



Organization of  
American States



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

**THIRTEEN REGULAR SESSION**  
March 8, 2013  
Washington, D.C.

OEA/Ser.L/X.2.13  
CICTE/DEC.1/13  
13 March 2013  
Original: Spanish

### **DECLARATION**

**“STRENGTHENING HEMISPHERIC COOPERATION TO ADDRESS  
TERRORISM FINANCING AND MONEY LAUNDERING”**

**(Approved at the Fourth Plenary Session held on March 8, 2013)**

## DECLARATION

### “STRENGTHENING HEMISPHERIC COOPERATION TO ADDRESS TERRORISM FINANCING AND MONEY LAUNDERING”

(Approved at the Fourth Plenary Session held on March 8, 2013)

THE MEMBER STATES OF THE INTER-AMERICAN COMMITTEE AGAINST TERRORISM (CICTE) OF THE ORGANIZATION OF AMERICAN STATES (OAS), gathered at its thirteenth regular session, held in Washington, D.C., on March 8, 2013,

1. REAFFIRMING the nature, principles, and purposes of the Inter-American Committee against Terrorism (CICTE) and reiterating that terrorism in all its forms and manifestations, whatever its origin or motivation, is criminal, impermissible and unjustifiable, must be unequivocally condemned and cannot be condoned for any reason, threatens international peace and security, democratic institutions, and the rule of law, and undermines the values and principles underlying the Inter-American system, enshrined in and promoted by the Charter of the Organization of American States, the Inter-American Democratic Charter, the Inter-American Convention on Human Rights and other international instruments;

2. REITERATING their commitment to fight terrorism in keeping with the principles of sovereignty, nonintervention, and juridical equality of the member states, and in full compliance with their obligations under international law, including, international humanitarian law, international human rights law, and international refugee law;

3. BEARING IN MIND that the fight against terrorism must be based on the highest possible levels of cooperation among member states, and in frameworks for effective coordination among different international, regional, and subregional organizations to prevent, detect, combat, punish, and eliminate all aspects and manifestations of terrorism;

4. TAKING ALSO INTO ACCOUNT that the threat of terrorism is exacerbated when connections exist between terrorism and illicit drug trafficking, illicit trafficking in arms, money laundering and other forms of transnational organized crime, and that such illicit activities may be used to support and finance terrorist activities;

5. RECALLING all the Declarations adopted at the sessions of the Inter-American Committee against Terrorism and endorsing all the resolutions related to terrorism adopted by the General Assembly and the Permanent Council of the OAS;

6. ENDORSING the international counter-terrorism framework adopted by the United Nations through resolutions of the General Assembly and of the Security Council and the Global Counter-Terrorism Strategy;

7. EMPHASIZING the importance for the member states of the OAS to sign, ratify, or accede to, as the case may be, and to implement in an effective way the Inter-American Convention against Terrorism, as well as the pertinent universal legal instruments, including the 18 related international conventions, protocols and amendment, resolutions 1267 (1999), 1373 (2001), 1540 (2004), and 1624 (2005), and other pertinent UN Security Council resolutions, and the UN Global Counter-Terrorism Strategy adopted by the UN General Assembly;

8. RECALLING that the Inter-American Convention against Terrorism provides that each state party, to the extent that it has not already done so, shall institute a legal and regulatory regime to prevent, combat, and eradicate the financing of terrorism and for effective international cooperation with respect thereto;

9. RECALLING ALSO that the 1999 International Convention for the Suppression of the Financing of Terrorism establishes a regulatory framework to combat terrorism financing, including provisions to enhance international cooperation and to criminalize, in accordance with corresponding domestic legislation, certain conduct as set forth in Article 2 of the Convention;

10. RECALLING further that United Nations Security Council Resolution 1373 (2001) calls on all States to prevent and suppress the financing of terrorist acts, and criminalize the willful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used in order to carry out terrorist acts;

11. RECALLING that the sanctions regime provided for in United Nations' Security Council Resolutions 1267/ 1989 decides that all States shall take measures to freeze the funds and other financial assets or economic resources of designated individuals, groups, undertakings, and entities and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons' benefit, in accordance with their respective domestic legislation;

12. RECALLING that the United Nations Global Counter Terrorism Strategy exhorts all Member States to continue to work to adopt such measures as may be necessary and appropriate and in accordance with our obligations under international law to prohibit by law incitement to commit a terrorist act or acts and prevent such conduct, and underscores their commitment to refrain from organizing, instigating, facilitating, participating in, financing, encouraging or tolerating terrorist activities;

13. EMPHASIZING that terrorism financing and money laundering are crimes of concern to the member states to the extent that they make possible the action and strengthening of terrorist and criminal groups, which is why effective prevention mechanisms are needed;

14. AWARE of the need to continue strengthening the CICTE Secretariat in its role supporting member states and enhancing their capacity to prevent and combat terrorism in all its forms and manifestations, especially in regards to the preparation and adoption of practical and effective measures to prevent terrorism financing and money laundering, and to suppress them by prosecuting and punishing their perpetrators;

DECLARE:

1. 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 life, international peace and security and to the democracy, stability, and prosperity of the countries of the region.

2. Their firmest commitment to prevent, combat, sanction, and eliminate terrorism through the broadest cooperation possible in full respect for the sovereignty of the States and their domestic legislation and compliance with international law, including international human rights law, international humanitarian law, and international refugee law.

