

ECONOMIC COMMISSION FOR EUROPE

Fifty-seventh session

7-10 May 2002

**ROLE OF THE UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE
IN ADDRESSING THREATS AGAINST ECONOMIC INFRASTRUCTURE**

Note by the Executive Secretary

INTRODUCTION

1. The September 11 attacks raised a number of questions about the security of the infrastructure on which our economies depend. The purpose of this paper is to describe how the UNECE might respond to threats to security and to infrastructure within UNECE's work areas and Committees: Energy, Environment, Trade and Transport.¹ The dangers and consequences of terrorist attacks, not to mention the huge economic disruptions that actions such as the September 11 represent, constitute a new kind of international security risk, targeting key economic interests in main global centres, which are different than the regional wars and conflicts exacerbated by such economic factors as poverty, institutional weakness or environmental degradation even though the root causes of this "new" security risk may be basically the same. The primary objective of UNECE's work in this area is thus the protection of 'physical things' and the personnel, which are responsible for operating and protecting that asset.

2. The paper takes each of the UNECE sectors in turn to determine the nature of the challenge it faces and how UNECE instruments can address the threats. It concludes by discussing the role of the UNECE as a whole in combating terrorist attacks on economic infrastructure.

TRANSPORT

3. The vulnerability of the transport sector to terrorist attack was emphasized by the fact that transport vehicles were used as bombs during the September 11 attacks. There are other threats too which terrorists can pose to transport: theft of dangerous substances during their transport; illegal border crossing of elements contributing to terrorist attacks; and attacks to key infrastructure points like tunnels and bridges.

¹ This survey has made reference to ECE Documents: TRANS/2002/15, TRADE/WP.5/2002/4, ENERGY/2001/7.

4. The Inland Transport Committee is responsible for a number of legal instruments which contain provisions that have security implications and which could respond to these types of threat.

(i) *Vehicle regulations*

5. Vehicle regulations No 18, 97 and a Draft Regulation concerning uniform technical prescriptions concerning the Protection of Motor Vehicles, provide uniform requirements for the construction and installation of vehicle anti-theft devices and vehicle alarms. It could be envisaged to extend these provisions to trucks and buses; to agree on provisions for immobilizing vehicles after unauthorized use; and to install positioning systems in vehicles to facilitate the location of stolen vehicles.

(ii) *Transport of dangerous goods*

6. The ECE legal instruments (ADR and ADN) do not allow transport of such goods when they are identified as dangerous, or only with restrictions provided that very high safety requirements are respected. Certain safety provisions of ADR and ADN can be assimilated to security provisions since their application for safety purposes can also be used for security purposes e.g. these contained in Chapter 8.4 of ADR (Supervision of vehicles) or concerning places of loading and unloading, parking of vehicles; berthing/mooring of vessels etc. Both ADR and ADN contain requirements on the training of the crews with detailed provisions on the structure, duration and stringency of tests and training certificates. Additional provisions to address security issues might include for example, special anti terrorist security recommendations as well as amendments to the structure of recommended training to include a security dimension. This is relevant given the new requirement for highly qualified persons who are able to check, monitor and be aware of threats posed by terrorists.

(iii) *Road transport and road safety*

7. Many of the UNECE instruments include safety provisions, which can also serve the purpose of security e.g. the recent draft recommendations of the Ad hoc multidisciplinary group of Experts on Safety in tunnels contained in the document TRANS/AS.7/9. Further regulations might be considered which harmonize the requirements of professionals who are responsible for licensing requirements in road transport and safety or for making it more difficult for illegal immigrants to have access to the road and highways.

(iv) *Infrastructure networks*

8. Regulations such as the European Code for Inland Waterways requires the carrying by ship of a certificate and the provision of confirmation about the vessel, requiring also that the boat master is licensed. Further regulations might be considered to ensure best practices in the surveillance of bridges and tunnels or for preventing the use of vessels or trains by unauthorised persons.

(v) *Border crossing facilitation*

9. In the framework of the TIR convention, restricted access for operators to use the facilitation measures provided by the convention has been recently introduced. This restricted

access to the TIR regime, while mainly aimed at preventing customs fraud, may actually serve security purposes. Additional measure that might be considered are a modern communications means between customs authorities and consideration of a new Annex to the “Harmonization Convention” on security for international goods transport by road, rail and inland waterways.

10. In conclusion, many UNECE transport instruments have safety provisions, which can serve for security purposes against terrorist threats. Additional security measures might be considered taking into account what UNECE member states are planning to implement at a national level and the work of the European Conference of Transport Ministers.

TRADE FACILITATION

11. Overall, trade has been facilitated through the harmonization and simplification of trade documents and procedures, the improvement of transport facilities and the availability of trade support services such as banking, insurance and forwarding. Terrorist attacks call into question the advisability of such an open approach. The threat posed by terrorists in trade comes from the ease with which terrorists, weapons, drugs and other dangerous items can pass through custom borders without hindrance. There is some concern that the free trade agenda has reduced barriers to the cross border traffic of goods and people to the point that many border crossings are so porous that they have in effect broken down. Indeed, some nations are looking at measures to tighten security that will restrict trade.

12. However, implementing tighter security measures would be counterproductive. Trade restrictions limit world trade, diminish economic efficiency, reduce total production and employment, raise prices, and encourage retaliation. The aim in any counter measures to terrorist security threats at borders is to improve the “good” and eliminate the “bad” both at the same time: that is to achieve enhanced security and improvements in the trans-border flows of goods and people.

