PMSC adherence to the International Code of Conduct for Private Security Providers (ICoC). The ICoC sets out principles for PMSCs working in complex environments, and mandates the creation of standards, based on the ICoC principles, to which PMSCs can be certified and subsequently monitored. The ICoC was drawn up by a group comprising representatives of governments, industry and civil society.

The International Code of Conduct Association (ICoCA) launched in September 2013 and is charged with oversight and governance of the ICoC. ICoCA independently monitors member PSCs, including in the field, to ensure they are adhering to the ICoC's principles and provisions. The ICoCA comprises governments, industry and civil society organisations. The UK has a representative on the government pillar of the ICoCA Board, and we will continue to work closely with the ICoCA as an ICoCA member as it develops its procedures and processes.

The UK has closely supported the introduction of professional standards for PMSCs working on land or at sea in fragile environments, against which PMSCs can be certified by independent third-party auditors. The United Kingdom Accreditation Service (UKAS) accredits independent certification bodies that will certify PMSCs to the professional standards ISO 18788 for land-based PSCs, and ISO 28007 for maritime PMSCs. PMSCs can gain accredited certification from these certification bodies to demonstrate they are meeting the standards.

Furthermore, in 2022-23, the UK began to engage actively in discussions on the UN draft regulatory framework on PMSCs, at the Human Rights Council. To achieve this, we support an instrument that encourages States to establish domestic laws to regulate and monitor PMSCs and complements, as well as building on existing instruments relating to the regulation of PMSCs (such as the Montreux Document and International Code of Conduct).

All contracts with PMSCs to provide security services to the UK Government's platform overseas include the requirement for services to be delivered in accordance with the Code; the Montreux Document; and standards flowing from them (such as ISO 18788 & ISO 28007). The UK Government does not contract PSMCs in a combat or offensive role. They are contracted to provide protection to government staff and property in complex environments.

2. Women, Peace and Security (WPS)

See WPS Questionnaire Return.

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WPS OSCE Questionnaire

3.1 PREVENTION

A. Checklist of key commitments taken by participating States

LIST OF INTERNATIONAL AGREEMENTS AND ARRANGEMENTS

Please indicate if your State is party to the following universal and regional legal instruments relevant to protecting women, peace and security. If your State is not a party to a treaty, but considers becoming a party, kindly indicate at which stage is such consideration (e.g., undergoing inter-ministerial co-ordination, approved by government and sent to parliament, approved by parliament and awaiting enactment by president, etc.)

Name of the treaty	Party by: ratification P(R), accession P(a), succession P(s), acceptance P(A), approval P(AA), or Not party	Law and date of ratification, accession, succession, acceptance, or approval
1. Protocol Supplementary to the United Nations Convention Against Transnational Organized Crime to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000)		
	P(R)	UK signed on 14 Dec 2000 and ratified on 9 February 2006
2. United Nations Convention on All Forms of Discrimination Against Women (1979)		
	P(R)	UK signed on 22 Jul 1981, and ratified on 7 Apr 1986
The Council of Europe legal instruments		
3. European Convention Against Trafficking in Human Beings (2005) CETS No: 197		
	P(R)	UK signed on 23 Mar 2007, and ratified on 17 Dec 2008
4. European Convention on Preventing and Combatting Violence Against Women and Domestic Violence (2011) CETS No: 210		
	P(R)	UK signed on 8 Jun 2012, and ratified on 21 Jul 2022.
Other arrangements	Yes	No
5. National Action Plan on Women, Peace & Security	Yes, 2023-2027	
6. National legislation to implement the UN CEDAW convention (if a party), with particular reference to combating discrimination in employment, education, access to health services and participation in institutions ensuring democratic oversight and public scrutiny of the security sector.	Yes, however the position is nuanced, as set out in box 7.	
7. Other related information, clarification or details to share:	Like other UN human rights treaties, CEDAW has not been incorporated directly into UK domestic law, and States Parties are not required to do so. The UK	

