

**Statement by the Viceminister of Multilateral Affairs of the Ministry of Foreign Affairs of Colombia, Ms. Patti Londoño Jaramillo**

**Conference between the members of the Global Counterterrorism Forum and the United Nations as well as other international, regional and sub-regional organizations**

**Interlaken, Switzerland 23 February 2012**

---

I would like to start by thanking the Swiss Government for arranging this Conference which will provide an excellent opportunity for GCTF member countries, the United Nations and other regional and sub-regional organizations to exchange views and ideas about the best ways to join efforts and improve our policies and measures to face a common threat.

It's been slightly over a year since we launched this GCTF process at a January 2011 meeting in Washington, and already substantive progress has been achieved.

The most recent outcomes from the Criminal Justice working group meeting in Rabat earlier this month are very encouraging and build upon the previous work carried out by in the June meeting in Cairo and the November meeting in Washington D.C.

Colombia, as well as all other countries here represented, has suffered the scourge of terrorism for some time. We have been confronting it successfully within a framework of compliance for human rights and the rule of law.

During these many years we have developed capabilities and expertise that we currently share with several countries in our region and that we would willingly share, with other GCTF members at their request.

One of the products that resulted from the recent meeting of the Criminal Justice Working Group in Rabat, *The Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector* is a concrete step in our goal to deliver a comprehensive and coordinated response to terrorist threats. Most of the inputs provided by Colombia are included in the sixteen actions that it incorporates.

This Memorandum is consistent with ensuring complementarity between the Forum and existing multilateral bodies, one of the cornerstones laid out by all member countries since the beginning of our discussions

One of the central features in our discussions within the GCTF has been the complementarity between the commitments agreed upon in multilateral bodies and a set of non-binding good practices, such as the ones contained in the Rabat Memorandum.

Success in the fight against terrorism depends on the ability of States to be one step ahead of criminals. On their part, terrorists will capitalize on loopholes and vulnerabilities in global, regional and national counterterrorism frameworks. Contemporary terrorism is based on a loose network structure, global outreach, and a fluid territorial affiliation which demands that every State individually, and the international community as a whole, strengthen their CT capabilities and their coordinated response.

That is why this meeting is so important. Supporting an open dialogue about the effective and innovative tools and policies in the fight against terrorism is essential.

States facing a terrorist threat confront challenges in planning, resource management and implementation of measures, as well as escalating costs. Restricting or limiting cooperation gives the upper hand to terrorist organizations.

To single out ways to improve cooperation we need to leave aside the limitations of States and start by analyzing and interpreting new and different approaches to act against global terrorism.

Multilateral efforts, which may not always be able to respond in a prompt manner to developments on the ground, can benefit from the work conducted by smaller groups such as the GCTF.

But it is also true that the full implementation of the United Nations Global Counterterrorism Strategy or the UN's Security Council Resolution 1373, to mention a few examples, require the concerted efforts of the international community.

We believe, in this regard that by developing a working relationship with multilateral fora, and its subsidiary bodies, GCTF can make contributions in several areas:

- It can provide valuable inputs concerning areas in which fragmentation in response to terrorist threats is revealed, and provide support in determining how to develop further commitments or other strategies, as appropriate.
- It can help detect areas in which capacity building is required.
- It can facilitate matching demands for capacity building with available support from the international community, as in the case of resolution 1373 (counter-terrorism) or the 1540 (non-proliferation) committees and the implementation of its work.

- GCTF can also gather and share appropriate information on good practices that can enhance the fight against terrorism either regionally or at the national and local levels.

Colombia would like to underline three basic lines of work that enhance the legal capacity of States to confront terrorism and in which GCTF and the United Nations and other regional and sub-regional organizations may want to deepen their cooperation:

- Criminal law systems effective in confronting terrorism.
- The strengthening of legal assistance mechanisms.
- And the links between terrorism and organized crime.

On the first element, it has been recognized by GCTF members that criminal law systems effective in the fight against terrorism are an essential tool.

At the core of their effectiveness is the proper definition of criminal offenses that incorporate the different expressions, stages, processes and actors involved in terrorist acts.

Obligations such as the one contained in Resolution 1373 concerning domestic legislation to be adopted by States to prevent or suppress terrorist threats gain meaning only when action at the domestic level takes place.

However this action by itself is not enough. Consistency and complementarity in the regional efforts is indispensable for these initiatives to develop their full potential.

Elements such as “association to commit terrorist acts”, “conspiracy to commit terrorist acts”, “affiliation and support to a terrorist or illegal organization”, “financing of terrorism” are criminal offenses that States have to define in order to effectively prosecute members of terrorist groups.

The precise definition of a legal framework that encompasses these and other offenses is the corner stone in the fight against terrorism.

Another aspect is the strengthening of legal assistance mechanisms:

One of the most critical elements to confront terrorism is legal assistance. We have made great progress over the last years in terms of cooperation between police forces, intelligence agencies and other entities within the executive branch.

Our challenge now is to strengthen cooperation mechanisms between the judiciary authorities. We have to go beyond the exchange of intelligence information, and

include judicial cooperation between countries in order to make legal inquiries expeditious and effective.

In order to achieve this, it is necessary to work on robust and innovative tools that improve the legal cooperation, and make extradition processes and reciprocal legal assistance more agile and flexible.

We should foster the close cooperation and joint work between two, three, or more countries to follow up and investigate terrorism and use and exchange intelligence information, as well as evidence to prosecute members of terrorist groups in any of the countries.

Lastly, I would like to refer to the links between terrorism and organized crime.

From our perspective there is a line that links organized crime with terrorism. Some organizations are closer to terrorism, while others are closer to organized crime. All of them, though, have a common trait, the use of terrorism to achieve a purpose.

There are no lines separating terrorism and organized crime. They are both found along the same line, a continuum.

This perspective must be included in the discussions on policies, strategies, plans and programs at the national, regional and global level to confront terrorism in a comprehensive manner.

Having a better understanding of the enemy we face lies at the heart of increasing our effectiveness and achieving the desired impact against terrorism.

In that regard, the consistency of our message is also a matter of great importance. The notion of establishing dialogues with terrorist groups in the context of thematic issues in the agenda of the Security Council Agenda can seriously undermine the success obtained by the Governments in the fight against these groups.

Also, we consider that criminal groups that support terrorism cannot be given analogous treatment to "situations of armed conflict". This sends a terribly contradictory message.

We believe that these three elements are critical in the quest for stronger and more able States in their fight against terrorism and should become important elements in the work between GCTF, the UN, and other regional and sub-regional organizations.

Thank you.