3. Their commitment to continue to adopt measures to strengthen international cooperation mechanisms, especially at the hemispheric level, including the application of extradition and mutual legal assistance, as well as the exchange of information, including financial information, in accordance with domestic law, in order to avoid impunity for, find, deny safe haven to, and bring to justice or extradite any person who supports, facilitates, participates, or attempts to participate in the financing, planning, preparation, or commission of terrorist acts or provides safe haven.

4. The importance of their appeal to the member states that have not yet done so to sign, ratify, or accede to, as the case may be, and to implement in an effective way, the Inter-American Convention against Terrorism, as well as the other pertinent universal legal instruments and resolutions of the United Nations General Assembly and Security Council related to combating terrorism and its financing.

5. Their commitment to prevent the movement of terrorists, terrorist groups or whosoever finances terrorism through effective border controls and controls on the issuance of identity papers and travel documents, and through measures for preventing the counterfeiting, forgery, and/or fraudulent use of identity papers and travel documents.

6. The importance of implementing the obligation under United Nations Security Council Resolution 1373 (2001) to criminalize the willful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds be used or in the knowledge that they are to be used in order to carry out terrorist acts; to strengthen and modernize their legislative and administrative measures necessary to effectively carry out the Resolution.

7. The importance of implementing the obligation under United Nations Security Council Resolution 1373 (2001) to adapt, as necessary, their national legislation to fight against

terrorism and its financing, including the freezing without delay of 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 of 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.

8. Their firm will to confront terrorism with effective mechanisms to freeze or seize assets of any person or entity involved with the financing of terrorism activities.

9. Their commitment to adopt and effectively implement measures that ensure that transactions in the financial and other economic, professional, and non-profit sectors in which the risk of money laundering and terrorism financing exists are carried out in accordance with the standards and 40 recommendations on money laundering and the financing of terrorism and proliferation set by the Financial Action Task Force (FATF) and supported by related sub-regional organizations such as the Caribbean Financial Action Task Force (CFATF) and the Financial Action Task Force on Money Laundering in South America (GAFISUD). **AD REFERENDUM: ECU<sup>1</sup>**

10. Their commitment to promote, where necessary, and in accordance with their constitutional principles, more effective regulation, its application thereof, and control and supervision of those economic sectors through which proceeds of illicit activities are channeled or may be channeled and that can be laundered and/or used to finance terrorism.

11. Their determination to prohibit and to sanction criminal, civil, and/or administrative proceedings within their territories and in accordance with their domestic law and the provisions of international law, against any person or entity, from directly, indirectly, unlawfully, and/or willfully providing, collecting, or making available, by whatever means, funds, financial resources, or any other economic resource with the intent of them being used, or in the knowledge that they are to be

---

<sup>1</sup> The Government of the Republic of Ecuador presents its express reservation with regard to the mandatory character of the 40 recommendations of the Financial Action Task Force (FATF). Ecuador considers that those recommendations are supplemental to the work that each state undertakes, in accordance with its domestic laws, to combat money laundering and the financing of terrorism.

used in whole or in part for the benefit of persons or groups that commit, attempt to commit, facilitate, or participate in the commission of terrorist acts.

12. The need for member states to strengthen, where necessary, their legislative measures against money laundering, narcotics trafficking, illicit trafficking in arms, ammunition and explosives, kidnapping, and other manifestations of transnational organized crime that may contribute to the perpetration of terrorist attacks or the financing of terrorism, and, in keeping with their domestic laws and applicable treaties, to facilitate international cooperation and investigative and judicial assistance in order to detect, freeze, and confiscate the funds that finance terrorism.

13. To urge member states to strengthen their existing international cooperation arrangements intended to prevent and detect national and international money laundering operations in order to respond adequately to challenges related to the diversification, financing, and transnationality of the activities of transnational organized crime.

14. To instruct the Executive Secretariat of the Inter-American Committee against Terrorism (CICTE) to elaborate and present in the next Regular Session, provided funds are available, and with inputs provided by Member States, a report compiling the work done by the existing hemispheric cooperation mechanisms in the fight against terrorism financing and money laundering, with the purpose of Member States being able to present options to strengthen and foster more effective international cooperation. **AD REFERENDUM: BRA<sup>2</sup>**

15. To encourage member states to promote the development of measures that allow patrimonial investigations, in order to determine not only the financial flows involved in terrorism-financing cases but also identify the traceability of those operations, with a view to ensuring the largest possible seizure of the assets involved.

16. To encourage member states to provide voluntary contributions to strengthen CICTE's capacity to assist member states, upon request, in implementing this Declaration.

---

<sup>2</sup> Brazil believes that the mandate given to the CICTE duplicates existing efforts of other regional forums--a situation to be avoided, especially considering the scarcity of human and financial resources.

17. To urge that the OAS Regular Fund contribute the necessary resources to provide the CICTE Secretariat with human and financial resources to ensure continuity in its endeavors and in the implementation of its mandates, programs, and activities contained in the Work Plan of CICTE adopted at its Thirteenth Regular Session.

18. To appeal to member states, permanent observers, and pertinent international agencies to 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 enhancement of its programs and the scope of its work.

19. Their commitment to implement this Declaration and the CICTE Work Plan, which includes its work areas of border controls, legislative assistance, and combating terrorism financing, critical infrastructure protection, strengthening strategies on emerging terrorist threats, and international coordination and cooperation, adopted at the Thirteenth Regular Session of CICTE.