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	<p>ensures compliance with CEDAW through a combination of policies and legislation to give effect to its treaty obligations.</p> <p>The UK Government's view is that the substantive provisions of CEDAW are reflected in existing domestic legislation across the UK, such as the Human Rights Act 1998, the Northern Ireland Act 1998 and the Equality Acts 2006 and 2010. The Equality Act 2010 prohibits discrimination, harassment and victimisation in respect of nine protected characteristics: sex, sexual orientation, gender reassignment, age, disability, pregnancy and maternity, race, religion or belief, marriage and civil partnership in areas such as the provision of goods, facilities and services, employment and education. The UK Government is committed to using existing state infrastructure to deliver rights for women. Equality legislation across the UK provides a strong legal architecture to ensure robust protections and to uphold our commitment to human rights.</p> <p>In addition, the Public Sector Equality Duty (PSED) in GB (and similar duties in Northern Ireland) mainstream equalities by placing legislative duties on public authorities, including government departments, for considering protected characteristics in the development and implementation of their policies.</p> <p>Please also note the UK's Eighth Periodic Report 2011-2017 (see attached), particularly p. 8-11 which covers the legislative approach.</p>
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B. Checklist of key measures taken by participating States Please indicate if your State has the following preventative measures in place. More detailed information of the preventative measures can be included in Part B below.

	Type of measure	Yes	No
1.	Mechanism to assess risk of abuse of small arms to commit or facilitate serious acts of gender-based violence and violence against women and children	x	
2.	Inclusion of women's organisations and women in religious, ethnic minority or community groups in measures - to counter and prevent terrorism and violent extremism - to raise awareness of the potential risks of exploitation and radicalization ¹	x	
3.	Inclusion of gender perspective and special needs of women and girls in a national counter-terrorism strategy ²	X	
4.	Inclusion of specific matters related to the protection of women's and girls' rights in the basic education of armed forces.	X	
5.	Availability of specialised in-service training for armed forces personnel on the protection of women's and girls' rights.	X	
6.	Inclusion of specific matters related to the protection of women's and girls' rights in the pre-deployment training for international peacekeeping missions.	X	
7.	Plans to address and gather information from local women's populations in areas at risk of conflicts.	x	

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8.	Mechanisms to monitor and evaluate the implementation of gender mainstreaming into operations	X	
9.	Feedback mechanisms: - from operations to chiefs of defence or military planners - between forces leading multi-national missions and forces providing personnel to such missions	X	
10.	Membership of a regional network or leadership network such as the WPS Chiefs of Defence Network	X	
11.	Other related information, clarification or details to share:		

1 See also similar question 3a in form to input to UN SG UNSCR 1325 report.

2 See also similar question 3a in form to input to UN SG UNSCR 1325 report.

C. More detailed information for sharing good practice between participating States

1 National Action Plan on Women, Peace & Security

1.1 In case you have a National Action Plan on WPS, how is your NAP developed, implemented and its impact assessed, including involvement of women's organisations and other civil society organisations and co-ordination across government?

The NAP is developed between the Foreign, Commonwealth and Development Office and the Ministry of Defence, with input from other government departments. The NAP was developed in consultation with civil society and external academics and experts. The UK funded an external evaluation of the last NAP to inform the new NAP for 2023 – 2027. The NAP is focused on five strategic objectives and two implementation objectives (UK capability and strategic partnerships). There are twelve focus countries where Women, Peace and Security activity is prioritised, alongside bespoke support where crisis have recently emerged, e.g. Sudan. There is a delivery plan in the NAP with commitments which we will use to measure success going forward.

1.2 In case you have a National Action Plan on WPS, who takes the lead and owns the budget? What contribution is made by your defence ministry and security forces?

The Foreign, Commonwealth and Development Office and the Ministry of Defence are co-owners of the NAP. There is no dedicated budget for Women, Peace and Security. The Ministry of Defence takes a leading role in Women, Peace and Security issues.

1.3 In case you have a National Action Plan on WPS, how does the NAP support enhancement of institutional capacity in defence and security?

The NAP outlines commitments that the Ministry of Defence has made related to Women, Peace and Security. There are also some indicators to measure whether these commitments are being upheld. The NAP has a section on UK Capabilities which provides specific commitments related to integrating Women, Peace and Security (and Human Security) into Defence operations. In addition, there is a commitment to supporting the military in other countries in enhancing women's full, equal, meaningful and safe participation.

