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## **WORKSHOP: IMPLEMENTING THE UN GLOBAL COUNTER-TERRORISM STRATEGY IN THE WESTERN HEMISPHERE**

**31 MARCH 2008  
NEW YORK, NY, USA**

### **WORKSHOP SUMMARY**

1. On 31 March 2008, the Permanent Mission of Canada to the United Nations hosted a workshop on implementing the UN Global Counter-Terrorism Strategy in the Western Hemisphere. The meeting was organized and sponsored by the Center on Global Counterterrorism Cooperation. It brought together representatives from OAS member states, both from their missions to the UN in New York and their missions to the OAS in Washington, UN Secretariat officials, officials from the OAS' Secretariat for Multidimensional Security, and some leading academic and other non-government experts on the region. The half-day workshop presented an opportunity for participants, most of whom are key stakeholders from the region, to examine and discuss the nature of the terrorist threat confronting the Americas and the role of the UN, OAS, governments, civil society, and the private sector in addressing the threat. In particular, the workshop sought to highlight the comparative advantages of the UN and OAS in combating terrorism in the region, how counterterrorism cooperation within and between these bodies could be strengthened, and how the UN Strategy could be used not only to further this cooperation, but broader regional efforts to combat terrorism in the Western Hemisphere.

2. The workshop was conducted under the Chatham House Rule, i.e., all of the discussion was off the record and not for attribution. The following summary highlights the key themes identified during the meeting and concludes with a number of independent recommendations, some of which were made during the workshop. It is not an official or complete record of the proceedings and does not necessarily reflect the views of the Mission of Canada to the UN or any of the participants.

### **Overview of Regional Threats, Vulnerabilities, and Challenges**

3. Today's threats to security in the Hemisphere, such as transnational crime, drug trafficking, and terrorism, are multidimensional in nature and often interrelated, requiring broad-based holistic strategies to combat them. By elaborating a broad range of counterterrorism measures, underpinned by the commitment to uphold the rule of law and human rights, the UN Strategy reinforces what many terrorism experts have long felt, namely that an effective counterterrorism strategy must combine preventive measures with efforts to address both real and perceived grievances and underlying social, economic, and political conditions.

4. A number of challenges to effectively countering the terrorist threat in the region were identified including high-levels of crime and violence, drug-trafficking, the widespread possession and availability of firearms, homicide rates that are among the highest in the world, lack of civilian leadership of the

military, lack of public trust in the police and/or judiciary, lack of civilian support for some of the governments, the lack of effective governance, weak education systems, and a lack of law enforcement cooperation among countries in the region. There is often a blurring of distinctions between the role of the police and the military, as well as that of private security companies which have increased in number in recent years. It was noted that crime and other forms of violence and other anti-social behavior may be related to the slow pace of development and a lack of hope in certain areas. It was acknowledged that these same factors may increase the region's vulnerability to international terrorism. It was recognized, therefore, that development programs should be enhanced and delivered with an eye to offering people hope, e.g. through employment schemes to help members of society – particularly youth – know that there are alternatives to criminal activity and political violence. Workshop participants broadly agreed that while overcoming all of these challenges remains the primary responsibility of the state, sustained involvement of the UN, the OAS, and other stakeholders including civil society and the private sector are essential.

5. It was noted that countries in the region perceive the threat of terrorism in the region and the actions needed to counter it differently. Some see the countries in the Latin America and the Caribbean region (LACR) as being pressured to take stronger action to secure their borders and take other measures to address what many in the Americas see as an outside agenda being imposed on them. This gap in perception of the threat and a lack of knowledge about what the international and regional organizations are doing to combat it represent a public awareness challenge that must be appropriately addressed. Governments have also so far done little to inform the public about the nature of the threat. The UN Strategy is not well known in the LACR region by the general population.

6. It was further noted that policy decisions in the region are based on assumptions derived from dynamic changes in terrorism over the years; terrorism is adaptive, evolutionary, and complex. At times, the lack of a clear understanding and agreement within the region on the saliency and urgency of the problem and causes of terrorism have complicated efforts to formulate effective responses. For example, insurgent groups may be perceived by one country as terrorists, but as revolutionary movements by another.

7. However, even if there is no common definition of terrorism at the international level, the point was made that the sixteen existing universal legal instruments (conventions and protocols) against terrorism and the Inter-American Convention against Terrorism define discrete acts of terrorism and therefore provide the basis for a definition at the national level. In fact, it was argued that the international community should insist that each country should define terrorism at the national level in accordance with these sixteen legal instruments on terrorist acts. Many speakers emphasized that the rule of law provides the necessary elements for counterterrorism actions and that national legislation is urgently needed to implement the universal legal instruments. Some said that what is lacking is a definition of the scope of application of these instruments, not a definition of terrorism itself. Unfortunately, fear exists in some countries that counterterrorism legislation could be used against the population—as has happened under dictatorships in the past.

