

OEA/Ser.P
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HEMISPHERIC COOPERATION TO PREVENT,
COMBAT, AND ELIMINATE TERRORISM

(Adopted at the first plenary session, held on June 7, 1999,
and pending review by the Style Committee)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on hemispheric cooperation to prevent, combat, and eliminate terrorism (CP/CAJP-1528/99 rev. 1), presented pursuant to resolution AG/RES. 1553 (XXVIII-O/98);

BEARING IN MIND the Declaration and the Plan of Action on Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism, adopted in Lima at the Inter-American Specialized Conference on Terrorism in 1996;

BEARING IN MIND ALSO that, in the Plan of Action adopted at the Second Summit of the Americas, held in Santiago, Chile, the heads of state and government agreed to convene, within the framework the Organization of American States, the Second Inter-American Specialized Conference on Terrorism, to evaluate progress made and define future courses of action to prevent, combat, and eliminate terrorism; and

CONSIDERING:

That the General Assembly, at its twenty-eighth regular session, in resolution AG/RES. 1553 (XXVIII-O/98), "Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism," instructed the Permanent Council to carry out the preparatory work for the Second Inter-American Specialized Conference on Terrorism, with a view to its convocation;

That the Second Inter-American Specialized Conference on Terrorism was held in Mar del Plata, Argentina, on November 23 and 24, 1998;

That, at that conference, the member states of the Organization of American States adopted the Commitment of Mar del Plata, through which they decided to recommend to the General Assembly, at its twenty-ninth regular session, that it, *inter alia*, "establish an appropriate institutional framework, in keeping with the Charter of the Organization of American States"; and

That the Government of the United States has offered to host a meeting to constitute the “appropriate institutional framework” referred to in the previous paragraph,

RESOLVES:

1. To endorse the decisions and recommendations contained in the Commitment of Mar del Plata and its three Appendices adopted by the Second Inter-American Specialized Conference on Terrorism, held in Mar del Plata, Argentina on November 23 and 24, 1998.

2. To reiterate the relevance and importance of the Declaration and the Plan of Action on Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism, adopted in Lima, in 1996, at the Inter-American Specialized Conference on Terrorism.

3. To establish, taking into account the sovereignty of states and the principle of nonintervention, the Inter-American Committee against Terrorism (CICTE), composed of the competent national authorities of the OAS member states, the purpose of which shall be to develop cooperation to prevent, combat, and eliminate terrorist acts and activities.

4. To instruct the General Secretariat, within its sphere of competence, to appoint an “instance” to provide technical and administrative support for CICTE activities, in keeping with resources allocated in the OAS program-budget and other resources; and, in order to comply effectively with that instruction, to take into account any recommendations that CICTE might make at its first session, as well as the progress made in the process of modernization and strengthening of the OAS pursuant to resolution AG/RES. 1603 (XXVIII-O/98).

5. To approve the CICTE Statute, which is attached to this resolution as an appendix.

6. To instruct the General Secretariat to collaborate with CICTE in preparing its Rules of Procedure, which are to be adopted by CICTE itself.

7. To request the Permanent Council to make the necessary arrangements for a meeting to establish CICTE to be held in the second half of 1999, in keeping with resources allocated in the program-budget and other resources.

8. To thank the Government of the United States for its kind offer to host the meeting to establish CICTE, to be held in Miami, Florida, in the second half of 1999, at a date to be determined by the Permanent Council; and to accept that offer.

9. To instruct the Permanent Council to study and adopt suitable funding mechanisms, in particular the establishment of a specific fund for implementing programs and activities approved within the CICTE framework.

10. To urge member states to make every effort to provide the Organization with sufficient funds to carry out the joint programs and activities approved by CICTE.

11. To instruct the General Secretariat to take the necessary steps to obtain from outside sources, including the permanent observers to the OAS and other states and financial institutions, in particular the Inter-American Development Bank (IDB), the supplementary funds needed to ensure the success of the actions taken to combat terrorism within the CICTE framework.

12. To recommend to the Permanent Council, in preparing its observations and recommendations to the General Assembly on the report of CICTE, in accordance with Article 91.f of the Charter, to refer to the required coordination of CICTE activities with those of the other OAS bodies.

13. To urge member states that have not yet done so to pay prompt and special attention to signing, ratifying, and/or acceding to, as the case may be and in accordance with their domestic legislation, the international conventions related to terrorism referred to in United Nations General Assembly resolution 51/210 and the International Convention for the Suppression of Terrorist Bombings, open for signature since January 12, 1998, at United Nations headquarters.

14. To instruct the Permanent Council to continue to examine the necessity and advisability of an inter-American convention on terrorism in the light of existing international instruments.