1.4 In case you have a National Action Plan on WPS, how do you publicise progress on implementation of your NAP?

The UK publishes an annual report to the UK Parliament that details the work that has been done on Women Peace and Security in the previous year. The new NAP has strengthened monitoring and evaluation processes and we are currently undertaking a baseline study to understand our starting point for this NAP.

2 Measures to prevent sexual and gender-based harm

2.1 Horizon scanning, intelligence and risk?

- How do you include systematic gender analysis of areas at risk of conflict, including gender disaggregated socio-economic indicators, power over resources and decision-making, increases in sexual and gender-based violence, on-line and other threats of violence against women in public life, journalists and those providing humanitarian assistance?

Government departments gather data which informs indicators and warnings for areas at risk of conflict. Ministry of Defence policy, through its strategic planning function, may request specific intelligence products that relate to a topic; but it is not systematic. Many of the topics included in the question sit outside military mission mandates however, Ministry of Defence Human Security policy team are working with Defence Intelligence analyst on developing appropriate conflict analysis tools and associated training.

The UN provides a monthly gender parity status report for the UK's peacekeeping contributions. In February 2023, the UK met the UN's 2022 target for women UN Military Experts on Mission and Staff Officers deployed at 20%, and is working on meeting the target for women troops deployed at 5%.

- How do you incorporate a gender perspective into actions preventing and combatting the tensions, which lead to conflict, such as increases in sexual and gender-based violence, terrorism, violent extremism and human trafficking?

Joint Service Publication ("JSP") 985 provides direction for the incorporation of a Human Security approach into military operations and has a focus on prevention methods. Gender perspectives and analysis of the different experiences of men and women is critical to the success of this approach and directs UK defence to understand the human environment through a gender lens and analyse a range of Human Security considerations (factors of human insecurity and cross-cutting themes). This analysis is then integrated into military planning.

- What is the role of your military, police and other security personnel in such activities?

Members of the UK Armed Forces are taught the topic of Human Security prior to deploying in order that they be given the necessary tools to recognise, respond and refer to situations on that ground relating to our Human Security framework. Service police may, in extremis, have to respond and investigate situations relating again to Human Security cross-cutting themes.

2.2 Planning.

- How do you incorporate a gender perspective into operational planning?

UK Defence seeks to incorporate gender analysis into the planning process. Human Security consideration have been added as a key element into existing planning tool frameworks. Planners seek to weave in a comprehensive understanding of the environment, population, and gender considerations into their approach..

- How do you plan to address and gather information from local women's populations in areas at risk of conflict?

This is primarily conducted through government departments other than the Ministry of Defence. The Ministry of Defence has access to this information, upon request, in conflict spaces when needed.. Cross-UK government conflict assessment and analysis tools, including the Joint Analysis of Conflict and Stability (JACS), are committed to ensuring that gendered causes and drivers of conflict are properly considered; this includes specific needs, capabilities and experiences of local women's populations. JACS processes follow the policy commitments in the NAP.

2.3 Awareness and understanding of WPS at all levels and types of security personnel.

- What training do you give on incorporating a gender perspective and protecting the rights of women and girls to security personnel at basic education, officer training and specialised in-service training?

The UK has directed a through-career Human Security education and training pathway. Individual and collective training is mandated with a responsibility for command, leadership and management to drive forward integration. The Ministry of Defence earlier this year conducted a Training Needs Analysis on existing and recommended training. This was structured such that all personnel have the appropriate level of awareness, that those putting it into practice can do so and that there are experts available to support specific operations and plans. As a baseline, all service personnel must receive Human Security awareness training which should include understanding of Human Security considerations and actions on preventing, recognising, responding, and referring. Human Security is presently taught in all Officer Phase 1 training and on command and leadership courses.

- How do you train security personnel to protect women and girls, men and boys from sexual and gender-based violence?

Human Security awareness and advisers courses are available for armed forces personnel and civilians in the Ministry of Defence to develop their understanding of a gender perspective and Women, Peace and Security issues.

