

Measures to Eliminate International Terrorism

**STATEMENT BY THE PERMANENT MISSION OF THE SAINT VINCENT AND
THE GRENADINES TO THE UNITED NATIONS
ON BEHALF OF THE COMMUNITY OF LATIN AMERICAN AND CARIBBEAN
STATES (CELAC)**

New York, 02 October 2023

Mr. President,

I have the honor to speak on behalf of the 33 Member States of the Community of Latin American and Caribbean States, CELAC. Since this is our first intervention, we take this opportunity to congratulate you on your appointment as President of the Sixth Committee, as well to the rest of the members of the Bureau, for the 78th Session of the General Assembly, offering our best wishes to you and the support of our group during the development of the work of this commission in the interest of the humanity and the United Nations Organization.

CELAC wishes to reaffirm its total condemnation of all acts of terrorism as criminal and unjustifiable and reaffirms its commitment to fight terrorism in all its forms and manifestations in strict compliance with the Charter of the United Nations and other norms of international law, including international human rights law, international humanitarian law and international refugee law.

We thank the Secretary-General for his report A/78/221 and we encourage all UN member states to submit information for the next report.

Terrorism represents, more than ever, a serious threat to States, which undermines social structures within society, the stability of the regions and global security. It is therefore imperative to undertake genuine efforts to contain terrorism effectively through increased international cooperation.

Prevention of terrorism is also crucial. Therefore, we must address the conditions conducive to its spread, including, prolonged unresolved conflicts, discrimination of any kind, dehumanization of victims, weakening of the rule of law, violations of human rights and the maintenance of the exclusion of the social, political, economic and cultural areas.

We emphasize the importance of promoting a culture of peace, condemning all forms of discrimination, and promoting respect for cultural, religious, and political diversity and tolerance as tools to prevent terrorism in the region.

The Community of Latin America and Caribbean States expresses its grave concern with the fact that terrorist groups have been attracting more recruits. We reiterate the importance of promoting inclusion, with the purpose of dispelling the stereotypes that associate terrorism with specific cultures, religious or ethnic groups, and rejecting xenophobia and prejudice. The full inclusion of migrants and refugees in host communities often reduces the risks associated with violence extremism that leads to terrorism.

Mr. President,

CELAC reiterates that respect for international law is essential in the fight against terrorism. The United Nations Global Counter-Terrorism Strategy states that "any action taken outside the international legal framework is not only illegal, but also unjustifiable and unacceptable, and betrays the values and principles it seeks to maintain and can also fuel the violent extremism that can lead to terrorism." In this regard, we recall General Assembly resolution 77/298 on The United Nations Global Counter-Terrorism Strategy: eighth review adopted by consensus on 22 June 2023.

Among the many relevant issues addressed by that resolution, CELAC countries would like to highlight the right to privacy, which is essential to human dignity and is a fundamental human right, and whose protection is crucial in safeguarding individuals against the abuse of power. We remain deeply concerned about the negative impact that State surveillance and/or interception of communications, including those conducted

extraterritorially, may have on the exercise and enjoyment of human rights.

In this regard, we also reaffirm that a national criminal justice system based on respect for human rights and the rule of law, due process, and fair trial guarantees is one of the best means for effectively countering terrorism and ensuring accountability.

Our countries have consistently rejected the use of unilateral and illegitimate sanctions to States. Such practice is inconsistent with International Law and should therefore be discontinued.

Our region has also been victim of terrorist acts. We strongly condemn them, as well as the circumstances that have allowed the persons responsible of these heinous crimes to evade justice. Those responsible must be held accountable, so we urge all States to comply without delay with their obligations under international law to cooperate actively to bring perpetrators to justice and avoid impunity. CELAC recalls the need to bring all perpetrators of terrorist acts to justice, both past and present.

