

**DRAFT CONVENTION FOR THE SUPPRESSION OF
ACTS OF NUCLEAR TERRORISM**

At the initiative of the Russian Federation, an Ad Hoc Committee of the UN Sixth (Legal Affairs) Committee was tasked with elaborating a *Convention for the Suppression of Acts of Nuclear Terrorism*. This Ad Hoc Committee, established by resolution 51/210 of December 17, 1996, met in February 1998 to debate various options that could be envisaged regarding the form of an instrument that might be adopted for the repression on nuclear terrorism. The Committee also reviewed in detail the provisions of a draft Convention proposed by the Russian Federation.

Discussions continued in September/October 1998 under the auspices of the Working Group established by General Assembly resolution 51/210. Both the Ad Hoc Committee and the subsequent Working Group were chaired by DFAIT's Legal Advisor, Philippe Kirsch. The discussions of the Working Group focussed primarily on those articles concerning:

- definitions of materials and offences to be covered by the new instrument,
- application and scope of the new instrument, and
- the return of materials - methodology and responsibility of states parties concerned.

Much of the substance of the remaining articles was modelled on corresponding articles of the recently agreed *Convention on Terrorist Bombing Offences*.

On October 9, 1998, the Working Group decided to refer to the Sixth Committee the report prepared by the Friends of the Chairman setting out proposed wording for the new draft Convention. This report was based on comments and proposals made by delegations during their four weeks of deliberations, though it should be noted that several delegations have expressed concerns on certain provisions of the report, including the scope of application. This new legal instrument would:

- require states parties to criminalize offences relating to use, possession, threat to use, and attempt to possess or use radioactive material,
- require states parties to take jurisdiction over such offences, and