The UK Armed Forces are provided with information on dealing with conflict related sexual violence in broader Human Security training packages. In addition, they are made aware of the zero tolerance policies related to sexual exploitation and abuse.

2.4 Vetting of security personnel, especially pre-deployment

- What measures do you take to vet and prevent the recruitment, retention, promotion and deployment of security personnel with a record of sexual or gender-based violence or other violations of human rights?

For UK defence we use the terminology 'screening' to avoid confusion with security vetting procedures. Joint Service Publication 769: Zero Tolerance to Sexual Exploitation and Abuse directs the following:

Screening will take place for the following:

- (1) For Defence service and civilian personnel who are on the Violent and Sex Offenders Register.
- (2) Ongoing investigations into sexual offences / inappropriate sexual behaviour.

Exemptions from screening:

- (1) Contractors are currently exempt from screening.

Implications of screening. If relevant information comes to light, an individual risk assessment must be undertaken (a template is provided in the Joint Service Publication). The risk assessment must be provided to the Force Generating Authority approving the activity which may issue a waiver if it believes the risk to be sufficiently low and the operational requirement to be high. Where doubt exists, advice should be taken from Safeguarding leads.

2.5 Other preventative measures

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What other preventative measures do you have, for example to prevent sexual abuse or sexual exploitation on deployments and other forms of engagement of security forces abroad?

Sexual Exploitation and Abuse (SEA) is unacceptable. Ministry of Defence considers this to be grounds for termination of employment and/ or the discharge from the Armed Forces. The Ministry of Defence is committed to upholding standards of behaviour that are lawful, appropriate and professional. SEA runs contrary to the values and standards of Defence and can undermine its credibility and operational effectiveness. Complementary to the Defence Zero-Tolerance on Sexual Offending policy, the Ministry of Defence takes a zero-tolerance approach to SEA. In practice, this means that SEA is prohibited and that every alleged transgression will be acted upon through prompt and efficient investigation. It may result in administrative, disciplinary or criminal action, as appropriate.

3 Leadership, accountability and assurance

3.1 Integrating WPS into the command climate - How do you integrate a gender perspective and WPS into your policy and operational framework, including military manuals, national security policy frameworks, codes of conduct, protocols, standard operating procedures and command directives?

Joint Service Publication ("JSP") 985 provides direction for the incorporation of a Human Security approach into military operations. Gender and Women, Peace and Security is systematically woven through all relevant UK and Allied doctrine revisions. Within UK Defence there is a Land Doctrine note, standing operating procedures held at operational joint planning headquarters. A new policy was published in December 2021, operationalising this policy, which commenced in 2022.

3.2 Accountability and Performance assessment - What measures, systems or procedures do you have on individual and collective accountability for acting in accordance with such policies or directives?

N/A.

3.3 Assurance - How do you provide specialist advice to operational commanders on WPS? - What systems or measures do you use to co-ordinate specialist advice on WPS throughout your security forces and to provide democratic oversight?

The UK trains up to 80 personnel per annum as Human Security Advisers who will support operational commanders and planning staff. For specific missions there may be the additional contracted role of a conflict adviser or Gender adviser, most likely non-military.

4 Sharing of good practice

4.1 How do you share good practice and learn from others?

The policy officials responsible for WPS have engaged with other WPS leads in defence ministries in other States to share best practice and learn from others. The UK is also represented at the NATO Committee on Gender Perspectives to ensure we are sharing best practice and learning from others.

3.2 PARTICIPATION

A. Checklist of key measures taken by participating States

Please indicate if your State has the following measures in place to increase women's participation in security forces and decision making, including at all stages of any peace-making process. More detailed information of such measures can be included in Part B below.