13. One element in achieving this is the use and implementation of trade facilitation recommendations and instruments developed over the past two decades which produce the potential to facilitate, monitor and control the flow of good and services across borders before they reach the borders. This would allow more effective evaluating of the risk potential of such goods and would increase transparency. It would not create red tape. Rather it calls for border control agents to move away from 19th century paper-based regulatory and enforcement processes and towards 21st century information age tools.

14. The institutions that would be needed to undertake such pre-screening could be a global customs network, operating aligned and interconnected risk management systems and databases, to apply to all relevant official frontier controls on goods and persons, in the light of complete origin and destination information, provided well advance of arrival.

15. Also required particularly for transition economies is to help build capacity within the customs authorities to identify new threats. The UNECE Advisory group on intellectual property rights has conducted several training courses for customs officials with the World Customs Organisation to identify counterfeits and pirated goods, which by many accounts form parts of chains of operations of terrorists groups in some countries. This UNECE training programme has been appreciated by the customs authorities who are anxious to prevent illicit trade.

16. In conclusion, the imposition of additional controls at border is not likely the most effective or efficient means of achieving enhanced security. Rather the implementation of existing trade facilitation measures, many of which have been produced by UNECE combined with the introduction and strengthen of new technologies such as risk management and enhanced information flows, can be actually far more effective and ultimately less costly. Trade facilitation must be accompanied however by more training and capacity building as mentioned above. Without such training in some transition countries trade facilitation measures could have in fact dangerous consequences.

ENERGY

17. The threat posed by international terrorism to Europe's energy infrastructure is most acute. The energy infrastructure is a highly complex network of often-interdependent crude oil, natural gas, electricity and coal facilities and plants. It is composed of numerous primary energy-producing units, which are connected to the energy market either through a vast pipeline infrastructure or other transport routes, sea route included. The complexity of the energy operations, its vast and very expensive infrastructure makes it a relatively easy target for various kinds of sabotage operations. The existence of large number of nuclear facilities, in particular, demonstrates acutely the vulnerability of the energy sector to international terrorist attacks. Already there have been cases of threatened attacks on gas pipelines; the potential for social unrest and ethnic conflict in a number of producing and transit countries also heightens concern.

18. The security risks and dangers of terrorist attacks on energy installations, such as nuclear power plants and oil and gas pipelines, need to be assessed and taken into account in energy policy decision-making. Such risks will influence discussions on an important number of energy related issues, such as the future role of coal and nuclear power in meeting future energy needs.

19. With regards to the threat posed to the security of energy installations, such as gas pipelines, there are gas compression centres situated at various points on the pipelines, which monitor the functioning and efficiency of the pipelines. It could be envisaged to impose standards for these bodies to take account of security threats. Most pipelines are placed underground and the information on the location of these pipelines is not in the public domain. Nevertheless, it might be advisable to ensure that such information is made even more difficult to obtain by persons external to the service. However, overall the conclusion is that, given the vast spread of pipelines, the threat of attack from terrorists is difficult to prevent.

ENVIRONMENT

20. There is a growing consensus today that environmental degradation and resource depletion can amplify or cause conflict and instability. Environmental or resource problems that substantively diminish incomes or employment, result in increasing poverty and crime, cause environmental and health hazards pose threats to natural security.

21. Floods, water scarcity and pollution, depletion of fish stock due to over-fishing or pollution, deforestation, desertification, land degradation, loss of biological and landscape diversity, unsafe waste disposal, accidents with hazardous chemicals, and environmental factors that contribute to human health hazards, insecurity, social tensions and political instability. Conflicts over scarce natural resources and ecosystems may lead to tension between the states. Conflicts in some parts of the region may have an impact also on other parts, directly or

indirectly. All this undermines the efforts of countries themselves and of the international organizations to promote an economically prosperous, environmental and socially sound UNECE region.

22. As it concerns threats from terrorists, the environment is a victim not a target of attack although in some cases water resources and through biological warfare, the environment itself, can be a potential target. Certain UNECE Conventions however may be affected if governments decide to tighten up security. The Aarhus Convention for example provides important benchmarks for good governance and democracy. It gives citizens the rights to access of information on environmental matters. In principle a terrorist wishing to see the plans of a new building could use such a right recommended under the auspices of this Convention. Thus, such freedom of information could be seen as a threat to the state security. On the other hand, by depriving people of the rights to see such plans, is also preventing them from having the information to make a judgement on the security threat in their place of work and whether they wish to work there.

CONCLUSION

23. This survey of potential future work can be summarized as follows:

- (i) Careful consideration needs to be made on the economic and political costs of such actions to avoid establishing new regulations, which undermine the considerable benefits of an open trading regime.
- (ii) Many UNECE Committees have the expertise to provide practical new instruments.
- (iii) A UNECE cross-sectoral task force may be considered to define a common view of “security” thereby avoiding a fragmented UNECE approach and providing a guide for the work of each committee.

24. In conclusion there is capacity within UNECE to take this important activity forward mindful of the work of other organizations. While member states will be considering and implementing their own actions, there is a role for more cooperation. This is needed to harmonize regulations and to ensure that terrorists cannot exploit the gaps in regulations existing in one state. Also given that many states are in close proximity with each other there is a risk that one state will wait for its neighbour to take the action from which it benefits without contributing to the cost. Cooperation and coordination is thus also needed to avoid the risk of ‘free riding ‘ and an under supply of expenditures on security.