

CRS Report for Congress

Received through the CRS Web

Latin America: Terrorism Issues

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Summary

In the aftermath of the September 2001 terrorist attacks on New York and Washington, DC, U.S. attention to terrorism in Latin America intensified, with an increase in bilateral and regional cooperation. Latin American nations strongly condemned the attacks, and took action through the Organization of American States (OAS) to strengthen hemispheric cooperation. In June 2002, OAS members signed an Inter-American Convention Against Terrorism. President Bush submitted the Convention to the Senate in November 2002. On October 7, 2005, the Senate agreed to the resolution of advice and consent on the Convention, and the United States deposited its instruments of ratification for the Convention on November 15, 2005. In its 2005 report on global terrorism, issued in April 2006, the State Department highlighted threats in Colombia, Peru, and the tri-border area of Argentina, Brazil, and Paraguay, but noted that there were no known operational cells of Islamic terrorists in the hemisphere. Cuba has been on the State Department's list of state sponsors of terrorism since 1982 pursuant to Section 6(j) of the Export Administration Act of 1979, which triggers a number of foreign aid sanctions. In May 2006, the Department of State, pursuant to Section 40A of the Arms Export Control Act, prohibited the sale or license of defense articles and services to Venezuela because of its lack of cooperation on antiterrorism efforts.

Terrorism in Latin America: U.S. Concerns

Over the years, the United States has been concerned about threats to Latin American and Caribbean nations from various terrorist or insurgent groups that have attempted to influence or overthrow elected governments. Although Latin America has not been the focal point in the war on terrorism, countries in the region have struggled with domestic terrorism for decades and international terrorist groups have at times used the region as a battleground to advance their causes. The State Department's annual *Country Reports on Terrorism* highlights U.S. concerns about terrorist threats around the world, including in Latin America. The 2005 report, issued in April 2006, notes that the international terrorist threat in the Western Hemisphere remained low in 2005 and that, overall, governments in the region took modest steps to improve their counterterrorism capabilities and tighten border security. At the same time, the report maintained that

corruption, weak government institutions, ineffective or lacking interagency cooperation, weak or non-existent legislation, and reluctance to allocate sufficient resources limited the progress of many countries. The report asserted that terrorism in the region was “primarily perpetrated by narcoterrorist organizations based in Colombia and by the remnants of radical leftist Andean groups.” Although the tri-border area (TBA) of Argentina, Brazil, and Paraguay has been a regional hub for Hizballah and Hamas fundraising activities, the State Department report maintains that there is no corroborated information that Islamic extremist groups have an operational presence in the TBA or elsewhere in Latin America. The report also examines activity by Cuba, which has been designated by the State Department as a state sponsor of terrorism since 1982, and asserts that Venezuela has virtually ceased its cooperation in the global war on terror.

Colombia. Colombia remains of paramount concern to the United States because of the threat posed by three groups that have been designated by the Secretary of State as Foreign Terrorist Organizations (FTOs): two leftist guerrilla groups, the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), and a rightist paramilitary group, the United Self-Defense Forces of Colombia (AUC). The Colombian government has made significant progress in regaining control of national territory, promoting desertion and reintegration of former illegal armed militants, and demobilizing the AUC. Nevertheless, according to the 2005 terrorism report, the three groups continued to murder, kidnap, and terrorize Colombians from all walks of life. Despite the government’s military campaign against it, the FARC continued terrorist and narco-trafficking activities, which included targeting rural outposts, infrastructure, and political adversaries. The ELN began talks with the Colombian government in Cuba but has not yet agreed to begin a formal peace process. The AUC agreed to demobilize its combatants, and some 23,000 have been demobilized. Although the overall level of AUC violence decreased, according to the State Department report, cease-fire violations have included mass killings, kidnappings, assassinations, illegal evictions, robberies, and imprisonment of children. In February 2003, a U.S. civilian contractor and a Colombian national were murdered by the FARC after their plane crashed. The FARC continues to hold hostage three U.S. contractors from that plane crash. All three Colombian FTOs reportedly exploit the Venezuelan side of the border with Colombia as a safe area to transship arms and drugs, rest, secure logistical supplies, and commit kidnappings. The State Department report indicates that “it is unclear and to what extent the Government of Venezuela provided material support to Colombian terrorists and at what level.” (For more on Colombia, see CRS Report RL32250, *Colombia: Issues for Congress*.)