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	Type of measure	Yes	No
1	Collection and monitoring of sex disaggregated statistics on applicants to armed forces	X	
2	Policies to attract female candidates (targeted campaigns, review of accession tests etc.)	X	
3	Policies to promote equal opportunities for women and men across the security sector	X	
4	Collection and monitoring of sex disaggregated statistics of armed forces personnel: - By rank - By promotion - By retention	X	
5	Collection and monitoring of sex disaggregated statistics of complaints by armed forces personnel of: - Discrimination - sexual harassment - gender based harassment - sexual violence - gender-based violence	X	
6	Collection and monitoring of sex disaggregated statistics of complaints by civilian personnel in the security sector of: - discrimination - sexual harassment - gender based harassment - sexual violence - gender-based violence	X	
7	Anonymous staff surveys/climate assessment surveys or similar (monitoring incidences of behaviour contrary to military standards of conduct)	X	
8	Collection and monitoring of sex-disaggregated statistics of: - personnel deployed on operations and peace-keeping missions - and by rank	X	
9	Collection and monitoring of sex-disaggregated statistics of decision makers in the security sector	X	
10	Other related information, clarification or details to share:		

B. More detailed information for sharing good practice on participative measures between participating States

1 Measures to increase the number of women in general and in decision-making positions in the armed forces and the ministry of defence (and other security forces- optional).

1.1 What are the numbers and percentages of women and men applying for and recruited to your military forces?

As of 30 September 2022, 10,570 men (88.2%) and 1420 women (11.8%) had been recruited into the UK Military regular forces.

1.2 What are the numbers and percentages of women and men in your military forces, disaggregated by rank?

As of 30 September 2022, there are 4,020 female officers (14.2%) and 24,360 male officers (85.8%) and 12,080 (9.6%) female other ranks and 114,410 (90.4%) male other ranks

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1.3 If you regularly analyse retention and promotion statistics disaggregated by gender and rank, what are the trends and what action, if any, are you taking as a result?

The UK Military forces monitor voluntary outflow and reasons for leaving and they are broadly similar between men and women. We continue to develop policies that will encourage retention such as flexibility of service, family-friendly policies, regular pay reviews and a recent major review of incentivisation and reward.

1.4 What are the numbers and percentages of complaints raised by women and men about discrimination, harassment, sexual or gender-based violence?

Around 230 Service complaints were raised last year under the category of Bullying Harassment and Discrimination. Complaints of a sexual nature are investigated and decided outside of the chain of command. All sexual offences are dealt with by a specialist crime unit.

There is also a Victim and Witness Care Unit. We collect data on all sexual offences and complaints and have a Zero tolerance policy where a perpetrator of sexual offences will be discharged from military service; the same is true in cases where a complaint of a sexual nature is upheld..

1.5 How do you monitor outcomes?

We record all complaints and these are monitored by an external body which reports annually on the Armed Forces complaints system - The Service Complaints Ombudsman <https://www.scoaf.org.uk/annual-reports>.

1.6 How is a gender-perspective integrated into a 'climate assessment' or similar anonymous staff survey, if used?

We have three key surveys: a climate assessment, a continuous attitude survey and a sexual harassment survey, the data from all of these can be broken down by gender and categories of sexual harassment. The CA operate gender specific focus groups.

2 Measures to increase the numbers of women and specialist WPS advisers in peacekeeping forces.

2.1 What are the numbers and percentages of women and men in peacekeeping forces, disaggregated by rank?

Data not available.

2.2 What are the numbers and percentages of international missions to which you appointed Gender Advisers, Gender Focal Points or Women Protection Advisers?

The Ministry of Defence appoints Human Security Advisers rather than gender advisers. One gender adviser and child protection officer has been appointed to the Democratic Republic of Congo and but only Human Security advisers have been officially appointed to the UN Peacekeeping missions.

3 Democratic oversight of Security Forces and WPS

3.1 How do your security forces publicise, report on and account for their actions on policies and plans related to WPS?

The UK has a Human Security governance structure that includes an implementation working group, a steering board and a decision board to monitor progress on integrating WPS and Human Security into the way the Ministry of Defence operates. This includes across Army, Navy, Air and Permanent Joint Headquarters. Progress is monitored and evaluated against implementation and annual plans.

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3.2 What is the representation of women in decision-making positions in institutions ensuring democratic oversight and public scrutiny?

Information not known.

3.3 PROTECTION

A. Checklist of measures taken by participating States

Please indicate if your State has the following protective measures in place. More detailed information of the protective measures can be included in Part B below.

