



# GCTF

GLOBAL COUNTERTERRORISM FORUM

## **Cairo Declaration on Counterterrorism and the Rule of Law: Effective Counterterrorism Practice in the Criminal Justice Sector**

September 22, 2011

The members of the GCTF,

*Underscoring* the critical role that an effective criminal justice sector can play in disrupting, deterring and preventing terrorist activity;

*Encouraging* all states to develop counterterrorism strategies that are consistent with the UN Global Counter-Terrorism Strategy, and, more broadly, to develop effective institutions and other measures that allow governments to provide security, justice, liberty, and development opportunities for their citizens;

*Stressing* the importance of having an effective criminal justice system, fully respectful of human rights and fundamental freedoms, including effective prevention, investigative, and prosecutorial, and judicial capacity, to ensure that persons who plan, perpetrate or support terrorist acts are brought to justice and the victims of terrorism are provided with the appropriate measures to address the harm done to them;

*Reinforcing* that in all circumstances counterterrorism practice and cooperation should be conducted in full accordance with applicable national and international law, including human rights, refugee, and international humanitarian law, as an indispensable part of a successful strategy to combat and prevent terrorism;

*Recognizing* the broader need for universal adherence to and implementation of the rule of law and the protection of human rights;

*Noting* the importance of relevant regional and international instruments;

*Underscoring* the importance of establishing terrorist acts as serious criminal offenses punishable by appropriate penalties which take into account the grave nature of the offenses;

*Emphasizing* the need to further strengthen international cooperation to ensure that persons who plan, perpetrate or support terrorist acts are brought to justice;

*Reinforcing* that as a demonstration of its commitment to the development and implementation of human rights-compliant criminal justice systems, the Global Counterterrorism Forum's Criminal Justice/Rule of Law Working Group should develop good practices for criminal justice sector efforts to counter terrorism;

*Appreciating* that any such practices must be developed and applied in a manner that is consistent with international law, while taking into account the varied histories and legal cultures among states;

*Recognizing* that such practices may be useful for States as they seek to implement the UN Global Counter-Terrorism Strategy, in particular Pillar IV of its Plan of Action, which "underscores the critical role that an effective and rule of law-based national criminal justice system plays in ensuring that terrorists and their supporters are brought to justice. . . in a manner that respect[s] human rights[;]"

*Stressing* its intention to mobilize the necessary resources and expertise to support the efforts of countries to develop and implement rule of law-based counterterrorism practices and *underscoring* the importance of placing the need to secure local ownership at the center of capacity-building assistance related to the implementation of these good practices;

*Emphasizing* that this declaration, which was developed at a preparatory meeting of the GCTF's Criminal Justice Sector/Rule of Law Working Group hosted by the Government of Egypt on 27-28 June 2011 in Cairo, is non-binding and in no way modifies existing rights and obligations of States under international law;

*Understanding* that genuine reform rests not only on the revision of laws and procedures, where necessary, but on a willingness to address the

organization of law enforcement functions, the practical application of laws and procedures, the respective responsibilities and interactions of justice sector institutions and actors, and the requisite training of such actors;

Hereby directs the GCTF's Criminal Justice Sector/Rule of Law Working Group to:

- develop good practices on an effective and rule of law-based criminal justice sector response to terrorism, including those aspects related to international cooperation; and
- identify existing and develop new capacity-building programs to support the implementation of these practices.