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DECLARATION OF MACUTO

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WHEREBY COMMITTEE III OF THE ANDEAN PARLIAMENT ESTABLISHES POLITICAL MECHANISMS FOR THE FIGHT AGAINST DRUG TRAFFICKING AND TERRORISM AND PROMOTES ACTIVITIES FOR THE ESTABLISHMENT OF A ZONE OF PEACE IN THE ANDEAN SUBREGION

CONSIDERING

That Parliaments should be vigilant in ensuring that measures against terrorism do not eliminate civil liberties or in any way affect the human rights of all citizens, and that such measures are legitimized by norms approved through due legislative consideration;

That national congresses should promote security and confidence-building measures but without disregard for national laws addressing specific security needs, in accordance with the legal order recognized within the framework of the United Nations and the Organization of American States;

That the presidencies of the national congresses, through the Andean Forum of Legislative Branch Presidents (Andean FOPREL), sponsored by the Andean Parliament and the Organization of American States, have undertaken to implement joint political and juridical mechanisms with which to address these serious issues.

That the Andean Parliament has repeatedly emphasized the need to generate political conditions permitting an open evaluation of the issue with a view to developing clear, regional policies to deter illicit drug trafficking and related activities.

That the Chair of Committee III of the Andean Parliament participates in its capacity as observer in the Executive Committee, as envisaged in the Andean Plan for Cooperation in the Fight against Illicit Drugs and Related Offenses approved by Decision 505 of the Andean Council of Ministers of Foreign Relations;

That Committee III of the Andean Parliament, on Regional Security and Sustainable Development, has held three high-level summits to study the phenomenon, leading to the formulation of major proposals now under execution at the national, Andean, and hemispheric levels;

That at the most recent of the aforementioned Summits, a number of important proposals relating to the fight against illicit drugs, disarmament, and the full dominion of peace in the Andean subregion, were officially delivered, in the form of the Act of Macuto, to the Chair of Committee III of the Andean Parliament;

That the fight against drugs and terrorism should conform with principles of shared responsibility, seriousness, and objectivity, and with transparent plans and strategies to eliminate corruption, violence, and arms proliferation;

That the phenomenon of terrorism knows no borders and represents an imminent risk for all peoples and for the survival of democracy, affecting all citizens without distinction as to race, economic situation, or religious or political belief;

That all social actors should encourage the adoption of mechanisms to prevent, combat, and eliminate genocide, war crimes, racial discrimination, crimes against humanity, and terrorism in all its forms;

That the phenomenon of drug trafficking contributes to social degeneration and thereby becomes a problem of dependent variables; an iron political will is required to confront the challenge of a regional, continental, and hemispheric battle, following the principle of shared responsibility, against this terrible scourge.

**The Andean and hemispheric authorities, meeting within the framework of the
Workshop on Terrorism, Drugs, Disarmament, and Peace,**

AGREE

Article 1. To reiterate the need for progress in developing approaches to the construction of an institutionalized, up-to-date, and operational space for hemispheric security, which will require governments to make more intensive use of bilateral and subregional cooperation and coordination mechanisms in combating threats to regional security.

Article 2. To express their commitment to and support for the initiatives of the "Lima Commitment", adopted by the Andean Council of Ministers of Foreign Relations and Ministers of Defense of the Andean Community, for the formulation of a Community Security Policy.

Article 3. To promote the initiative formulated by the Fourth Andean Forum of Legislative Branch Presidents (Andean FOPREL) to advance toward consensus on a common definition of terrorism and to standardize their penal typologies and procedures in respect of terrorism with a view to criminalizing the active as well as passive existence of terrorist groups and establishing minimum sentences in the region.

Article 4. To reiterate the need to deepen the coordination of activities and measures to increase the effectiveness of the fight against groups or individuals engaged in terrorist acts, the individuals supporting the activities of these groups, their sources of financing, their support networks, and related offenses, in accordance with the law and respect for human rights.

Article 5. To promote the full application of the Inter-American Convention against Terrorism, Decision 552 of the Andean Community concerning the Andean Plan for the Prevention and Eradication of Illicit Trafficking in Firearms, the 12 United Nations conventions on terrorism, and the Inter-American Convention against the Manufacturing of

and Illicit Trafficking in Firearms, Ammunition, and Explosives, to ensure a hemispheric normative framework for coordination and joint action in the fight against this scourge.