Peru. The brutal Shining Path (Sendero Luminoso or SL) insurgency, which the Department of State has designated as an FTO, was significantly weakened in the 1990s with the capture of its leader Abimael Guzman. According to the State Department terrorism report, SL has about 200 armed members that receive funding from involvement in the drug trade. Eleven Peruvian law enforcement officials were killed by SL forces in 2005. The group is also reportedly attempting to rebuild support in the universities where it had considerable influence in the 1980s.

Tri-Border Area. In recent years, U.S. concerns have increased over activities of the radical Lebanon-based Islamic group Hizballah (Party of God) and the Sunni Muslim Palestinian group Hamas (Islamic Resistance Movement) in the tri-border area of Argentina, Brazil, and Paraguay, which has a large Muslim population. The TBA has long been used for arms and drug trafficking, contraband smuggling, document and

currency fraud, money laundering, and the manufacture and movement of pirated goods. The 2005 terrorism report maintains that the United States remains concerned that Hizballah and Hamas were raising funds among the sizable Muslim communities in the region but stated that there was no corroborated information that these or other Islamic extremist groups had an operational presence in the area.

Allegations have linked Hizballah to two bombings in Argentina: the 1992 bombing of the Israeli Embassy in Buenos Aires that killed 30 people and the 1994 bombing of the Argentine-Israeli Mutual Association (AMIA) in Buenos Aires that killed 85 people. As noted in the 2005 terrorism report, the AMIA investigation has been plagued with problems, but a new prosecutor has reinvigorated the investigation of the case. Nevertheless, the case was dealt a setback in September 2005 when Interpol cancelled the international capture orders for 12 Iranian nationals wanted by Argentina for involvement in the bombing. (For additional information on Argentina, see CRS Report RS21113, *Argentina: Political Conditions and U.S. Relations.*)

Cuba. The Department of State, pursuant to Section 6(j) of the Export Administration Act of 1979, includes Cuba among its list of six states sponsoring terrorism (the other five states are Iran, Libya, North Korea, Sudan, and Syria). Cuba was added to the list in 1982. The Communist government led by Fidel Castro had a history of supporting revolutionary movements and governments in Latin America and Africa, but in 1992, Castro said that his country's support for insurgents abroad was a thing of the past. Most analysts accept that Cuba's policy generally did change, largely because the breakup of the Soviet Union resulted in the loss of billions in subsidies.

The State Department's 2005 terrorism report maintains that Cuba continues to actively oppose the global war on terrorism and has publicly condemned various U.S. policies and actions. It also noted that Cuba maintains close relationships with other state sponsors of terrorism, such as Iran and North Korea, and has provided safe haven for members of several FTOs. The report maintained that Cuba provides safe haven to various Basque ETA members from Spain and to members of two Colombian insurgent groups, the FARC and the ELN, although the report also maintained that there is no information concerning terrorist activities of these or other organizations in Cuba. The State Department's 2002 and 2003 *Patterns of Global Terrorism* reports acknowledged that Colombia acquiesced to this arrangement and that Colombia publicly said that it wanted Cuba's continued mediation with the ELN in Cuba. In December 2005, a group of international facilitators representing Cuba, Norway, Spain, and Switzerland oversaw exploratory talks between the Colombian government and the ELN in Havana. In April 2006, Colombia and the ELN held four days of talks in Cuba and reiterated their commitment to continue meeting after Colombia's May 28, 2006, elections. The 2005 report also maintained that Cuba permits U.S. fugitives from justice to live legally in Cuba. Many are accused of hijacking or committing violent actions in the United States, including Joanne Chesimard, who is wanted for the murder of a New Jersey State Trooper in 1973. The State Department report noted that most of the fugitives entered Cuba in the 1970s and that Cuba has stated that it will no longer provide safe haven to new fugitives who may enter Cuba.

