



Meeting of G8 Justice and Home Affairs Ministers Washington – May 11, 2004

COMMUNIQUÉ

Following the terrorist attacks of September 11, 2001, we met in Mont Tremblant and again in Paris, committing our combined resources to combating terrorism and the most serious forms of criminality. Continued threats from international terrorists and criminals again call us together. We now meet following other terrible events – the most recent being the bombings in Madrid on March 11, 2004, which killed almost two hundred people and injured and maimed over a thousand more. The enemies of freedom who perpetrated these acts will try to strike again. We therefore outline below a number of the steps we are taking to further protect the safety of our citizens.

Prevention of Terrorist and Criminal Acts

1. Recommendations for Enhancing the Legal Framework to Prevent Terrorist Attacks. It is critical that all States have legal frameworks that permit effective law enforcement action against terrorists and their supporters, even where specific terrorist objectives are unknown and attacks are not imminent. States must criminalize and prosecute a broad range of terrorist-support activities, including recruitment of persons to commit terrorist acts and provision of financial and other material support to them. Our experts have issued Recommendations in this regard (attached), which we today endorse and also urge other States to incorporate into their legal systems.
2. Principles on Special Investigative Techniques. Effective action against terrorists and organized criminal groups often requires the ability to gather evidence through advanced investigative techniques, such as the use of undercover agents, or audio and video interception and recording devices, consistent with privacy and other domestic laws. Appropriate measures, in particular for protection of witnesses against possible retaliation, must exist so those with information can be encouraged to cooperate with law enforcement. Our experts have issued Recommendations on these points (attached), which we today endorse and commend for the consideration of the international community.
3. Use of National Security Intelligence Information in Investigation and Prosecution Processes. Intelligence information is a vital component in the battle against terrorism. States must improve the timely cross-border sharing of national security intelligence information, under appropriate circumstances, between intelligence and law enforcement agencies to better prevent and disrupt terrorist activities and to prosecute terrorists. We approve our experts' Recommendations in this regard (attached), and urge other States to incorporate these practices in their domestic procedures.

Strengthening Border and Transportation Security

4. Principles on Prevention of Abuse of the Asylum Process. On October 29, 2001, our governments committed “to ensure coordination ... in conformity with international law, not to grant refugee status to perpetrators, organizers or facilitators of terrorist acts.” Today, we reaffirm our determination to protect asylum regimes from abuse by terrorists, while protecting genuine asylum seekers from persecution. We endorse our experts’ agreed Principles (attached), which encourage the adoption of domestic legislation as well as negotiation, where feasible, of bilateral agreements for information-sharing mechanisms about asylum seekers, in accordance with international obligations, which also fully take into account asylum seekers’ confidentiality and privacy interests.
5. Statement on Border Security and Lost and Stolen Passports. Terrorists will exploit every possible means, including illegal entry and fraud against migration programs, to enter our countries. Unissued (blank) passports that have been lost or stolen represent a serious threat because they can be used to create a highly-trusted travel and identity document for any bearer. In response, we have promoted global standards to strengthen the security of stocks of blank passports and have agreed to develop the means to provide and share information concerning lost and stolen blank passports through Interpol, as a first step toward wider information-sharing on the misuse of passports. Our experts will continue to work on this issue, including the feasibility of greater G8 participation in Interpol’s database for “lost and stolen travel documents,” and on other border security and migration issues.
6. Port and Maritime Security. Since terrorists can exploit the vulnerabilities of international port and maritime services, cooperation is essential for the security of this crucial facilitator of trade. To address this threat, and in order, among other purposes, to provide impetus to consultation within the International Maritime Organization (IMO), we agree to ask our experts to develop an auditing checklist to enable countries, should they so choose, to conduct voluntary self-audits to verify their compliance with the International Ship and Port Security (ISPS) Code. This checklist could serve as a model for harmonizing compliance regimes among IMO Contracting States and increased international cooperation through the IMO and other organizations.
7. Introduction of Biometric Indicators in Travel Documents. The security of travel documents can be significantly increased by integrating biometric features in chips. Work towards introducing passports with biometric identifiers will be accelerated. States will take the necessary steps to introduce such documents on the basis of global interoperability. We commend our experts for meeting, as we directed last year in Paris, and for engaging in a very beneficial exchange of information and views.
8. MANPADS Threat Mitigation. We have agreed on the importance of protective measures at airports and their surroundings, and we will work to ensure the security of airports and to minimize their vulnerability to attack from Man-Portable Air Defense Systems (“MANPADS”).

Combating Cybercrime and Enhancing Cyber Investigations

9. Building International Capacities. A key aspect of our work in preventing and combating global terrorism and criminal activity is enhancing our abilities to respond to those who use electronic communications and the freedoms of cyberspace to threaten public safety. The network of 24-hour points of contact for high-tech crime, which we created in 1997 among G8 countries, has grown almost five-fold. In March, our G8 experts hosted a training conference in Rome for the membership of this network. The conference, which focused on improving operational aspects of urgent cross-border investigations, was attended by senior representatives from computer crime units from six continents. We commend this kind of capacity-building – which extends well beyond our membership – and seek further efforts that combine operational aspects with practical exercises.
10. Continuing to Strengthen Domestic Laws. To truly build global capacities to combat terrorist and criminal uses of the Internet, all countries must continue to improve laws that criminalize misuses of computer networks and that allow for faster cooperation on Internet-related investigations. With the Council of Europe’s Convention on Cybercrime coming into force on July 1, 2004, we should take steps to encourage the adoption of the legal standards it contains on a broad basis.
11. Infrastructure Protection and Best Practices. We are pleased that the essential elements of the principles for protecting critical information infrastructures that we approved last year have since been adopted by the United Nations General Assembly. Today we endorse Best Practices for Network Security, Incident Response and Reporting to Law Enforcement (attached) and we encourage other similar work to improve cooperation with victims and the providers of communications services.

Fighting Foreign Official Corruption and Recovering Stolen National Assets

12. Combating Corruption. We have discussed the need to assist third countries, particularly developing countries, in combating the scourge of corruption. Since large-scale corruption by senior public officials is a worldwide problem, with grave consequences particularly for developing nations, we agreed on an initiative designed to facilitate recovery of these illicitly-acquired assets (attached).
13. U.N. Convention Against Corruption. We welcome the finalization of, and we call for rapid signature and completion of all necessary steps to ratify and implement, the United Nations Convention Against Corruption. Our governments are committed to translating the words of this convention into effective actions, and to assisting third countries, particularly developing countries, in accomplishing the objectives of the Convention.

Our Commitment to Future Work

14. To realize the fruits of our labor, we must ensure that our agreed actions are implemented on a broad basis and that we coordinate our work with all appropriate international fora and like-minded countries. We stand ready to assist states with technical assistance and capacity-building, both of which contribute to our collective security. We commit to review our own implementation of these actions – on an individual basis, as a part of our bilateral consultations, and when we next meet as a group.

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