



**INTER-AMERICAN COMMITTEE AGAINST TERRORISM (CICTE)**

FIFTH REGULAR SESSION  
February 16-18, 2005  
Port-of-Spain, Trinidad and Tobago

OEA/Ser.L/X.2.5  
CICTE/doc.5/05 rev. 1  
17 February 2005  
Original: English

**WORK PLAN OF THE INTER-AMERICAN COMMITTEE AGAINST TERRORISM**

(Approved at the Third Plenary Session, held on February 17, 2005)



## WORK PLAN OF THE INTER-AMERICAN COMMITTEE AGAINST TERRORISM

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Member states shall commit to mutual cooperation, at the bilateral and multilateral levels, in jointly confronting terrorism, through coordinated action and the implementation of information and permanent active cooperation networks, to the extent of their capabilities and in keeping with their domestic law. Member states shall conduct these measures and this cooperation in a context of respect for the human rights of all persons traveling through the States, including migrant workers; nondiscrimination in the legitimate movement of persons between Member States; without prejudice to applicable international commitments in relation to the free movement of people and the facilitation of commerce; promoting subregional integration processes that are under way; and respect for the sovereignty of states.

In this context, Member States shall work towards the implementation of the following recommendations, in the framework of the Inter-American Convention against Terrorism.

### SECTION I. RECOMMENDATIONS OF CICTE TO THE MEMBER STATES

#### A. BORDER AND CUSTOMS CONTROL MEASURES

##### A.1. Border Control Measures

- Member states shall develop mechanisms, at the bilateral and multilateral levels, and in keeping with their domestic legal and administrative systems, for coordination and collaboration by their border security and control authorities to facilitate the flow of information that will allow for the identification and detention of any person in respect of whom there are serious reasons for considering that he or she has committed an offense established in the international instruments listed in Article 2 of the abovementioned Convention.
- Member states shall establish, where possible, early warning and intelligence-sharing systems so as to monitor and prevent the movements of terrorists, prevent their transit, and detain them.
- Member states shall carefully examine their practices at and between all points of entry into their territories with a view to improving vigilance and control, and preventing the passage of terrorists.
- Member states shall strive to cooperate on developing, to the extent possible, linked migration database systems that will help improve border security without impinging upon legitimate migration flows.
- Member states shall seek to promote ordinary and technical training for border and migration control officers. To that end, action will be taken to promote close cooperation among Member States in providing technical support and training to

those who need it, so as to attain minimum standards and share best practices for the training and qualification of border and migration control personnel.

A.2. Quality of Identification and Travel Documents

- Member states shall coordinate measures to improve security in the issuance of identification and travel documents and in the quality of such documents. They shall also cooperate, as appropriate, in developing or sharing measures to prevent the duplication, falsification, or fraudulent use of identification and travel documents.
- Member states shall seek to exchange information, in keeping with their domestic law, to be used in determining:
  - a. Whether persons who cross or attempt to cross their borders do so with fraudulent travel documents;
  - b. The types of fraudulent travel documents used to cross borders, or whose use for such purpose is attempted;
  - c. The means employed by criminal organizations to obtain, manufacture or alter identification or travel documents that are used illegally.
- Member states shall seek to improve the quality of their national identification and travel documents and similar documents (birth certificates, marriage certificates, driver's licenses, military service cards, etc.) to meet minimum international security standards aimed at making them difficult to duplicate or falsify, or obtain fraudulently.

A.3. Customs Control Measures

- Member states shall work to improve border control at their borders, including seaports, river ports, lake ports, airports, and border crossings.
- Member states shall seek to improve their customs control systems, as necessary, to prevent international trafficking in arms, explosives, and hazardous materials without documentation proving their lawful origin and use.
- Member states shall promote ordinary and technical training for customs control officers. To that end, Member States shall cooperate closely in providing technological support and training for those who need it, to establish common standards for the common objective of gradually harmonizing the training and qualifications of border or customs personnel.
- Member states shall encourage bilateral and multilateral meetings of their customs and border control institutions and agencies.
- Member states shall work to strengthen customs communication networks and the development of a global integrated electronic customs network that will enable customs authorities to better enforce control laws without affecting the flow of commerce.