8. Although the LACR in general and most regional governments may not seem likely targets of global terrorism, the region is full of high-visibility “Western” targets, including foreign tourists and businesses, which could be attractive to terrorists. It was suggested that vulnerabilities in the region can potentially facilitate terrorist recruitment from marginalized communities in the region and cultivate linkages between international terrorist groups and criminal gangs, money launderers, and drug traffickers in the region. Despite these potential targets and vulnerabilities, however, terrorism, particularly international

terrorism, is not generally perceived by the people in the region to be as pressing a threat as criminal and other violent activities. The general public needs to understand that security measures to control terrorism are similarly useful in other security areas. More emphasis needs to be placed on the benefits that can accrue from counterterrorism security measures, such as port security and other prevention programs. Therefore, to build public support for combating terrorism as part of daily concerns of citizens – and the UN Strategy more specifically – it was suggested that the UN emphasize the contributions such measures make to strengthening security in general and to tackling higher priorities in the region such as addressing corruption and drug trafficking.

9. To help mobilize countries in the region (and their populations) to take the actions called for in the UN Strategy, it is necessary to more clearly articulate the political narrative of the UN Strategy and communicate how its broad-based approach reflects the multidimensional approach to addressing security threats contained in the 2003 Declaration on Security in the Americas. However, the point was also made that given the multidimensional nature of the Strategy – with its inclusion of the development agenda – the timeframe for implementation of some of its elements is quite long. However, it was also noted that it is important to maintain focus on more immediate tasks at hand such as improving intelligence and other information sharing and legal cooperation in the region.

### **The Role of the UN, Regional Bodies, and National Governments in Furthering the Implementation of the UN Strategy**

10. Improving the coordination of counterterrorism activities was recognized as a priority for effective implementation of the UN Strategy. In particular, there needs to be improved sharing of information, communication, and sharing of research, best practices, and experiences. This coordination, it was pointed out, needs to take place at the bilateral, regional, and international levels, while recognizing that establishing a robust supra-coordinating mechanism may be impractical partly because it would not allow for the flexibility in the system needed to address the fast-evolving threat.

11. Identifying the different comparative advantages of the UN, regional bodies, and national governments is essential. With respect to the UN, in particular its Counter-Terrorism Executive Directorate (CTED), it was suggested that it may only have a “niche,” albeit important, contribution to make in a counterterrorism effort where programmatic efforts should primarily be at the regional and national levels. Given that the CTED has only thirty-six staff members and an annual budget of only \$8 million, one needs to have realistic expectations of the impact the CTED (and the wider UN) can have on global counterterrorism efforts. It was noted that the UN cannot and should not try to do too much and thereby dilute its strengths. Setting up an unwieldy UN bureaucracy would be counterproductive: mandates should be deepened, not enlarged, based on the UN Global Strategy. Therefore it is important to be aware of the comparative advantages of bilateral, regional, and international arrangements and work together across all three to establish a division of labor that plays to each one’s strengths.

12. It was suggested that the UN’s comparative advantage lies in three areas: 1) establishing and reinforcing global norms against terrorism; 2) its capacity to convey and spread political legitimacy to counterterrorism measures through promoting greater public awareness of the need to take steps; and 3) providing a global, non-biased perspective on governmental efforts to address the threat, and gaps in capacity. Regional bodies have many of these same comparative advantages, but have the advantage of more in-depth knowledge of the region, presence on the ground, and networks of practitioners as a means to sustain efforts and build trust and cooperation within the region. The point was made, however, that the

UN's comparative advantage may not be the same in each region of the world. This highlights the need for the UN to develop a better understanding of the realities, needs, and priorities on the ground in each region so it can identify its most appropriate role in the different regions.

13. It was noted that technical counterterrorism expertise most often lies at the national or bilateral level and that states are often much more likely to share sensitive and other information, and engage in other forms of cooperation, at the bilateral level than in regional or international multilateral fora. In addition, in certain instances, individual countries often have more political influence in certain states than do regional and international bodies.

