



Organización de los  
Estados Americanos



**Presentation of the Inter-American Committee against Terrorism (CICTE) of the Organization of American States (OAS) at the UN CTC open meeting on resolution 1373 (June,10, 2010)**

Distinguished Chairman of the UN Security Council Counter Terrorism Committee and Permanent Representative of Turkey to the UN, His Excellency Ambassador Ertuğrul Apakan, distinguished Ambassadors and Delegates of the countries, Acting CTED Executive Director Mr. Howard Stoffer, Invitees, Ladies and Gentlemen.

First of all, I would like to express our thanks to the Chairman Amb. Apakan for his kind invitation to the Organization of American States (OAS) and its Inter-American Committee against Terrorism (CICTE) to participate in this open meeting on Res 1373, and thank him also for his participation at the Tenth Regular Session of CICTE, held last March in Washington DC, where he had the opportunity to address the delegations of our 34 Member States on issues related to our common interests. It is an honor for me, representing the OAS and its CICTE, to address this body.

The Inter-American Committee against Terrorism (CICTE) was created in 1999 by the Organization of American States to promote national, regional and international cooperation to prevent, combat and eliminate terrorism in the Western Hemisphere. It became fully functional in 2002 with the establishment of the Secretariat. Since then, the counter terrorism architecture for the Western Hemisphere has rested on UNSCR 1373 and other resolutions, the universal legal instruments against terrorism, the Inter-American Convention against Terrorism, the CICTE Work Plan containing principles of cooperation and concrete counter terrorism measures approved by the OAS Member States—and the UN Global Strategy.

CICTE, through the Secretariat, provides capacity building training and technical assistance and promotes international cooperation. Its eight programs are organized in six main areas: border controls (which include maritime, aviation and travel document security and fraud prevention), financial controls, critical infrastructure protection (which includes cybersecurity), counter-terrorism legislative assistance, emerging threats and crisis management exercises, and policy development and coordination. A unique network of National Points of Contact from each country serves as the principal means to communicate with the Secretariat and with one another on technical issues, and to organize in-country training.

A key goal for CICTE has been to create and strengthen partnerships with other international, regional, and sub-regional organizations. In March 2003, this UN Counter Terrorism Committee cited CICTE as a model for regional integration to combat terrorism and then asked CICTE to host the second meeting of regional organizations in October 2003. Therefore, our institutional links with CTC and its CTED are well established since almost the beginning of our existence. Collaboration and cooperation with the technical assistance agencies of many countries and international organizations, especially the various entities of the UN, has developed as an integral part of our approach and methodology--with noteworthy success. One of the key lessons the hemisphere has learned is that enhancing security to combat terrorism requires expanding and improving cooperation—internationally, regionally, sub-regionally, and domestically, even between government agencies and with the private sector. Today, the Secretariat partners with more than 30 governmental and private organizations.

The lessons of our partnerships are clear. We leverage greater financial and personnel resources, draw on regional expertise, political networks and logistical contacts to help UN entities –like CTC and its

CTED- accomplish their own objectives, avoiding duplication and in reality actually multiplying efforts through global and regional partnerships. The beneficiaries of such coordination are of course, the Member States.

The partnership between OAS/CICTE and UN CTC—through its Executive Directorate (UN CTED) has brought harmonization of efforts, avoidance of duplicative initiatives, and maximization of resources.

For example, in 2009, CTED identified the need of training to be provided to the Financial Intelligence Unit (FIU) of Jamaica, and requested CICTE assistance. CICTE funded experts from the FIU of Colombia, and delivered the requested training.

Also in 2009, an expert from the CICTE Secretariat participated for the first time in a UN CTED country visit in the Western Hemisphere, namely a visit to Panama.

CTED usually and actively participates in the activities organized under the different OAS/CICTE Programs, especially those of the Legislative Assistance and Counter-Terrorism Financing Program.

Since the end of 2009 some projects are jointly being organized by OAS/CICTE and UN CTED, specifically in the border controls area—e.g. Customs Risk Assessment Workshops project.