- Member states shall seek to improve their measures to detect and monitor movements across borders of cash, bearer negotiable instruments, and other appropriate movements of value.

A.4. Cooperation Mechanisms

- Member states shall step up the sharing of operational information on actions or movements of terrorists or their networks; on fraudulent documents; on the best approaches employed in fighting terrorism; and on illegal trafficking in arms, explosives, and hazardous materials.
- Member states shall provide or exchange, in a timely manner, and where possible, in electronic format, updated information on domestic laws and regulations adopted in the area of border and customs control.
- Member states shall cooperate in establishing and implementing minimum standards and best practices on border control procedures and policies.
- Member states shall establish measures designed to prevent unlawful trafficking in firearms, ammunition, explosives, and other related materials and they shall assess control measures to prevent production of them.
- Member states are urged to sign, ratify, and implement as expeditiously as possible the United Nations Convention against Transnational Organized Crime (TOC), its Supplementary Protocol against the Smuggling of Migrants by Land, Sea and Air, and its other protocols, the provisions of which address, among other matters, illegal immigrants and arms trafficking.

B. MEASURES TO PREVENT, CONTROL, AND PENALIZE MONEY LAUNDERING AND THE FINANCING OF TERRORISM

B.1. Legal frameworks

*Update and adapt national legal frameworks with respect to existing international instruments and adapt their institutional structure to fully apply the standards adopted:*

- The States that have not yet done so should include money-laundering as an offense in their domestic legal systems, and define it as the laundering of proceeds from any illicit activity, including terrorism.
- The States that have not yet done so should define the offense of financing terrorism broadly, in accordance with international instruments, especially the International Convention for the Suppression of the Financing of Terrorism of 1999. The States may also take into account the recommendations on this subject contained in CICAD's Model Regulations concerning Laundering Offenses connected to Illicit Drug Trafficking and Other Serious Offenses.

- Considering that terrorist organizations and activities can be financed with legal resources, such as donations or contributions from persons or organizations, Member States should define the crime of financing of terrorism, terrorist groups, and terrorist activities in accordance with the provisions of existing international instruments.
- Member states should encourage non-profit and charitable organizations operating within their borders to adopt the voluntary guidelines on best practices in the administration of charities developed by the Financial Action Task Force (FATF).
- States that are currently updating their money laundering laws and already have projects to that end should seek to have the definition of the offense include terrorism and the financing of terrorism. To that end, the States may also take into account the recommendations on this subject contained in CICAD's Model Regulations concerning Laundering Offenses connected to Illicit Drug Trafficking and Other Serious Offenses.
- The countries should try to extend mandatory control systems for banking entities in each country to non-banking financial institutions and other economic activities, such as those listed in the CICAD Model Regulations and the FATF 40 Recommendations.<sup>1/</sup>
- Within their legal frameworks, Member States should provide for the creation and application of standards that authorize the lifting of bank, exchange, and tax confidentiality to enable their competent authorities and national oversight agencies to access information on clients and transactions.
- CICTE, recognizing the cooperative efforts of the CICAD Group of Experts on Money Laundering in revising the CICAD Model Regulations to include terrorist financing and associated offenses, encourages Member States to quickly adopt these regulations into their national legal framework. CICTE in partnership with CICAD, CFATF, GAFISUD FATF, and the international financial institutions is ready to provide technical assistance at the request of Member States.
- States in the Hemisphere should incorporate into their regulatory frameworks all the provisions in the CICAD Model Regulations Concerning Money-Laundering Offenses Connected to Illicit Drug Trafficking and other Serious Offenses, which is an instrument that contains and elaborates on money-laundering prevention, control, and suppression provisions and provisions on the financing of terrorism from different existing instruments.
- All Member States should adopt, within their laws, the revised forty (40) recommendations of the FATF and its nine (9) special recommendations on the financing of terrorism.

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1. The Revised Forty Recommendations extended the applicability to non-banking sectors of the economy in 2003.