In general, those who support keeping Cuba on the terrorism list argue that there is ample evidence that Cuba supports terrorism. They point to the government's history of supporting terrorist acts and armed insurgencies in Latin America and Africa. They point

to the government's continued hosting of members of foreign terrorist organizations and U.S. fugitives from justice. Critics of retaining Cuba on the terrorism list maintain that it is a holdover of the Cold War. They argue that domestic political considerations keep Cuba on the terrorism list and maintain that Cuba's presence on the list diverts U.S. attention from struggles against serious terrorist threats. (For further information, see CRS Report RL32251, *Cuba and the State Sponsors of Terrorism List*, and CRS Report RL32730, *Cuba: Issues for the 109th Congress*.)

Venezuela. According to the State Department's 2005 terrorism report, Venezuela has virtually ceased its cooperation in the global war on terror, tolerated terrorist in its territory, and sought close relations with Cuba and Iran, both state sponsors of terrorism. As noted above, Colombian terrorist groups use Venezuela territory for safehaven, although it is unclear whether and to what extent the government of President Hugo Chávez provides material support to these terrorist groups and at what level. According to the State Department report, Venezuelan citizenship, identity, and travel documents are easy to obtain, making the country a potentially attractive way-station for terrorists. In mid-May 2006, the Department of State, pursuant to Section 40A of the Arms Export Control Act, prohibited the sale or license of defense article and services to Venezuela because of its lack of cooperation on antiterrorism efforts. Other countries on the Section 40A list include Cuba, Iran, North Korea, and Syria, not to be confused with the "state sponsors of terrorism" list under Section 6(j) of the Export Administration Act of 1979, which includes Cuba, Iran, Libya, North Korea, Sudan, and Syria.

U.S. Policy

As in other parts of the world, the United States has assisted Latin American and Caribbean nations over the years in their struggle against terrorist or insurgent groups indigenous to the region. For example, in the 1980s, the United States supported the government of El Salvador with significant economic and military assistance in its struggle against a leftist guerrilla insurgency. In recent years, the United States has employed various policy tools to combat terrorism in the Latin America and Caribbean region, including sanctions, anti-terrorism assistance and training, law enforcement cooperation, and multilateral cooperation through the OAS. Moreover, given the nexus between terrorism and drug trafficking, one can argue that assistance aimed at combating drug trafficking organizations in the region has also been a means of combating terrorism by cutting off a source of revenue for terrorist organizations. The same argument can be made regarding efforts to combat money laundering in the region.

Although terrorism was not the main focus of U.S. policy toward the region in recent years, attention increased in the aftermath of the 9/11 terrorist attacks on New York and Washington. Anti-terrorism assistance has increased along with bilateral and regional cooperation against terrorism. In 2002, Congress approved the Bush Administration's request to expand the scope of U.S. assistance to Colombia beyond a counternarcotics focus to also include counter-terrorism assistance to the government in its military efforts against drug-financed leftist guerrillas and rightist paramilitaries.

As noted above, the United States has imposed sanctions on three groups in Colombia (ELN, FARC, and AUC) and one group in Peru (SL) designated by the Department of State as FTOs. Official designation of such groups as FTOs triggers a number of sanctions, including visa restrictions and the blocking of any funds of these

groups in U.S. financial institutions. The designation also has the effect of increasing public awareness about these terrorist organizations and the concerns that the United States has about them.

Through the Department of State (Diplomatic Security Office, Office of Antiterrorism Assistance), the United States provides Anti-Terrorism Assistance (ATA) training and equipment to Latin American countries to help improve their capabilities in such areas as airport security management, hostage negotiations, bomb detection and deactivation, and countering terrorism financing. Such training was expanded to Argentina in the aftermath of the two bombings in 1992 and 1994. Assistance was also stepped up in 1997 to Argentina, Brazil, and Paraguay in light of increased U.S. concern over illicit activities in the tri-border area of those countries.

ATA funding is generally provided through the annual foreign operations appropriations measure under the Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) account. For FY2005, \$7.9 million in ATA was provided for the Western Hemisphere, with \$5.1 million for training anti-kidnapping units in Colombia and \$0.5 million for the tri-border area of Brazil, Paraguay, and Argentina. For FY2006, an estimated \$12.3 million in ATA will be provided for the Western Hemisphere, with \$5.3 million for Colombia and \$1.5 million for the Bahamas. The FY2007 Western Hemisphere request is \$11.9 million, with \$3.1 million for Colombia, \$2.8 million for Trinidad and Tobago, and \$1.4 million for Jamaica.