Article 6. To promote exchanges between members of the armed forces and police acting as liaison to facilitate operational coordination, for which purpose we urge our governments to implement the Andean Center for Police Assistance and Cooperation as soon as possible.

Article 7. To establish mechanisms for political cooperation among the parliaments of the Andean Community and the European Union, availing ourselves of the Inter-American Commission provided for in the Agreement on Political Dialogue and Cooperation signed by the two blocks, especially to form a common front in the fight against drug trafficking and terrorism, and to promote the implementation of a zone of peace in the Andean subregion.

Article 8. To welcome the adoption of the National Observatories for the Fight against Drugs, promoted by the Inter-American Drug Abuse Control Commission of the Organization of American States (CICAD/OAS), as well as the Andean Observatory adopted at the Third Meeting of the Andean Executive Committee, provided for in the Andean Plan of Cooperation in the Fight against Illicit Drugs and Related Offenses, as a mechanism for the evaluation of national and subregional policies on the matter.

Article 9. To promote, from the parliamentary perspective, the initiatives provided for in Decision 505 to advance the operational mechanisms within the framework of the Andean Plan of Cooperation in the Fight against Illicit Drugs and Related Offenses.

Article 10. To request that the Andean Council of Ministers of Foreign Relations create a space for coordination with the Andean Parliament in the areas identified by Presidential Directives concerned with the fight against drug trafficking and sustainable development, and particularly with respect to:

- The implementation of Decision 601 of the Andean Community, concerning the Integrated Social Development Plan (PIDS), especially with respect to the development of an Andean Social Agenda;
- The development of guidelines for a community security and confidence-building policy;
- The completion of complementary activities for Andean judicial and police cooperation;
- The adoption of legal instruments to give effect to the Andean Charter of Human Rights, and to Decision 586, concerning the execution and dissemination of this important instrument;
- The Frontier Integration and Development Policy;
- Activities to protect the subregion's natural resources;
- The strengthening of political will in support of the integration process;
- Legislative harmonization.

Article 11. To continue promoting the creation of a Virtual Ibero-American Office for Prosecution, as stipulated by the Prosecutors General of the Andean Community in the Agreement of Quito, to permit efficient and effective cooperation among Andean judicial authorities.

Article 12. To advocate new alternative solutions within national parliaments to permit the harmonization of legislation to fight illicit drugs and related offenses among the countries of the Andean Community, based on the principle of the free self-determination of peoples.

Article 13. To urge legislative branches in the Andean countries to adopt a Law against Transnational Organized Crime.

Article 14. To promote the creation of a supranational agency to apply the Treaty on Transnational Organized Crime, expanding its scope in the military, social, political, financial, and other arenas.

Article 15. To urge the Andean governments to involve financial systems in policies to fight against transnational organized crime, with the aim of facilitating the exchange of information among them for the purposes of controlling money laundering.

Article 16. To promote the training of agents of Justice and other agencies involved in the prevention and control of offenses related to money laundering, drug trafficking, and terrorism.

Article 17. To prepare a manual of best practices giving priority to the expeditious and reliable transmission of required information.

Article 18. To encourage Andean governments to designate a representative of the cultural sector to take responsibility for protecting our cultural heritage.

Article 19. To promote, through the Virtual Office for Prosecution, the development of a single format for letters rogatory and requests for legal assistance, so as to facilitate their understanding by judicial authorities using such cooperation mechanisms.

Article 20. To promote the simplification of diplomatic formalities for the efficient and effective substantiation of requests through letters rogatory by member states of the Andean Community.

Article 21. To strengthen community and school training programs for the comprehensive prevention of drug use.

Article 22. To update programs and projects related to the changing dynamic of drug trafficking and use, creating a situation room within the agencies responsible for antidrug policy to ensure accurate information for use in making coherent and timely decisions.

Article 23. To foster strategic alliances among institutions engaged in addiction prevention and rehabilitation, with the aim of facilitating the exchange of information and the replication of successful experiences.

Article 24. To facilitate the establishment of policies for specialized training in prevention, treatment, rehabilitation, and social reintegration in different educational settings.

Article 25. To promote the creation of alternative programs for high-risk, abandoned children to prevent drug use before it starts.

Article 26. To disseminate audiovisual information for large audiences on the harm caused by illicit drug use.

Article 27. To propose communication strategies for encouraging family and individual values that strengthen protective ties against illicit drug use.

Article 28. To facilitate the improvement of integration among the various areas of treatment for addiction problems: evaluation, diagnosis, and rehabilitation.