B.2. International instruments

- In order to have an adequate legislative framework to fight terrorism and prevent its financing, the Member States should adopt and fully implement international conventions relating to terrorism, especially the 1999 International Convention for the Suppression of the Financing of Terrorism.<sup>2/</sup>
- Member States should adopt the international instruments related directly or indirectly to terrorism, such as the UN Convention against Transnational Organized Crime, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials (CIFTA), and the Inter-American Convention on Mutual Assistance in Criminal Matters.
- Member States that have not yet already done so should ratify the Inter-American Convention against Terrorism and adopt legislation and administrative practices to bring it into force.

B.3. National, sub-regional, and international cooperation

*Decisive elements in cooperation to ensure an adequate flow of information at the national and international level:*

- Member States should ratify and adopt existing international conventions and fully enforce the judicial cooperation instruments provided for therein, particularly facilitating extradition for the offense of financing terrorist activities and/or organizations, use of special investigative techniques such as controlled delivery, and, when appropriate, conducting joint investigations.
- To facilitate information sharing, the States should establish which central authorities are responsible for sending assistance and cooperation requests and replies, as well as direct communication mechanisms among authorities nationally, bilaterally, and internationally.
- In compliance with the provisions contained in the different international instruments regarding money laundering and the financing of terrorism to which the States are party, the States should strengthen measures aimed at the freezing and forfeiture of terrorist funds and at lending the broadest possible cooperation in this area to States, at their request.
- The States should adopt regulations aimed at promoting cooperation and information sharing between the public and private sectors, especially between financial institutions and control authorities, with respect to individuals, entities, and organizations that could be related to money laundering activities and financing of terrorist groups and/or activities.

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2. Operative paragraph 7 of the resolution, “Strengthening Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism,” adopted at the Twenty-third Meeting of Consultation of Ministers of Foreign Affairs, held on September 21, 2001.

- The States should promote the adoption of inter-institutional agreements that allow for the flow of information among the different administrative and control entities, including the creation of inter-institutional and inter-disciplinary committees to design counter-terrorism policies and actions.
- Pursuant to the mandate of the Third Summit of the Americas, States that have not yet done so should create financial intelligence units, as soon as possible, with sufficient authority to access any public or private information that could be used in cases involving money laundering or financing of terrorist organizations and/or activities. They should also have the authority to exchange information with counterpart units throughout the world, following the EGMONT Group guidelines.

#### *Exchange of information*

- A database on national authorities, manuals of procedure for requesting assistance, and directories of national laws should be created at the hemispheric level.
- CICTE in cooperation with other interested units of the OAS should maximize the use of the secure information sharing capabilities provided by the Groove software initiative to be deployed throughout the Organization. Use of collaborative technologies provides a means of leveraging the activities of individual states and distant partners.

### C. TRANSPORTATION AND CYBER SECURITY

The Member States shall provide each other, where appropriate, cooperation and training in order to:

- Strengthen airport security to help to ensure that they meet the requirements of the Chicago Convention on International Civil Aviation and its annexes and International Civil Aviation Organization (ICAO) recommendations; and
- Comply with the security standards prepared by the Conference of Contracting Governments of the International Convention for the Safety of Life at Sea (SOLAS) of the International Maritime Organization (IMO), and the International Ship and Port Facility Security Code (ISPS Code).
- Observe newly emerging international standards on the security of travel documents.

#### C.1. Aviation security measures

Strengthening the security of regional airports is a critical element in restoring passenger confidence in commercial air transport. Member states must consider the best way to apply their resources and make adequate preparations to comply with the Chicago Convention on International Civil Aviation and its Annexes and with the recommendations of ICAO.

- Member states shall endeavor to comply with the security standards and practices set out in the Chicago Convention, in particular its Annex 17. Member states shall promote assistance to improve aviation security in order to foster effective

implementation of the security rules and practices stipulated in that Convention, particularly in adopting measures to ensure the screening of all hold baggage by January 1, 2006.