These joint efforts are in line with the wording and spirit of the UN Global Strategy against Terrorism. The Strategy calls upon international organizations—including those that integrate the UN system—to strengthen their cooperation with regional organizations when implementing technical assistance and capacity building counter-terrorism projects.

UN CTC, in line with UN Security Council Resolutions and the international legal framework against terrorism, sets the general rules and guidelines that must direct global counter-terrorism efforts, and is tasked primarily with monitoring United Nations Member States' implementation of UNSCR 1373. The CICTE Work Plan follows these rules and guidelines and the CICTE Secretariat implements its projects accordingly, thus being instrumental to a coherent implementation of the UN Global Strategy against Terrorism in the Western Hemisphere.

In summary, UN CTC has recognized the importance of helping States to obtain the technical assistance they need to implement the provisions of resolution 1373 and related resolutions. CTC and CTED do not provide technical assistance; however, CTED and CICTE work very closely in this regard, coordinating assistance, complementing each other, bringing technical assistance needs to the attention of donors, and following-up on the delivery process.

Specific topics:

- A- On *“Measures to further develop a coherent legal framework on counter-terrorism, especially in the area of extending court jurisdiction to address terrorism committed by foreigners”*:

Since 2002 the CICTE Secretariat has provided technical assistance to Member States in developing and passing the necessary legislation to effectively combat terrorism, in accordance with the universal legal instruments against terrorism—especially UN Security Council Resolution 1373, the Inter-American Convention against Terrorism (IACAT), and the FATF Recommendations on Money Laundering (40) and Terrorist Financing (9). CICTE's activities in this program are implemented primarily through a partnership with the Terrorism Prevention Branch of the UN Office of Drugs and Crime (UNODC/TPB).

Activities are implemented through two sub-programs. Legislative Assistance encompasses three main sets of activities: 1) legislative technical assistance missions--consultations with senior officials of the three powers of the State and national workshops with legislation drafters; 2) specialized in-country training for prosecutors, judges and law enforcement officials; and 3) regional or sub-regional activities. Assistance to combat Terrorism Financing is provided through specialized training and workshops at the national or sub-regional level. Both sub-programs are consistently related to one another, as terrorism financing issues are dealt with, under the Legislative Assistance sub-program, and vice-versa.

The partnership with UNODC has provided significant assistance to OAS Member States in drafting and approving the legislation necessary for them to ratify or accede to and then implement and apply the UN counter-terrorism instruments and the IACAT.

The training provided through this partnership provides assistance on the drafting of national legislation—including laws to criminalize terrorism financing—in line with the international legal framework against terrorism, which includes all the issues related to the principle of extra-territoriality and “no safe haven”, thus underscoring the importance of the extension of court jurisdiction to address terrorism committed by foreigners.

Additionally, through the specialized training given to prosecutors, judges and criminal law officials in the region, this legal framework and its fundamental principles are being directly conveyed to the practitioners that will have to implement the legislation. As an example, OAS/CICTE and UNODC experts insist on the importance of considering using the universal conventions and protocols as legal basis for extradition and mutual legal assistance should a bilateral treaty not be in place. As another example, our experts insist on the importance of considering the establishment of jurisdiction by the State from a “quasi-universal jurisdiction” point of view. Finally, as a third example, our experts encourage Member States to adopt flexible and innovative measures to strengthen and enhance mutual legal cooperation, as a result of the provisions contained in the universal instruments and the Inter-American Convention against terrorism.

B- On “*Effective implementation of alternative remittances systems and charities*”:

Under the Counter-Terrorism Financing sub-program of OAS/CICTE a number of legislative technical assistance missions and specialized trainings are implemented.

Also in conjunction with UNODC and OAS/CICAD (as well as with other relevant actors in this area such as the Financial Action Task Force—FATF—), OAS/CICTE addresses in its activities the importance of effectively implementing the regulatory and standards framework that has been put in place internationally to avoid the use of alternative remittance systems and charities as means of financing terrorism.