14. It was suggested that there needs to be a better understanding at the national level of the links between international and national criminal law. Specifically, it was stressed that much of the controversy surrounding counterterrorism practices could be resolved if the issue were simply addressed in the context of traditional criminal law. It was mentioned that in Latin America, which has not been victimized by a post-11 September international terrorist attack, there is still time to implement effective criminal law-based prevention strategies before problems occur. The CTED could usefully follow up with bilateral donors to reinforce capacity to combat the threat. The role of the UN Office of Drugs and Crime's Terrorism Prevention Branch at the sub-regional level (i.e., Caribbean and South and Central America) was highlighted, in particular through its sub-regional meetings with ministers of justice. It was noted, however, that the recent decision to close the UNODC field office in the Bahamas, apparently a result of funding shortfalls, is a matter of concern to countries in the Caribbean, with the hope that the decision could be reversed in the near future.

15. The role of the OAS Multidimensional Security Secretariat, in particular the Inter-American Committee against Terrorism (CICTE) and Inter-American Drug Abuse Control Commission (CICAD) was highlighted. It was noted that CICTE, through its secretariat, provides capacity building training and assistance and actively promotes international cooperation through partnerships with UN actors such as UNODC, the International Civil Aviation Organization (ICAO), the UN Interregional Crime and Justice Research Institute (UNICRI) and with bilateral donors such as the US, Canada, and Spain. CICTE's network of National Points of Contact, that serves as the principal means by which the secretariat communicates with states on technical issues and organizes in-country training activities, was offered as a model for others – including CTED and the UN Counter-Terrorism Implementation Task Force – to allow for more direct contact with security experts in capitals (as opposed to diplomats in New York). CICTE, it was further noted, can play an important role in helping states in the region implement international standards, including those contained in the UN Strategy.

16. To further enhance coordination in the context of the Strategy it was suggested that the CTED play a more significant role in collecting and distributing information as well as improving closer cooperation with the CICTE leadership and secretariat, with a view to maximizing use of resources, avoiding duplication, and taking advantage of CICTE's regional expertise whenever possible.

17. The relationship between the Task Force and CICTE (and other regional bodies) was discussed. It was noted that the Task Force has made some progress in improving the information flow, if not the coordination, of the UN entities. However, the point was made that the Working Groups only share information among themselves and that there has been limited contact, information sharing, and other coordination between the Task Force and CICTE. Any such coordination, it was noted, has generally been initiated by CICTE. In addition, it was noted that, despite its considerable expertise and willingness

to assist in other relevant areas, CICTE has been asked to participate in only one of the Task Force working groups.

18. To help improve cooperation between the Task Force (and its constituent entities) and regional bodies, it was suggested that each Task Force entity should establish a point of contact, whose job would include outreach to regional bodies. In addition, it was suggested that the Task Force working groups include regional organizations and seek their input, going beyond the limited information that is currently being shared regarding a few of the working group's activities and efforts. CICTE circulates a regular newsletter that keeps its members and other interested parties aware of its past, current, and future work. It was suggested that this newsletter may provide a useful model for the Task Force, its working groups, and other Task Forces members, such as CTED, to use as a method of keeping each other – and other stakeholders informed.

19. With respect to CICAD, it was noted that it is a technical body that promotes inter-agency collaboration at the national level, as well as cooperation with global, regional (including CICTE), and private sector partners to address the continuing drug production and trafficking problems in the Hemisphere. In the experience of CICAD and their fight against drugs, the engagement of the private sector and civil society organizations has been particularly productive.

20. The point was made that strategic and operational partnerships are critical, whether they relate to efforts to combat drugs or terrorism. In addition, interagency collaborative efforts should be encouraged within states in the region focusing on common concerns and points of overlap such as border security, law enforcement, technical and regional expertise, critical infrastructure protection, and the sharing of resources. This type of relationship is not only essential within governments, but in outreach to the UN, regional and sub-regional organizations, the private sector, and civil society.

21. Participants highlighted the important role that the private sector can play in addressing the terrorist threat in the region. A few examples of successful cooperation between the OAS and the private sector include engagement with the tourist, banking, and credit card industries, as well as in the context of security surrounding the 2006 Cricket World Cup in the Caribbean. Various CICTE programs – such as security for major events, tourism security, and cyber security – focus heavily on the private sector and could provide a platform to promote a broader dialogue with civil society and a greater awareness of the need for security measures and implementation of the UN Strategy.

22. Coordination, avoiding duplication of efforts, and increasing awareness of regional threats are essential. It was recommended that there be greater cooperation under the Strategy in the region, particularly through the CICTE Secretariat and its initiatives in OAS countries, including technical assistance programs and information sharing mechanisms. A lesson identified and learned in the Hemisphere is that an effective strategy to combat terrorism requires expanding and improving international, regional, sub-regional, and domestic cooperation not only within each level, but across the levels as well, and with the private sector. CICTE, for example, has worked closely with the Asia Pacific Economic Cooperation (APEC) on issues such as port security and cyber security.