- Member states shall make known, via the CICTE Secretariat, appropriate technical assistance opportunities available to other Member States.

## C2. Maritime Security Measures

The International Maritime Organization (IMO) agreed to the development of new measures relating to the security of ships and port facilities. The most far-reaching of the new measures, among others, is the ISPS Code that entered into force in July 2004. The purpose of the Code is to provide a standardized, consistent framework for evaluating risk, enabling governments to offset changes in threat with changes in levels of readiness for ships and port facilities.

- Member states shall endeavor to meet the security standards developed by the Conference of Contracting Governments to the IMO SOLAS Convention and, in particular, effective implementation of the ISPS Code.
- Member states shall promote technical assistance for port security staff and managers. To that end, Member States shall make known, via the CICTE Secretariat, appropriate training opportunities available to other Member States.

## C3. Cyber Security Measures

Pursuant to General Assembly Resolution AG/RES. 1939 (XXXIII-O/03), CICTE, together with the Committee on Hemispheric Security, CITEI and the Group of Governmental Experts on Cyber-Crime of the Meeting of Ministers of Justice or Ministers or Attorneys General of the Americas (REMJA), contributed to the development of an integral hemispheric cyber-security strategy. This Strategy, adopted by the General Assembly through its resolution AG/RES. 2004 (XXXIV-O/04), requires close collaboration among the Member State governments, national cybersecurity experts and with the private sector. In that resolution, the General Assembly urges Member States to establish or identify national "alert, watch, and warning" groups, also known as "Computer Security Incident Response Teams" (CSIRTs).

As its contribution, CICTE, together with Member States and national experts, has elaborated a plan to develop and implement a hemispheric watch and warning network to report imminent cyber attacks and intrusions, and to provide information regarding remediation of vulnerabilities in those networked systems upon which national critical infrastructures rely.

To this end, the CICTE Secretariat will consult with Member States, that so request, as to their needs, capacities and interests. This consultation will be designed to assist Member States in the identification of critical networked information systems and in the conduct of vulnerability analyses with the aim of determining how to best focus activities and resources.

## SECTION II. PROGRAM ACTIVITIES OF THE MEMBER STATES AND THE CICTE SECRETARIAT

### A. MEMBER STATES AND SECRETARIAT

#### A.1 Cooperation Activities

In moving forward with its Work Plan and activities in the area of cooperation, CICTE will maintain permanent coordination with the pertinent entities of the inter-American system and other organizations. This will prevent a duplication of efforts and will maximize cooperation activities. To that end, it will take into account, as may be pertinent, the provisions of paragraphs 43 and 45 of the Declaration on Security in the Americas.

Cooperation activities shall be directed toward prevention, training, and the sharing of experiences and shall take into account, *inter alia*, the activities arising from the Inter-American Convention for the Prevention and Elimination of Terrorism.

Adaptation of the structure of CICTE should reflect a policy of coordination and strategic cooperation with these organizations.

CICTE and the CICTE Secretariat, in consultation with Member States, shall maintain formal relationships with the appropriate international organizations cooperating in the fight against terrorism. This shall include but not be limited to the United Nations, other regional multilateral organizations, the FATF and its regional affiliates, and others as deemed appropriate by the CICTE Secretariat in consultation with the Member States.

#### A.2 Directory of competent authorities

Member states shall send the CICTE Secretariat the information needed to present a current directory of competent authorities. This information should be updated on a quarterly basis by the Member States and distributed by the Secretariat.

#### A.3 Directory of competencies

Member states shall develop a directory of “specialized knowledge” containing information in such areas as the prevention, combating, and elimination of terrorism in the Hemisphere. This information shall be forwarded to the CICTE Secretariat for inclusion in the appropriate databases and for distribution to other Member States.

This directory shall serve to coordinate actions against terrorism in a timely and dynamic manner. The information should therefore be stored in a database file managed and maintained by the CICTE Secretariat.