In particular, this has been done through the development of sound partnerships with key actors—in addition to UN CTED and UNODC, CFATF and GAFISUD, other relevant actors such as IMF, INTERPOL, prosecutors from Canada, Colombia, Peru, the United States, Italy, Spain, as well as private sector representatives, participate in our activities—and through specialized counter-terrorism financing training, which specifically addresses the different sources of terrorism financing.

During our activities, national legislation and monitoring and supervision measures in place are analyzed and assessed, and tailored technical recommendations to strengthen the framework are subsequently offered.

*C- On Regarding the Strengthening of border controls:*

- I- Maritime Security remains the Secretariat's largest and most complex program with the goal of strengthening Member States' capacity to comply with the security requirements of the International Ship and Port Facility Security (ISPS) Code of the International Maritime Organization (IMO). OAS/CICTE implementing partners are basically Transport Canada, the U.S. Coast Guard, and private contractors selected through rigorous bidding processes.

The efforts undertaken under the Maritime Security Program in the last years constitute a systematic multiplication of efforts on the part of all of the primary partners, as well as others including the Asia Pacific Economic Forum's Maritime Security Experts Group (MEG-SEC, Canada's Border Services Agency (CBSA), U.S. Customs and Border Patrol, the World Customs Organization (WCO), the International Maritime Organization (IMO), and national authorities from other countries and private sector entities engaged on aspects of maritime security.

The third phase of our Port Security Assistance Partnership (PSAP), funded by the Governments of Canada and the US, to be implemented from the second half of 2010 through March 2013, will include: port security needs assessments and follow-on training; cruise ship security workshops, risk assessment workshops, best practices workshops, and crisis management exercises.

- II- The Aviation Security Program helps them meet the new ICAO standards. Through the collaboration with the United States Transportation Security Agency (TSA) and the International Civil Aviation Organization (ICAO) and increasingly with experts in other countries, the Secretariat has been working towards strengthening the security of international airports throughout the region, as a critical element in controlling international borders and in strengthening passenger confidence in commercial air transport.

- III- Specialized OAS Capacity-building Project on Border Controls  
The overarching objective of the project is to develop and deliver a series of comprehensive and integrated workshops on border controls for officials representing all of the authorities responsible for detecting and preventing criminal activity involving the air, land and sea ports in targeted OAS Member States. In addition to strengthening participating officials' capacity for confronting the aforementioned range of threats and vulnerabilities, these workshops are intended to promote within each target State increased cooperation and information-sharing among all authorities engaged on aspects of border controls, including customs, migration and other law enforcement personnel.

- IV – The main objectives of the Document Security and Fraud Prevention (DSFP) Program are to enhance security in the issuance and handling of travel and identity documents in compliance with ICAO standards, and to strengthen border controls through the prevention and detection of the alteration or fraudulent use of those documents.

The DSFP currently consists of three projects; 1. Training courses on the detection of fraudulent travel documents and imposters; and 2. Sub-regional Workshops on Best Practices in Travel Document Security and Fraud Prevention. 3. "OAS/CICTE – ICAO Capacity-building in Travel Document Security and Identity Management in the Americas".

1. The CICTE Secretariat organizes workshops on Document Fraud since 2006, in conjunction with IOM and experts from ICAO and Interpol. Other efforts more specifically on training courses on

detecting document fraud at ports of entry. Our partners are: Forensic Document Laboratory (FDL) of the Department of Homeland Security's Immigration and Customs Enforcement (ICE).

2. [*Sub-regional Workshops on Best Practices in Travel Document Security and Fraud Prevention*]: In late 2007 the Secretariat developed its project of Sub-regional Workshops on Best Practices in Travel Document Security and Fraud Prevention: as a new partnership with ICAO's Machine Readable Travel Document (MRTD) program and INTERPOL. These workshops focus on international standards pertaining to travel documents – including passports, e-passports, and biometrics – and include consideration of the integrity of “breeder” documents and civil registries. Since 2008, the workshops have focused in four sub-regions: Central American, Mexico and the Dominican Republic; Andes; Caribbean; and South Cone<sup>1</sup>.

