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**DECLARATION OF SAN CARLOS
ON HEMISPHERIC COOPERATION FOR
COMPREHENSIVE ACTION TO FIGHT TERRORISM**

(Adopted at the Fifth Plenary Session held on March 24, 2006)

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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 Sixth Regular Session, in Bogotá, Colombia, from March 22 to 24, 2006,

REAFFIRMING that terrorism in all its forms and manifestations, whatever its origin or motivation, has no justification whatsoever, affects the full enjoyment and exercise of human rights, and constitutes a grave threat to international peace and security, democratic institutions, and the values enshrined in the OAS Charter, the Inter-American Democratic Charter, and other regional and international instruments;

TAKING INTO ACCOUNT that the fight against terrorism takes place within a framework of respect for all the principles enshrined in the Charter of the United Nations and the Charter of the Organization of American States;

EMPHASIZING that, in accordance with OAS Permanent Council resolution CP/RES. 837 (1354/03), no democratic state can remain indifferent to the clear threat terrorism poses to democratic institutions and freedoms;

REAFFIRMING resolutions AG/RES. 2137 (XXXV-O/05) and AG/RES. 2146 (XXXV-O/05) of the General Assembly of the Organization of American States;

REITERATING their commitment to prevent, combat, and eliminate acts of terrorism and the financing of such acts through the broadest cooperation possible, in full compliance with their obligations under national and international law, including international human rights law, international humanitarian law, and international refugee law;

REAFFIRMING that the threat of terrorism is exacerbated by 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;^{1/}

1 The Bolivarian Republic of Venezuela cannot support the wording of the seventh preambular paragraph, which is geared toward pointing out a direct and permanent connection between terrorism and transnational organized crime, as that entails a repudiation of the norms of due process and the presumption of innocence—universally recognized principles in the area of human rights.

RECOGNIZING that the activities of transnational organized crime can be used by terrorist groups to finance and facilitate their criminal activities;

AFFIRMING that the fight against terrorism calls for the broadest possible levels of cooperation among the member states, as well as coordination among international and regional organizations to prevent, punish, and eliminate terrorism in all its aspects;

EMPHASIZING that it is important for the member states of the Organization of American States to sign, ratify, implement, and continue implementing, as appropriate, the Inter-American Convention against Terrorism, as well as pertinent regional and international conventions and protocols, including the 13 international conventions and protocols^{2/} and United Nations Security Council resolutions 1373 (2001) and 1624 (2004), in order to find, deny safe haven to, and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates, or attempts to participate in the financing, planning, preparation, or commission of terrorist acts or provides safe havens;

RECALLING that, in the Declaration of Port-of-Spain on Strengthening Cooperation on Strategies to Sustain and Advance the Hemispheric Fight against Terrorism, the member states expressed their intention to continue exploring new strategies for multilateral cooperation among them, in order to improve their capacity to promote and sustain the fight against terrorism and promote early detection capabilities and to prevent the transit, presence, and activities of terrorist organizations in the Hemisphere;

RECALLING ALSO that in the Declaration of Port-of-Spain the member states acknowledged the need to identify and fight emerging terrorist threats, regardless of their origin and motivation;

POINTING OUT that in the Declaration of Port-of-Spain the member states affirmed their commitment to intensify efforts to disrupt the capacity of terrorist networks to threaten the ability of individuals to travel and move safely between and recreate in member states, by strengthening the coordination and provision of technical assistance, when requested, in the establishment and implementation of and compliance with security standards and practices, including those related to tourist and recreational facilities;

INDICATING that in the Declaration of Port-of-Spain the member states recognized the need to evaluate the effectiveness of current counterterrorist policies and practices, including those related to border controls, transportation security, and terrorist financing, implemented at the national, subregional, and regional levels;

NOTING the importance of fostering collaboration between the CICTE Secretariat and pertinent international and regional agencies; and

2 See Appendix.

RECOGNIZING the need to strengthen the CICTE Secretariat and provide it with the necessary human and financial resources to ensure its institutional operations, continuity in its endeavors, and fulfillment of the programs and activities contained in the CICTE Work Plan,