The United States also works closely with the governments of the tri-border region — Argentina, Brazil, and Paraguay — through the “3+1 regional cooperation mechanism,” which serves as a forum for counterterrorism cooperation and prevention among all four countries.

Money laundering in the region has been a major U.S. concern for some 20 years, largely because of its association with drug traffickers, but terrorist organizations may also be involved in money laundering as a means of hiding their financial assets. The United States works through the Financial Action Task Force (FATF), a multilateral anti-money laundering body, to help develop and promote policies to combat money laundering worldwide. According to the Department of State’s March 2006 *International Narcotics Control Strategy Report*, 16 nations in the region are jurisdictions of primary concern to the United States because of their vulnerability to money laundering. These are Antigua and Barbuda, Bahamas, Belize, Brazil, Cayman Islands, Colombia, Costa Rica, Dominican Republic, Guatemala, Haiti, Mexico, Panama, Paraguay, St. Kitts and Nevis, Uruguay, and Venezuela.

Increased Regional Cooperation Since 9/11. Latin American nations strongly condemned the September 2001 terrorist attacks on New York and Washington and took action through the OAS and the Rio Treaty to strengthen hemispheric cooperation against terrorism. The OAS, which happened to be meeting in Peru at the time, swiftly condemned the attacks, reiterated the need to strengthen hemispheric cooperation to combat terrorism, and expressed full solidarity with the United States. At a special session on September 19, 2001, OAS members invoked the 1947 Inter-American Treaty of Reciprocal Assistance, also known as the Rio Treaty, which obligates signatories to the treaty to come to one another’s defense in case of outside attack. Another resolution approved on September 21, 2001, called on Rio Treaty signatories to

“use all legally available measures to pursue, capture, extradite, and punish those individuals” involved in the attacks and to “render additional assistance and support to the United States, as appropriate, to address the September 11 attacks, and also to prevent future terrorist acts.”

In another resolution, the OAS called on the Inter-American Committee on Terrorism (CICTE) to identify urgent actions aimed at strengthening inter-American cooperation in order to combat and eliminate terrorism in the hemisphere. The CICTE was reinvigorated in the aftermath of 9/11, and has cooperated on border security mechanisms, controls to prevent funding of terrorist organizations, and law enforcement and counterterrorism intelligence and information. At a January 2003 CICTE meeting in El Salvador, OAS members issued the Declaration of San Salvador, which condemned terrorism and pledged to strengthen hemispheric cooperation through a variety of border, customs, and financial control measures. At the conference, the United States pledged \$1 million to the OAS to help the growth of CICTE “as a technical body devoted to increasing counterterrorism expertise in the Americas.”¹ At the February 2005 CICTE session held in Trinidad and Tobago, OAS members reaffirmed their commitment to deepen cooperation in the fight against terrorism, and expanded their work by addressing threats to aviation, seaport, and cyber security.

In June 2002, OAS members signed a newly completed Inter-American Convention Against Terrorism. Signing the treaty for the United States, Secretary of State Powell said that the OAS had “produced the first new international treaty since September 11 targeted at improving our ability to combat terrorism.”² The Convention, among other measures, would improve regional cooperation against terrorism, commit parties to sign and ratify U.N. anti-terrorism instruments and take actions against the financing of terrorism, and deny safe haven to suspected terrorists.

President Bush submitted the Convention to the Senate on November 12, 2002, for its advice and consent, and the treaty was referred to the Senate Foreign Relations Committee (Treaty Doc. 107-18). The committee held a public hearing on the treaty on June 17, 2004. In the 109th Congress, the committee formally reported the treaty on July 28, 2005 (Senate Exec. Rept. 109-3), and on October 7, 2005, the Senate agreed to the resolution of advice and consent. The United States deposited its instruments of ratification for the Convention on November 15, 2005.

¹ U.S. Department of State, International Information Programs, “U.S. Donates \$1 Million to Combat Terrorism in Western Hemisphere,” *Washington File*, January 22, 2003.

² U.S. Department of State, International Information Programs, “Transcript: Powell Stresses Security at OAS General Assembly,” *Washington File*, June 3, 2002.