	Type of measure	Yes	No
1	Specialist Advisers on WPS: - Gender Advisers - Gender Focal Points - Women Protection Advisers	X	
2	Policies to protect women and others in conflict and post-conflict areas from sexual abuse and exploitation by your State's security personnel ⁷	X	
3	Policies, which set out the duties of commanders and other superiors to prevent abuse or exploitation by their subordinates.	X	
4	Collection and monitoring of reported cases of exploitation and abuse allegedly perpetrated by military, para-military and security forces: -referred -investigated - acted upon	X	
5	Measures to increase your State's capacity to investigate alleged violations of human rights and fundamental freedoms in areas of conflict or post-conflict including sexual and gender-based violence ⁸	X	
6	National legislation conferring powers to prosecute alleged extra-terrestrial violations of human rights	X	
7	Other related information, clarification or details to share:		

7 See also similar question B2 in form to input to UN SG UNSCR 1325 report as well as question 3a in NATO Sexual Exploitation and Abuse (SEA) Implementation Progress Report.

8 See also similar question 4a in similar question in NATO Sexual Exploitation and Abuse (SEA) Implementation Progress Report.

B. More detailed information for sharing good practice on protective measures between participating States

1 Measures to embed protection of women and girls in operations and international missions

1.1 How do you define conflict-related violence in your policies, manuals, standard operating procedures and training material? - Does it include sexual and gender-based violence, forced sterilisations and abductions, also of men and boys, and forced pregnancy and forced abortions? - Does it include victims of terrorism or other armed groups?

Conflict related sexual violence (CRSV) is defined in Joint Service Publication 985, under the Women, Peace and Security cross cutting theme. Joint Service Publication 985 uses the NATO definition of CRSV.

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- 1) CRSV is rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, forced sterilization, forced marriage and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict;
- 2) CRSV is frequently, deliberately, and strategically used to target civilians. It inflicts long-term trauma on individuals and families, destroys the social fabric of communities, triggers displacement, fuels armed actors' activities and fosters prolonged conflict and instability. When used or commissioned as a deliberate tactic of war, or as a part of a widespread or systematic attack against civilian populations, CRSV can significantly exacerbate situations of instability, crisis, or armed conflict, and may impede the restoration of peace and security.

1.2 Number and percentage of participating State's international missions that address specific issues affecting women and girls in their terms of reference and the mission reports.

The Ministry of Defence is committed to tackling all types of harassment, including sexual harassment and is determined to create an inclusive working environment that delivers opportunity for all, recognises and values difference, and eradicates bullying, harassment and discrimination. The Ministry of Defence has developed policies to ensure that individuals are treated fairly, and with respect.

Annual reports published by the Service Complaints Ombudsman show the total number of complaints about sexual harassment. The findings of the Armed Forces Continuous Attitude Surveys also report on the number of personnel who believe they have been subject to discrimination, harassment or bullying. The latest Armed Forces Continuous Attitude Survey is available at: [Annual reports | Service Complaints Ombudsman for the Armed Forces \(scoaf.org.uk\)](https://www.scoaf.org.uk/annual-reports).

The three Services take seriously all allegations of bullying, harassment and discrimination and have all taken action to tackle the causes of complaints. For example, the Army has established a Bullying, Harassment and Diversity team to reduce incidences of this nature.

1.3 How are military, para-military and security forces trained to respond to sexual violence and gender-based harm?

Military personnel receive basic awareness training which includes WPS and CRSV where they are taught the 4 R's; Recognise, Respond, Refer and Report. Pre-deployment / Reception, Staging and Onward Integration to include theatre specific Human Security issues; alongside briefs for those service personnel deploying on Military Aid to Civilian Authorities (MACA) and Humanitarian Assistance and Disaster Relief (HADR) where relevant.

2 Investigating alleged violations

2.1 How do you identify, record, investigate and prosecute any alleged violations, cases of exploitation and abuse perpetrated by military, para-military and security forces? What experience do you have of such investigations and prosecutions?

Reporting mechanisms should be safe, confidential, accessible and widely communicated. Where possible local communities should be consulted on their preferred options to report, and an analysis undertaken as to what means would be effective for that population including for children. These mechanisms must consider the vulnerability of victims and how intimidating it may appear to them to report directly to forces personnel.

