

INTER-AMERICAN COMMITTEE AGAINST TERRORISM (CICTE)

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DECLARATION OF MONTEVIDEO

(Adopted at the Fifth Plenary Session held on January 30, 2004)

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The member states of the Inter-American Committee against Terrorism (CICTE) of the Organization of American States (OAS), meeting at the fourth regular session, in Montevideo, Uruguay, from January 28 to 30, 2004,

REAFFIRMING:

Our condemnation of terrorism in all its forms and manifestations as a grave threat to international peace and security and to the wellbeing, security, prosperity, and development of our peoples and our states;

That terrorism, whatever its origin or motivation, has no justification whatsoever and constitutes an attack on the values and principles that underlie the inter-American order and the democratic institutions and freedoms protected and promoted by the OAS Charter, the Inter-American Democratic Charter, and other international instruments, including international human rights instruments;

The importance of bringing to justice those responsible for planning, financing, and committing acts of terrorism; and

That in order to continue the fight against terrorism it is essential to improve, in accordance with national law, the exchange of information and experiences among the competent national authorities, as a core component of cooperation among the states of the Hemisphere;

AFFIRMING that the threat of terrorism is exacerbated by the connections between terrorism and illicit drug trafficking, illicit trafficking in arms, money laundering, and other forms of transnational organized crime and that the resulting alliances and benefits derived from those connections are or can be used to support and finance terrorist activities;

WELCOMING the entry into force of the Inter-American Convention against Terrorism on July 10, 2003;

WELCOMING ALSO the renewed commitment of the member states, reflected in the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City, Mexico, on October 27 and 28, 2003, to fight terrorism and its financing with full respect for the rule of law and international law, including international humanitarian law, international human rights law, and international refugee law.

NOTING WITH SATISFACTION the holding of the first meeting of the National Points of Contact (July 14 and 15, 2003, Washington, D. C.) and the creation of a National Points of Contact Network to facilitate and improve the exchange of information and sharing of best practices on counter-terrorism cooperation in the Hemisphere; and

UNDERSCORING the common purpose and common ground underlying the Dialogue of Heads of Delegation during the current session, with respect to hemispheric strategies for the prevention, detection, and elimination of terrorism, taking into account particular subregional and national circumstances,

DECLARE:

1. Our renewed commitment to prevent, combat, and eliminate terrorism and its financing through the broadest cooperation.

2. Our ongoing commitment to fight terrorism and its financing with full respect for the rule of law and international law, including international humanitarian law, international human rights law, international refugee law, the Inter-American Convention against Terrorism, and United Nations Security Council Resolution 1373 (2001).

3. The need to strengthen the efforts of member states to implement the CICTE Work Plan, including, as appropriate, the promotion of initiatives to incorporate its recommendations in their domestic law.

4. That to promote implementation of the Inter-American Convention against Terrorism it is important to strengthen and support CICTE as the entity with primary responsibility for facilitating consultation, dialogue, and cooperation among the member states and for facilitating, coordinating, and providing assistance to strengthen their counter-terrorism capacities and mechanisms.

5. That, in order to combat impunity, we urge all governments in the Hemisphere to promote, within their constitutional frameworks, legislative measures that criminalize the offenses identified in the Inter-American Convention against Terrorism, in order to prosecute and punish all those persons responsible for planning, facilitating, financing, and committing acts of terrorism, ensuring due process and respect for the principle that the punishment should be commensurate with the offense committed.

6. The urgent need to adopt measures in accordance with national laws and international instruments in force to strengthen regional and international cooperation and the exchange of information with the aim of locating, capturing, prosecuting, and punishing the sponsors, organizers, and perpetrators of terrorist acts, as well as of identifying and freezing assets and resources used to facilitate, promote, or commit such acts.

7. The need for private sector cooperation to facilitate the resolution of terrorist and related crimes that involve the use of global communication networks.

8. Our readiness to extend to one another the broadest and swiftest mutual legal assistance, in accordance with multilateral and bilateral agreements.

9. Our commitment to expand and intensify efforts to strengthen cooperation among our states and with pertinent regional and international organizations.

10. Our commitment to identifying and fighting emerging terrorist threats, regardless of their origins or motivation, such as threats to cybersecurity, bio-terrorism, threats to critical infrastructure, and the possibility of access, possession, and use of weapons and materiel of mass destruction and their means of delivery by terrorists.

11. The importance of promoting the greatest possible security for all forms of transportation, including at airports, ports, and land borders without prejudice to applicable international commitments in relation to the free movement of people and the facilitation of international trade in the region.

12. That intensified OAS efforts to facilitate compliance with the measures adopted by the Conference of Contracting Governments to the International Maritime Organization (IMO) Safety of Life at Sea (SOLAS) Convention and, in particular, effective implementation of the International Ship and Port Security (ISPS) Code, to detect and assess security threats, and to take preventive measures against security incidents affecting ship or port facilities, ensuring maritime security against terrorist and other threats at both the national and international level, should be complementary and coordinated among the Inter-American Committee on Ports, CICTE, CICAD, and other pertinent entities and organs of the OAS. We stress the importance of the role of cooperation and technical assistance in enabling the States Parties to the IMO to carry out the agreed measures.

13. Our appreciation for the significant efforts made by the states of the Hemisphere in compliance with the measures adopted by the Conference of Contracting Governments to the International Maritime Organization (IMO) Safety of Life at Sea (SOLAS) Convention, taking into account the vast resources that this calls for, as well as those that will be required for the effective implementation of the International Ship and Port Security (ISPS) Code to detect and assess security threats and other threats at both the national and international level.

14. The importance of coordinating and intensifying OAS and member states efforts, including the provision of technical assistance, where appropriate and feasible, to encourage and facilitate compliance with the International Civil Aviation Organization (ICAO) standards and recommended practices with respect to safeguarding international civil aviation and its facilities against acts of unlawful interference and meeting travel document requirements as specified in the relevant Annexes of the Convention on International Civil Aviation.

15. The importance of member states proceeding to sign, ratify, or accede to, as the case may be, and to effectively implement the Inter-American Convention against Terrorism and the twelve United Nations conventions and protocols related to terrorism.

16. The need to step up actions to ensure full compliance with the provisions of resolution S/RES/1373 (2001) of the United Nations Security Council, including the obligation to refrain from providing support to entities or persons involved in terrorist acts, the obligation to deny them safe haven and asylum, and to prevent their territories and official documents from being used by those who plan, support, or commit terrorist acts, and to those who directly or indirectly provide or collect funds with the intention that they should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts, while holding responsible those who help, support, or protect the perpetrators, organizers, or sponsors of these acts.

Comment: Language taken from UN S/RES/1373 JC

17. The need to collaborate with one another to enhance channels of communication and intensify the exchange of information among competent authorities, in a manner consistent with their respective domestic legal and administrative systems, in order to facilitate the secure and rapid flow of information concerning all aspects of the prevention, punishment, and elimination of terrorism.