The Secretariat shall maintain a directory of hemispheric experts in the following categories:

- Financial controls;
- Border controls;
- Domestic legislation;
- Law enforcement;

- Emerging threats;
- Illicit arms trafficking control: in coordination with the Consultative Committee of CIFTA;
- Control of biological and chemical weapons and of the illicit use of radioactive materials;
- Drug trafficking control: in coordination with CICAD;
- Cyber security
- Port security
- Airport security
- Other related areas;
- Academic community and specialized research centers.

#### A.4 Inter-American Data Exchange Network to Prevent, Combat and Eliminate Terrorism

CICTE has created an inter-American data exchange network based on specialized, encrypted software for use by competent authorities and specialized experts, and distributed it to National Points of Contact. Member states now need to consider ways to effectively use this network for information exchange in areas related to counter-terrorism, on the understanding that each state reserves the right to withhold confidential or restricted information in accordance with domestic laws or applicable bilateral agreements.

### B. CICTE SECRETARIAT

The CICTE Secretariat shall attach priority to the following activities designed to implement the recommendations adopted by CICTE:

#### B.1 Information gathering

- Directories of competent authorities and directory of competencies
- Compilation of legislation, treaties, conventions and agreements
- Develop a best practices data base
- Collection of data that Member States may present on antiterrorist policies followed by Member States.
- Information on training and technical assistance requirements and offers that Member States may present.

#### B.2 Development and maintenance of a data exchange network and a database

- Maintenance of a database containing directories, national legislation, treaties, etc.
- Posting of articles and reference materials on the CICTE web page, with a link to the REMJA electronic database on Mutual Legal Assistance in Criminal Matters and Extradition.
- Developing information on best practices in preventing, combating, and eliminating terrorism on the CICTE web page.

B.3 Program development, training, and technical assistance

- Development and implementation of specific work plan activities, including those concerning border and financial controls
- Design, organization, and implementation of training and technical assistance programs, in keeping with the priorities established in this work plan, particularly the recommendations on financial and border control of the Second Regular Session of CICTE
- Assist Member States that so request to formulate laws consistent with existing international instruments, in the area of the prevention, punishment, and elimination of terrorist financing
- Follow-up on and contribute to CICAD activities to promote application of the CICAD Model Regulations Concerning Laundering Offences Connected to Illicit Drug Trafficking and Related Offences and, in cooperation with CICAD, the CFTAF, GAFISUD, and the FATF, provide Member States that so request with technical assistance in adopting the recommendations of the Model Regulations on controlling terrorist financing
- Continue to participate in the activities of the CICAD Group of Experts on Money Laundering, in particular regarding consideration of the topic of the forfeiture of property and strengthening of international cooperation in this area
- Technical assistance to Member States based on their needs and requirements, particularly in the development of counter-terrorism legislation.
- Identification and development of program options related to emerging threats
- Identify and provide Member States with technical assistance designed to help them meet the new ICAO standards for airport security and new IMO standards for port security
- Provide technical assistance to Member States on security-related aviation improvements
- Provide guidance for Member States on possible means of financing the introduction of airport security improvements and training of the corresponding staff
- Work closely with the CICAD Group of Experts on Maritime Narcotrafficking in formulating recommendations for enhanced maritime and port controls
- Inclusion of aviation and maritime security experts in the on-line data-base

B.4 Training and Technical Assistance

*Bearing in mind that the aim is for existing control mechanisms to be extended to cover transactions related to the financing of terrorist activities and organizations, it would be necessary to reconfigure training programs for public and private officials on monitoring, preventing, and controlling money laundering operations, so that law enforcement officials recognize the particular features of terrorism financing activities.*

In cooperation with the Inter-American Development Bank and other international cooperation agencies, the CICTE Secretariat shall develop training and assistance programs that are aimed at:

- Training the officials responsible for enforcing controls and for the analysis, investigation, and criminalization of the offense. The training must be directed at the

agencies involved in preventing and suppressing terrorism, especially the training of judges, and geared towards the use of working tools that make it possible to act more efficiently and rapidly.