Where a crime has been committed it may be reported to civilian police. Reporting may otherwise take place through the Code of Conduct, Service Police or through the Confidential Hotline for whistle-blowing and raising a concern.

Where there is a credible allegation of SEA, there should be a presumption that the subject of the complaint must be immediately removed from the location in which the alleged prohibited activity occurred to protect all parties involved. An accusation of SEA is likely to be distressing to those

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subject to complaint, to those who report it and to those who may have witnessed it. The Chain of Command (CoC) or Line Manager (LM) for civilian employees must put in place mechanisms for the safeguarding and support of all parties.

Investigations will take place in the service justice system. Refer to [JSP 769 V1.0 Jul 2022.pdf \(publishing.service.gov.uk\)](#) chapter 8.

2.2 What are the number and percentage of reported cases of exploitation and abuse allegedly perpetrated by military, para-military and security forces that are referred, investigated and acted upon?

Published 2022 statistics: [Murder, manslaughter and sexual offences in the Service Justice System: 2022 - GOV.UK \(www.gov.uk\)](#).

2.3 How do you ensure access to justice for victims of conflict related violence including cases of exploitation and abuse by military, para-military and security forces?

The Ministry of Defence recognises the importance of providing expeditious support for, and the protection of, the rights of victims of SEA. This includes ensuring that victims of SEA are made aware of available assistance and support which may be locally provided. Details on Victims Services may be found in Joint Service Publication 839 - Code of Practice on Services to be provided by the Armed Forces to the Victims of Crime. Victims' Rights are drawn from the UK Ministry of Justice Code of Practice for Victims of Crime in England and Wales.

3 Other measures to protect women and girls

3.1 What lessons could you share in relation to protective measures?

A key lesson is the importance of a survivor-centred approach in protective measures. While this will mean different things depending on the context, broadly it involves ensuring that survivors are involved in decisions that affect them, and are able to input and shape relevant policies and programmes. There is emerging evidence that approaches to addressing conflict-related sexual violence (CRSV) are more likely to be successful if they are designed with the input of CRSV survivors. The UK took a survivor-centred approach to its Preventing Sexual Violence in Conflict Initiative International Conference in November 2022, and the involvement of survivors in shaping and designing the conference was key to the event's success.

3.4 SUSTAINING PEACE

A. Checklist of key measures taken by participating States

Please indicate if your State has the following measures in place to sustain peace, especially with regard to relief and recovery and to post-conflict situations. More detailed information of such measures can be included in Part B below.

	Type of measure	Yes	No
1	Measures to ensure the involvement of women from the outset in seeking a peaceful settlement of potential or actual conflicts.	X	
2	Measures to support those who have experienced sexual or gender-based violence during or post-conflict to support their recovery from trauma	X	
3	Measures to support the role of women as agents of change and transformation in areas emerging from conflict	X	

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4	Measures to support capacity building in the security and other sectors of fragile states or post-conflict situations to protect human rights and fundamental freedoms, especially relating to women and girls	X	
5	Other related information, clarification or details to share:		

B. More detailed information for sharing good practice between participating States

1.1 How do security personnel support and seek to embed the involvement of women in peacekeeping and throughout the peace building and post -conflict process?

We are aiming to meet the UN Gender Parity targets, and actively contribute to the Elsie Initiative to support women in peacekeeping through funding and as members of the steering and technical working groups. If troops are deployed, we undertake civilian-military engagement with wider stakeholders, who can support the safe passage of, and support to, women in peace building and post-conflict processes, including Disarmament, Demobilisation and Reintegration (DDR).

1.2 What training are your security personnel given as regards survivor focus?

The UK Armed Forces are trained on responding to Conflict-Related Sexual Violence and how to effectively Recognise, Respond, Refer and Report this.

1.3 What roles do your security personnel or other personnel play in support of demobilisation, access to humanitarian assistance or to facilitate re-integration post-conflict?

Unable to answer.

1.4 What lessons could you share in relation to recovery and relief issues in the WPS agenda?

Relief and Recovery are covered in the UK Ministry of Defence Human Security policy (JSP 985) and the WPS NAP but we have been unable to access specific lessons in the timeframe given to respond to the questionnaire.