3. The “OAS/CICTE – [*ICAO Capacity-building in Travel Document Security and Identity Management in the Americas*]” project]: The objective of the project is to assist participating beneficiary States to achieve compliance with the standards contained in ICAO Annex 9 and Document 9303 and best international practices on travel document issuing. In particular, it also aims at consolidating the beneficiary States' capabilities to prevent terrorism and trans-border crime through enhanced cross-border cooperation and capacity-building in achieving effective travel document issuance and identity management systems through needs assessments, project development and future capacity-building activities.

Project activities are structured in Sub-regional workshops and technical consultations, as well as hemispheric workshops, to address a number of current administrative and operational deficiencies in OAS Member States' travel document issuing, identity management and border security. These workshops focus on: (i) the issuance of secure machine-readable travel documents (MRTDs) and electronic or “e-MRTDs”, according to ICAO standards; (ii) improving and modernizing national Civil Registry systems and introducing secure birth certificates or other breeder documents; (iii) addressing vulnerabilities in travel document issuance processes; and (iv) enhancing the technical knowledge and security awareness of immigration and passport staff empowering them to perform their daily duties in an informed and professional manner.

#### D- On “*Ratification of the international counter-terrorism instruments*”

Under OAS/CICTE Legislative Assistance and Counter-Terrorism Financing Program a preliminary assessment is made in each country that benefits from our technical assistance, in terms of what is the status of ratification of the international legal instruments against terrorism.

Once the assessment is produced and the national legislation analyzed, during the capacity building or technical assistance activity our experts encourage Member States to comply with their international obligations and ratify and implement the relevant universal and regional legal instruments.

As our technical assistance is a way of supporting countries that have the will to comply with their international counter-terrorism obligations, OAS/CICTE's commitment is—considering budgetary and personnel resources—to sustain that support until the ratification and implementation process is

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<sup>1</sup> In all of the Secretariat's prior Sub-regional Workshops on Travel Document Security experts and participants alike have emphasized the increasing importance of and need for ensuring the integrity of “breeder” documents -- those identity documents such as birth certificates, social security cards and identity cards (*cedulas de identidad* in Latin America) which are used to obtain travel documents. As the processes for issuance, handling, and control of travel documents become more secure, criminals and terrorists are increasingly seeking to illegally obtain original breeder documents that can be used to obtain valid travel documents. Vulnerabilities in the issuance and control of breeder documents thus undermine the integrity and security of travel documents.

complete. Capacity building training is provided to criminal law practitioners to ensure that the formal legal progress is accompanied by the knowledge and potential use of these tools in the investigation and prosecution of terrorism cases.

Our estimates indicate that since 2006, OAS/CICTE results in this area are as follows:

- 39 new ratifications of the universal legal instruments against terrorism were achieved since April 2006, and 7 new ratifications of the Inter-American Convention against Terrorism;
- 7 national laws adopted (the most recent approved by Paraguay, today), 8 draft bills tabled before National Congress, and 5 countries currently reviewing national legislation based on the CICTE Secretariat and UNODC/TPB legal analyses;
- More than 1,600 officials trained—high ranking authorities, judges, prosecutors, law enforcement and financial intelligence units' officials.

### Perspectives for the future

CTED and CICTE work very closely together, through continuous exchange of information, best practices, responding to technical assistance needs; through workshops, the Committee's country visits, and many other activities.

We should continue strengthening the UN CTC/CTED and OAS/CICTE strategic partnership through: (i) participation of OAS/CICTE in future UN CTED visits in the region—e.g. OAS/CICTE has been invited to participate in UN CTED's visit to Bolivia in July 2010; (ii) increasing the number of projects jointly designed, financed and implemented; (iii) increasing the participation of CTED representatives in CICTE sponsored counterterrorism activities to help CTC and CTED advance their particular objectives; (iv) coordinating and leveraging resources and support CTED coordinating technical assistance whenever possible to satisfy specific detected needs.

There is considerable potential for the Committee and OAS/CICTE to continue such coordination and cooperation in fulfilling their respective mandates, sharing as we share the ultimate goal of preventing, combating and eradicating terrorist acts in the Americas and around the world, with full respect of the sovereignty of the states, the rule of law and international law and human rights.