The Community recognizes the steps taken by the ISIL (Da'esh) and Al Qaeda Sanctions Committee towards more fair and clear procedures. CELAC strongly supports the role of the Office of the Ombudsperson, which, despite the limited resources at its disposal, has contributed to increasing the the fairness and review of the list of people and entities designated as terrorists. Yet, it is necessary to improve its working conditions and its access to evidence in order for its mandate to achieve its purposes. Moreover, there is a need to ensure that both listing decisions by the Sanctions Committees and the Ombudsperson's recommendations be evidence-based. We are also convinced that the Ombudsperson position should be made independent and permanent to further ensure the due process. Given its contribution to reinforce the rule of law dimension of our joint efforts, all other Security Council sanctions regimes should also include an enhanced Ombudsperson mechanism.

Sanctions should never be an end in themselves but should be conceived as part of a broader strategy aimed at achieving a peaceful and political solution and should not aggravate the

suffering of the civilian populations who have the misfortune to live in territories under the control of terrorist groups. CELAC considers that, under international law, solely the United Nations has the right to adopt sanctions and, therefore, condemns the use of unilateral coercive measures

CELAC notes with concern the letters addressed to the Security Council under Article 51 of the Charter sent by some States, with the aim of resorting to the use of force in the context of the fight against terrorism, most times “*a posteriori facto*”. The Community reiterates that any use of force, which is not according to the Charter of the United Nations is illegal, unjustifiable and unacceptable. Furthermore, an open and transparent debate on the topic should be considered.

Mr. President,

Over the last years, terrorist attacks have killed, maimed, and displaced many persons, causing wounds and trauma to those directly affected, and impacting the lives of others. Terrorism inflicts a deep sense of insecurity and distress in a society. It is necessary to strengthen the protection of victims, paying special attention to the most vulnerable. We condemn that terrorist groups have been deliberately and systematically resorting to sexual violence and destroying cultural property.

On the one hand, CELAC expresses grave concern over the acute and growing threat posed by foreign terrorist fighters and consider this an issue that involves all Member States, including countries of origin, transit and destination.

We also stress the need to redouble our efforts towards suppressing the financing of terrorism, through encouraging member States to further judicial cooperation, legal assistance, and information sharing in accordance with international law. Therefore, we encourage United Nations entities to cooperate with Member States and to continue providing assistance, upon request, to the full implementation of international obligations to combat the financing of terrorism.

In this regard, CELAC wishes to recognize the role of the United Nations in delivering technical assistance to counter terrorism, upon request and in accordance with the needs and priorities of the requesting State. CELAC welcomes its counter terrorism capacity building initiatives consistent with this principle.

CELAC would also like to highlight the stipulations of Resolution 2242 of 2015, enacted by the Security Council, to take differentiated measures with a gender perspective and calls on member states to advance the implementation of the Women, Peace and Security agenda.

We acknowledge that terrorism and transnational organized crime are different problems, each of them regulated by different legal frameworks; However, CELAC expresses its deep concern about the connections, in some cases, between some forms of transnational organized crime and terrorism, emphasizing the need to enhance cooperation at the national, subregional, regional and international levels in order to strengthen responses to this challenge in a manner that contributes to the development of Member States' law enforcement and border-control capacities.

Mr. Chairman,

Over the last years, the words "terrorism", "extremism", "radicalization", and "foreign fighters", among others, have been used. Their contours remain legally unclear. We remain concerned with the negative impact that the lack of a definition for terrorism may have on human rights and due process. Achieving an *international* legal definition is a necessary precondition for further strengthening the rule of law, both at the national and international levels.

We can no longer afford to indefinitely postpone the convening of a high-level conference under the auspices of the United Nations and the process leading to the Comprehensive Convention Against International Terrorism. It is essential to overcome this unjustifiable legal gap. Both initiatives would strengthen the rule of law in countering

international terrorism through providing a clear legal regime and more coherence to our joint efforts.

Our region remains committed to the prompt conclusion of the Comprehensive Convention and the convening of a high-level Conference. We call upon all States to show flexibility and redouble their efforts, on an urgent basis, to resolve any outstanding issues, including in the realm of the working group established by Resolution 72 /113. We are determined to devote our best efforts to this endeavor.

Thank you, Mr. Chairman.