DECLARE:

1. GENERAL PRINCIPLES

- a. Their most vehement condemnation of terrorism, in all its forms and manifestations, as they consider it criminal and unjustifiable under any circumstances, regardless of where and by whom it is committed, and because it constitutes a serious threat to international peace and security and to the democracy, stability, and prosperity of the countries of the region.
- b. Their conviction that the threat should be addressed with the full participation of the states through effective international, regional, and subregional cooperation.
- c. In a spirit of joint effort and cooperation, it is incumbent upon the member states to work together on preventing, combating, and fully and effectively eliminating terrorism, and to seek to enhance international cooperation in areas including extradition and mutual legal assistance.
- d. Their strongest affirmation to prevent the movement of terrorists or terrorist groups by effective border controls and controls on the issuance of identity papers and travel documents, and through measures for preventing the counterfeiting, forgery, or fraudulent use of identity papers and travel documents.
- e. The need to address terrorism through ongoing cooperation, with full respect for their obligations under international law, including international human rights law, international humanitarian law, and international refugee law.
- f. The commitment to address terrorism on the basis of the principles of the sovereign equality and territorial integrity of states.

2. INTERNATIONAL COOPERATION

- a. The urgent need to adopt measures to strengthen international cooperation mechanisms, especially at the hemispheric level, and the exchange of information, including financial intelligence information, in accordance with domestic law, in order to find, deny safe haven to, and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates, or attempts to participate in the financing, planning, preparation, or commission of terrorist acts or provides safe havens.

- b. The need for member states to prohibit their nationals or any person or entity within their territories from willfully providing, collecting, or making available funds, financial resources, or any other economic resources for the benefit of persons or groups that commit, attempt to commit, facilitate, or participate in the commission of terrorist acts, and to punish them for doing so.
- c. The need to consider developing and implementing legislation on new mechanisms that will allow the pursuit of bilateral and multilateral initiatives which contribute to the fight against terrorism, without prejudice to and in harmony with the development of hemispheric trade and safe transportation policy.
- d. The importance of preventing the movement of terrorists or terrorist groups through the territories of member states, or between member states and other states, by effective border controls and controls on the issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery, or fraudulent use of identity papers and travel documents.
- e. The urgent need to strengthen and render more effective the present hemispheric measures and mechanisms for cooperation to prevent, combat, and eliminate acts of terrorism, through periodic updating of those measures and better access to sources of technical and financial assistance for institution-building.
- f. The importance of ensuring that the strengthening of cooperation among OAS member states in the fight against terrorism does not hamper the capacity of states to grow and develop, enhance democratic governance, and promote trade and more extensive and stronger integration among states.

3. LEGISLATIVE MEASURES

- a. The need, in the context of fighting the financing of terrorism, for member states to strengthen their legislative measures against money laundering; illicit drug tracking; illicit trafficking in arms, ammunition, and explosives; kidnapping; and other manifestations of organized crime, and, in keeping with their domestic laws and applicable treaties, to facilitate international cooperation and legal assistance in order to detect, freeze, and confiscate the funds that finance terrorism.
- b. The need for member states, in implementing United Nations Security Council resolution 1373 (2001), to strengthen and modernize their legislative measures and international cooperation mechanisms with a view to freezing without delay funds and other financial assets or economic resources of any persons who commit, or attempt to commit, terrorist acts or who participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities.