15. To request the Permanent Council to report to the General Assembly at its thirtieth regular session on the implementation of this resolution.

DRAFT STATUTE OF THE INTER-AMERICAN COMMITTEE
ON TERRORISM (CICTE)

Chapter I
NATURE, PRINCIPLES, AND PURPOSES

Article 1

The Inter-American Committee on Terrorism (hereinafter “CICTE” or “the Committee”) is an entity of the Organization of American States (hereinafter “OAS” or “the Organization”) established by the OAS General Assembly in conformity with Article 53 of the Charter of the Organization, for the purpose of promoting cooperation to prevent, combat, and eliminate terrorist acts and activities.

CICTE enjoys technical autonomy in the exercise of its functions, within the limits set by the Charter of the Organization, its own Statute and Rules of Procedure, and the mandates conferred on it by the General Assembly.

Article 2

CICTE shall be governed in its activities by the pertinent rules of the Organization, this Statute and its Rules of Procedure, decisions of the General Assembly, and its own decisions.

Chapter II
COMPOSITION

Article 3

The Committee shall be composed of the competent national authorities of all member states of the OAS.

Article 4

Each of the member states of the Organization shall appoint a principal representative and such alternate representatives and advisers as it deems appropriate.

Article 5

The member states of the Organization shall inform the Secretary General of the OAS of the appointments referred to in Article 4 of this Statute and of any change in the composition of their representation.

Article 6

The Committee shall establish rules for the participation of permanent observers to the Organization in its activities.

Chapter III
THE SECRETARIAT

Article 7

The General Secretariat shall provide support to the Committee.

The Secretary General shall appoint an “instance” to provide technical and administrative support to the Committee in its activities, in keeping with allocated resources approved in the program-budget of the Organization and other resources. Additional technical and administrative support within this “instance” may be provided on a voluntary basis by member states or other sources in accordance with Article 12 of this Statute.

Within two years of the entry into force of this Statute, the Permanent Council, at the request of CICTE, shall review the nature of the technical and administrative support needed by the Committee to carry out its work.

Article 8

The General Secretariat shall:

- a. Serve as secretariat during sessions of the Committee;
- b. Cooperate in preparing the reports that the Committee is to present to the General Assembly through the Permanent Council, and in any tasks that the Committee entrusts to it; and
- c. Transmit decisions of the Committee to the governments of the member states of the Organization through their permanent missions.

Chapter IV
QUORUM AND VOTING

Article 9

A majority of the member states of the Committee shall constitute a quorum.

Article 10

Each member state of the Committee shall have the right to one vote. The Committee shall do its utmost to reach its decisions by consensus. In the absence of a consensus, the Committee shall take decisions by the vote of a simple majority of the member states present, except when a two-thirds vote is specifically required.

Chapter V

BUDGET AND FINANCES

Article 11

The Organization, within its approved program-budget, shall cover the secretariat costs of the Committee. Within allocated resources approved in the program-budget, the Organization shall provide secretariat support to the annual meeting of the Committee based on the costs of staging this meeting in OAS facilities in Washington, D.C. Any incremental costs generated by staging the meeting outside Washington, D.C., would be borne by the host country.

Article 12

Activities approved by the Committee for execution by the General Secretariat should primarily be funded by specific contributions from member states of the Organization, as well as from other states and international intergovernmental organizations through such appropriate mechanisms as the establishment of specific and trust funds that may be required pursuant to Articles 68 and 69 of the General Standards to Govern the Operations of the General Secretariat.

Article 13

Each member state shall be responsible for the costs of participation of its delegation at CICTE meetings.

Chapter VI FUNCTIONS

Article 14

CICTE shall perform its functions pursuant to Article 91(f) of the Charter.

CICTE shall conduct its work on the basis of international conventions on this matter; the principles and objectives of the Declaration of Lima to Prevent, Combat, and Eliminate Terrorism (hereinafter the "Declaration of Lima") and the Plan of Action of Lima on Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism (hereinafter the "Plan of Action of Lima"); and the Commitment of Mar del Plata.

Article 15

The Committee shall have the following functions:

- a. To promote the development of inter-American cooperation to prevent, combat, and eliminate terrorism;
- b. To establish a framework for technical cooperation that takes into account the suggested guidelines set forth in Appendices I, II, and III to the Commitment of Mar del Plata;