24. It was also noted that, as the Strategy makes clear both in its 4<sup>th</sup> Pillar and as a cross-cutting issue, that promotion and protection of human rights should be an integral part of Strategy implementation in all regions. It was noted that the failure to respect human rights can contribute to the spread of terrorism and that a lack of sufficient oversight or training of the police and the military and the blurred line between

the functions of the police and the military in some parts of the region remain a matter of concern. Notwithstanding, the point was also made that there has been an increase in awareness and improvement in practice within many states across the region regarding respect for human rights and that a wider recognition that adherence to the rule of law can strengthen public support for counterterrorism.

## **Recommendations**

**25. Enhance understanding and assessments of the threats and vulnerabilities in and priorities and needs of the region.** CTED should take a leading role, in conjunction with regional experts and CICTE in identifying regional priorities and capacity gaps. With its greater UN resources, CTED could then provide this information to donors, technical assistance providers, and other stakeholders, including relevant parts of the UN and civil society, to better facilitate a tailor-made approach to Strategy implementation in the region.

**26. Raise awareness of the Strategy.** Steps should be taken to raise and sustain awareness of the UN Strategy outside of New York. A number of steps could be taken in this regard. For example, the Task Force should ensure that capitals in the Hemisphere are not only made fully aware of its work and larger Strategy implementation efforts, but also that they recognize the practical relevance of the Strategy to their own domestic priorities. A first step in this direction could be the establishment of a newsletter or website to share information on its work. The Task Force should also coordinate with the CICTE Secretariat to provide information that can be shared to the CICTE National Points of Contact network. Finally, more ways need to be found to raise awareness with civil society in the countries of the Hemisphere through public diplomacy initiatives.

**27. Identify the UN's comparative advantage in the Western Hemisphere.** Efforts should be made to clearly identify the comparative advantage of the UN, including those of its constituent entities, in the region in the context of Strategy implementation efforts.

**28. Deepen cooperation between the CTED and CICTE and the entire OAS Secretariat for Multidimensional Security.** As the CTED seeks to implement its revised organizational plan, it should seek to deepen and broaden its cooperation with CICTE and the OAS Secretariat for Multidimensional Security. Recognizing the political sensitivities that continue to surround its work in much of the Hemisphere, the CTED should become more proactive in identifying opportunities in which to work with the OAS and sub-regional bodies in the Hemisphere, which have broader political support among their members. These efforts might allow the CTED to become more involved in the technical assistance and other capacity-building activities of those organizations, and allow for more engagement with national counterterrorism officials on the ground.

**29. Enhance CTED political engagement in the region.** The CTED should identify ways in which it can engage at the political level with states in the region as part of an effort to prod them to move more rapidly to implement their obligations under Resolution 1373. To make progress in this area the CTED should consistently seek to place its work in the broader context of the UN Strategy, which all UN member states endorsed.

**30. Enhance information sharing between the Task Force and the region.** If given more access to information about the work of the Task Force and its working groups, CICTE could become the focal point for Strategy-related issues in the region. This could be done informally through information

exchanges such as newsletters (following the model of CICTE's own newsletter), regular briefings, or more formally by expanding the composition of the Task Force and/or some of its working groups to include CICTE and other relevant parts of the OAS. Creating a cross-cutting mechanism within the Task Force's working groups by region instead of only organizing on themes would also be an efficient way to implement the latter suggestion;

**31. Identify models for the sharing of information and other coordination and consider adapting them to Strategy implementation efforts in the region.** There might be examples of successful information sharing or other coordination mechanisms (outside of the field of counterterrorism) that have been developed in the UN and other multilateral bodies, or at the national level that have helped enhance synergies, reduce duplication, facilitate better coordination, which could be adapted and applied to improve coordination and information sharing among stakeholders on Strategy implementation in the region.

**32. Identify and enhance synergies on Strategy relevant issues.** Given that there is greater recognition and support for anti-organized crime, rule of law, and anti-corruption activities in the region than often there is for counterterrorism measures, synergies should be enhanced to ensure common objectives are met as efficiently as possible. Coordination between CICAD and CICTE, for example, could be further expanded into other areas such as enhancing border security training and monitoring, where the same or similar objectives, are being sought.

**33. Enhance civil society and private sector partnerships.** Efforts should be made to establish broad-based civil society groups and partnerships consisting of a range of non-government organizations and other civil society groups and the private sector that embrace the holistic approach to addressing terrorism enshrined in the UN Strategy. This could be done, for example, by enabling more interaction between the Task Force and CICTE and civil society actors on human rights and other Strategy issues and involvement of appropriate civil society groups and private sector entities in the work of relevant Task Force working groups.