- c. The need for member states to strengthen their legislative measures and international cooperation mechanisms, in accordance with applicable international law, with a view to preventing and combating the diverse manifestations of transnational organized crime and domestic crime and thus preventing the possibility of terrorist groups amassing or being able to amass capital to finance their operations with the proceeds of those criminal activities. In this regard, they reaffirm their commitment to participate actively in the work of the Special Committee on Transnational Organized Crime.
- d. The importance for member states to punish with appropriate and proportionate penalties any person or entity that intentionally provides, collects, or makes available funds, financial resources, or any other assistance to benefit persons or groups who commit, attempt to commit, facilitate, or participate in the commission of terrorist acts, and for member states to define such acts as specific and separate crimes.
- e. The importance of developing national legislation to preclude and prevent terrorists from finding safe haven in the territory of member states or using such territories as transit zones.
- f. The need for member states that have not yet done so to sign, ratify, or accede to and effectively implement the Inter-American Convention against Terrorism, as well as the 13 international conventions and protocols related to terrorism,^{3/} and resolutions of the United Nations Security Council, in particular resolutions 1267 (1999), 1373 (2001), 1540 (2004), 1566 (2004), 1617 (2005), and 1624 (2005).
- g. Their readiness to extend to each other the broadest and swiftest legal assistance possible, in accordance with Article 9 of the Inter-American Convention against Terrorism and applicable multilateral and bilateral agreements, to facilitate the prosecution and, if appropriate, and in accordance with domestic law of each state, the extradition of any person who supports, facilitates, participates, or attempts to participate in the financing, planning, preparation, or commission of terrorist acts or provides safe havens.
- h. The need for member states that have not yet done so, to consider signing, ratifying, or acceding to, as the case may be, and to effectively implement the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA).
- i. Their commitment to effectively implement the International Ship and Port Security (ISPS) Code, which is binding upon the contracting states of the International Maritime Organization (IMO), taking into account the vast resources that this calls for, so as to channel cooperation and technical assistance among member states to facilitate the implementation of these new international measures and strengthen their capacity to detect and deal with maritime security risks.

3. See Appendix.

- j. Their determination to comply effectively with Annex 17 of the 1944 Chicago Convention, “Safeguarding International Civil Aviation against Acts of Unlawful Interference,” of the International Civil Aviation Organization (ICAO), so as to channel cooperation and technical assistance among member states to facilitate the implementation of these new international measures and strengthen their capacity to detect and deal with aviation security risks.
- k. The need to cooperate on border transit control in keeping with the legal and administrative systems of member states, aimed at preventing, combating, and eliminating terrorist acts throughout the Hemisphere, without prejudice to applicable commitments in relation to the free movement of people, increased trade, economic integration, and development.
- l. The need for member states to implement the 40 plus 9 recommendations of the FATF on money laundering and financing of terrorism.

4. EMERGING THREATS

- a. Their commitment to identifying and fighting emerging terrorist threats, regardless of their origin, such as cybercrime and bioterrorism, threats to tourism security and critical infrastructure, as defined by each state, and the possibility of access to and possession, transportation, and use of weapons of mass destruction and related materials and their vectors in the hands of terrorists, and to developing and adopting cooperative programs.^{4/}
- b. Their renewed commitment to implementing resolution AG/RES. 2004 (XXXIV-O/04), “Adoption of a Comprehensive Inter-American Cybersecurity Strategy to Combat Threats to Cybersecurity: A Multidimensional and Multidisciplinary Approach to Creating a Culture of Cybersecurity,” and the need for member states to seek to strengthen their cybersecurity capacity, create a hemispheric network of Computer Security Incident Response Teams (CSIRTs), and consider designating, in accordance with their domestic legislation, a point of contact in those member states that have a Team, as recommended at the Second Cybersecurity Practitioners’ Workshop, held by CICTE, in Sao Paulo, Brazil, 2005.

4. The Bolivarian Republic of Venezuela does not support operative paragraph 4.a because no common definition is given of emerging threats and because it introduces elements that are not consistent with the realities of the Hemisphere and that are disproportionate with regard to one another, by their nature and according to the provisions of the Declaration on Security in the Americas.