- c. To encourage, develop, coordinate, and assess the application of the Declaration and Plan of Action of Lima, the recommendations of the Meeting of Government Experts to Examine Ways to Improve the Exchange of Information and Other Measures for Cooperation among Member States to Prevent, Combat, and Eliminate Terrorism, held at the headquarters of the Organization in May 1997, and the recommendations contained in the Commitment of Mar del Plata;
- d. To provide assistance to member states requesting it, in order to prevent, combat, and eliminate terrorism, while promoting, in accordance with the domestic laws of the member states, the exchange of experiences and information on the activities of persons, groups, organizations, and movements linked to terrorist acts as well as with the methods, sources of finance and entities directly or indirectly protecting or supporting them, and their possible links to other crimes;
- e. To consider proposals on ways and means such as the “Directory of Competences for the Prevention, Combating, and Elimination of Terrorism,” and the “Inter-American Database on Terrorism,” proposed at the Meeting of Government Experts to Examine Ways to Improve the Exchange of Information and Other Measures for Cooperation among Member States to Prevent, Combat, and Eliminate Terrorism, held at OAS headquarters in May 1997;
- f. To coordinate its work with that of the Consultative Committee established by the Inter-American Convention against the Illicit Production of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, adopted at OAS headquarters on November 14, 1997, with a view to ensuring an adequate exchange of information on the issue of illicit trafficking in arms, munitions, explosives, materials, or technology capable of being used to perpetrate terrorist acts or activities;
- g. To establish mechanisms of coordination with other competent international entities in the matter, with the concurrence of the competent authorities;
- h. To present to the General Assembly an annual report through the Permanent Council and such special reports as it may deem appropriate; and
- i. To carry out the mandates of the General Assembly.

Chapter VII **HEADQUARTERS AND MEETINGS**

Article 16

The headquarters of the Committee shall be that of the General Secretariat of the Organization.

Any member state of the Organization may invite the Committee to meet in its territory. The Committee shall decide whether to accept invitations to meet away from headquarters, and the host country shall bear any additional costs arising from meeting away from headquarters.

Article 17

CICTE shall hold at least one annual session.

Chapter VIII CHAIR AND VICE CHAIR

Article 18

The Committee shall have a chair and a vice chair, elected from among the member states. The corresponding duties shall be performed by the principal representatives of the member states so elected.

Elections to these posts shall be held at each annual session of the Committee. The chair and the vice chair shall exercise their mandate until the next session of CICTE.

Article 19

The chair and the vice chair shall be elected by the vote of a majority of CICTE member states present. If the voting does not produce a majority and it is necessary to take more than one ballot, those candidates receiving the least number of votes in each ballot shall be eliminated until one of the remaining candidates obtains a majority.

The ballot shall be secret.

Article 20

The Chair shall perform his or her functions in accordance with the Committee's Rules of Procedure.

Article 21

In case of the absence, incapacity, or resignation of the chair, the duties of the chair shall be assumed by the vice chair.

If the respective national authorities for any reason decide to replace their principal representative while that person is serving as chair or vice chair of the Committee, the newly appointed official shall occupy the position until the end of the respective mandate.

If the member state serving as chair or vice chair resigns, the Committee may hold a special election to fill the position so vacated.

Article 22

The chair may delegate to the vice chair such functions as it deems appropriate, as stipulated in the Rules of Procedure.

Chapter IX STATUTE AND RULES OF PROCEDURE

Article 23

This Statute, when approved by the General Assembly, may be amended only by that body.

Article 24

The Committee may propose amendments to this Statute to the General Assembly.

Article 25

The Committee shall approve and amend its Rules of Procedure in conformity with this Statute, and shall so notify the General Assembly in its annual report.

Article 26

This Statute shall enter into force on the date of its adoption by the General Assembly.

Chapter X
TRANSITIONAL PROVISIONS

Article 27

The General Assembly shall convene the first session of CICTE.

Article 28

During its first session, CICTE shall consider its work schedule, which shall be guided by the following work proposals:

- a. To create an inter-American network for gathering and transmitting data via the competent national authorities, designed to exchange information and experiences with the activities of persons, groups, organizations, and movements linked to terrorist acts as well as with the methods, sources of finance and entities directly or indirectly protecting or supporting them, and their possible links to other crimes, including the creation of an inter-American database on terrorism issues that will be at the disposal of member states;
- b. To compile the legal and regulatory norms on preventing, combating, and eliminating terrorism in force in member states;
- c. To compile the bilateral, subregional, regional, or multilateral treaties and agreements signed by member states to prevent, combat, and eliminate terrorism;
- d. To study the appropriate mechanisms to ensure more effective application of international legal norms on the subject, especially the norms and provisions contemplated in the conventions against terrorism in force between states parties to those conventions;

- e. To formulate proposals designed to provide assistance to states requesting it in drafting national antiterrorist laws;
- f. To devise mechanisms for cooperation in detecting forged identity documents;
- g. To devise mechanisms for cooperation among competent migration authorities;
and
- h. To design technical cooperation programs and activities for training staff assigned to tasks related to preventing, combating, and eliminating terrorism in each of the member states that request such assistance.