- Assisting States in designing and adopting manuals of procedure for preventing, detecting, and controlling activities aimed at financing terrorist activities and/or organizations.
- Teaching different economic sectors how to detect suspicious and unusual transactions related to terrorist activities and to prevent in-payment of illicit monies.
- Exchanging positive experience acquired in controlling and suppressing money laundering and the financing of terrorist activities and/or organizations.
- Strengthening technical cooperation and the transfer of technology among States to give different entities the most appropriate tools for implementing the activities of each entity involved in the fight against the financing of terrorist activities and/or organizations. The States could access tools, such as geo-referencing, statistical analysis, and identifying ties, that make it possible to more quickly and effectively pinpoint the occurrence of specific events related to money laundering activities and the financing of terrorist activities and/or organizations.

#### B.5 Coordination of policies

- Advocacy activities (ratification of treaties, development of domestic legislation, etc.)
- Monitoring of international activities and policy development on counter-terrorism in the various international entities (UN, OAS, subregions, etc.)
- Coordination activities with other organizations (G8, INTERPOL, CICAD, IDB, CITEL, CIFTA, IACD, CIDI, CIP, CHS, and others), taking into account as may be pertinent, the provisions of paragraphs 43 and 45 of the Declaration on Security in the Americas
- Support for and follow-up of the CICTE mandates and application of its decisions where appropriate.
- Periodic consultations between Member States and the CICTE Secretariat to chart progress, identify new circumstances/requirements, and highlight implementation priorities.

#### B.6 Data Bank

CICTE shall maintain and expand the inter-American data bank on terrorism, with due consideration for security and confidentiality. It will be linked to the OAS Web site so that the data may be made available immediately. It could include national antiterrorist legislation, model laws, legislative guides, texts of bilateral and multilateral treaties, published articles, and resolutions issued by the UN, the OAS, and other organizations.

B.7 Inter-American Data Base of Best Practices to Prevent, Combat, and Eliminate Terrorism

CICTE will cooperate and coordinate activities with other organs, agencies, and entities involved in identifying and analyzing best practices aimed at preventing, combating, and eliminating terrorism in the Hemisphere.

This cooperation and coordination activity must be comprehensive and multilateral in its approach, and geared to the preparation of an Inter-American Counter-terrorism Best Practices, data base which takes into account applicable national and international security measures and other illicit transnational activities related to terrorism.

B.8. Document security

The CICTE Secretariat, in cooperation with the Member States and appropriate international and regional organizations, will develop programs to identify and share best practices in the area of document security. Emerging requirements for biometric identifiers and enhanced security of travel documents require development of targeted technical assistance projects.

B.9. Inter-agency cooperation

In the course of developing and executing technical assistance and training programs, the CICTE Secretariat and the Member States noted the need for effective inter-agency and intra-governmental coordination. The CICTE Secretariat will continue to use available resources and programs to assist Member States in identifying best practices and developing effective inter-agency organizations.

### SECTION III. INTER-AMERICAN CONVENTION AGAINST TERRORISM

As the specialized organ on terrorism, CICTE will cooperate with the States Party to the Inter-American Convention against Terrorism in order to promote its ratification by other states and implementation and achieve its objectives and goals, according to the terms established under that Convention.

The CICTE Secretariat will remain advised on the current status of the Convention and will assist Member States, as requested, in locating, accessing and exploiting international assistance for implementation and adoption of the Convention.

### SECTION IV. PRINCIPLES FOR IMPLEMENTING THE WORK PLAN

In implementing this Work Plan, Member States shall ensure that the measures adopted in the fight against terrorism, including those developed by the CICTE Secretariat, must take place with full respect for the personality, sovereignty and independence of Member States, as well as for the rule of law, human rights and fundamental freedoms, in compliance with their obligations under international law, in particular, international human rights, refugee and humanitarian law.

The Member States shall also bear in mind the Declaration of San Salvador on Strengthening Cooperation in the Fight Against Terrorism, adopted at the Third Regular Session of CICTE, held in San Salvador, El Salvador (2003); the Declaration of Montevideo, adopted at the Fourth Regular Session of CICTE, held in Montevideo, Uruguay (2004); and the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City, Mexico (2003).