- c. Their firm commitment to strengthening national and multilateral efforts to prevent, combat, and eliminate terrorist threats and attacks against financial, transportation, and telecommunications systems and attacks on critical infrastructure.
- d. Their commitment to initiate the development of security standards and practices related to tourism and recreational facilities in compliance with resolution AG/RES. 2137 (XXXV-O/05), through the implementation of a Pilot Project for the Security of Tourism and Recreational Facilities, involving six member states of the Caribbean in preparation for the Cricket World Cup 2007, and to hold a meeting of experts between July and September 2006 within the framework of the OAS, to evaluate the results of that Pilot Project and to make a diagnostic assessment of the realities and needs of this sector in the area of security as they relate to tourists and to tourism and recreational facilities in the Hemisphere
- e. Their commitment to implement resolution AG/RES. 2145 (XXXV-O/05), “Denying MANPADS to Terrorists: Control and Security of Man-Portable Air Defense Systems (MANPADS),” adopted by the OAS General Assembly at its thirty-fifth regular session, which is aimed at confronting the threat posed by terrorist acquisition of MANPADS, and at ensuring and maintaining effective physical security and management of MANPADS stockpiles to prevent the relocation, loss, theft, diversion, or unauthorized used of MANPADS.
- f. Their responsibility to implement United Nations Security Council resolution 1540 (2004), which seeks to prevent the possibility of access to, possession of, or use of materials and weapons of mass destruction and their means of transport by non-state agents.^{5/}

5. STRENGTHENING OF THE CICTE SECRETARIAT

- a. Their decision to recommend that the OAS Regular Fund contribute the necessary resources, subject to an evaluation by the Committee on Administrative and Budgetary Affairs, to provide the CICTE Secretariat with human and financial resources to ensure continuity in its endeavors and fulfillment of the programs and activities contained in the 2006-2007 Work Plan.

5. The Bolivarian Republic of Venezuela does not support operative paragraph 4.f as it considers that CICTE is not the appropriate forum to seriously address any of the topics contained in resolution 1540 of the United Nations, in view of its complexity, and because it firmly believes that CICTE's contribution should be aimed at promoting the spirit of the Treaty of Tlatelolco, which consolidated Latin America and the Caribbean as the first nuclear-weapon-free zone. This initiative would indeed help to combat and eradicate any nuclear threat in the Hemisphere.

- b. To reiterate the appeal to the member states, permanent observers, and pertinent international agencies that they provide, maintain, or increase, as appropriate, their voluntary financial and/or human resource contributions to CICTE, to facilitate the performance of its functions and promote the enhancement of its programs and the scope of its work.
- c. The need for the CICTE Secretariat to continue its programmatic work in coordination with other pertinent OAS organs, agencies, and entities, in particular, with the Inter-American Drug Abuse Control Commission, as appropriate, on the suppression of terrorist financing and on port security, so as to prevent the duplication of activities and optimize the programs carried out.

APPENDIX

**UNITED NATIONS CONVENTIONS DEPOSITED WITH THE SECRETARY-GENERAL
OF THE UNITED NATIONS**

- 1. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973**
- 2. International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979**
- 3. International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997**
- 4. International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1997.**
- 5. International Convention for the Suppression of Acts of Nuclear Terrorism
New York, 13 April 2005**

MULTILATERAL CONVENTIONS DEPOSITED WITH OTHER DEPOSITARIES

- 6. Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963. *(Deposited with the Secretary-General of the International Civil Aviation Organization)***
- 7. Convention for the Suppression of Unlawful Seizure of Aircraft, signed at the Hague on 16 December 1970. *(Deposited with the Governments of the Russian Federation, the United Kingdom and the United States of America)***
- 8. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971. *(Deposited with the Governments of the Russian Federation, the United Kingdom and the United States of America)***
- 9. Convention on the Physical Protection of Nuclear Material, signed at Vienna on 3 March 1980. *(Deposited with the Director-General of the International Atomic Energy Agency)***
- 10. Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988. *(Deposited with the Governments of the Russian Federation, the United Kingdom and the United States of America and with the Secretary-General of the International Civil Aviation Organization)***

11. **Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988.** *(Deposited with the Secretary-General of the International Maritime Organization)*
12. **Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988.** *(Deposited with the Secretary-General of the International Maritime Organization)*
13. **Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed at Montreal on 1 March 1991.** *(Deposited with the Secretary-General of the International Civil Aviation Organization)*