PERMANENT MISSION OF THE CO-OPERATIVE REPUBLIC OF GUYANA TO THE UNITED NATIONS

111/2025

The Permanent Mission of the Co-operative Republic of Guyana to the United Nations presents its compliments to the Office of Legal Affairs of the United Nations and has the honour to refer to the latter's Note Verbale dated 9 January 2025, regarding submissions on the implementation of the Declaration on Measures to Eliminate International Terrorism.

The Mission has the further honour to submit the attached outlining measures undertaken by the Government of Guyana to combat international terrorism.

The Permanent Mission of the Co-operative Republic of Guyana to the United Nations avails itself of this opportunity to renew to the Office of Legal Affairs of the United Nations the assurances of its highest consideration.

NEW YORK – 27 June 2025

Submission on Measures Taken by the Cooperative Republic of Guyana to Eliminate International Terrorism

Pursuant to United Nations General Assembly Resolution 49/60 Titled Measures to Eliminate International Terrorism

1) Overview

Historically, Guyana has maintained a low risk profile in relation to terrorism, with no known active domestic terrorist groups or organizations operating within its borders. There however exist potential terrorist threats from external influences, due to regional instability, transnational crime, and global terrorism trends. These risks may manifest through online extremism or the exploitation of border vulnerabilities by foreign terrorist networks.

Guyana remains firmly committed to the promotion of international peace and security and unequivocally condemns all forms of terrorism. In alignment with United Nations General Assembly Resolution 49/60 of 9 December 1994, and subsequent related resolutions, which calls on Member States to take appropriate measures at the national and international levels to eliminate terrorism, Guyana has implemented a multifaceted approach. This includes robust legal, institutional, and operational frameworks aimed at preventing, countering, and eliminating terrorism and its financing.'[1]

2) International Instruments

Guyana is a party to numerous international legal instruments related to eliminating and combatting terrorism, including:

- **International Convention for the Suppression of the Financing of Terrorism** – ratified on 12 September 2007[2]
- **United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna Convention), 1988 –** ratified 19 March 1993[3]
- **United Nations Convention Against Transnational Organized Crime (Palermo Convention) –** ratified 14 September 2004[4]
- **United Nations Convention Against Corruption (Merida Convention) –** ratified 16 April 2008[5]
- **Inter-American Convention Against Terrorism –** ratified 13 April 2007[6]

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[1] https://digitallibrary.un.org/record/172281?v=pdf
[2] https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-11&chapter=18&clang=_en
[3] https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=vi-19&chapter=6&clang=_en
[4] https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=xviii-12&chapter=18&clang=_en
[5] https://treaties.un.org/pages/showDetails.aspx?objid=0800000280055f36
[6] https://www.oas.org/juridico/english/sigs/a-66.html

3) Core National Legislation

Guyana has domesticated its international obligations via the following legal instruments:

- **Anti-Terrorism and Terrorist Related Activities Act, 2015**: This Act criminalizes terrorism, terrorist-related activities, the financing of terrorism, and provides for the detection, prevention, investigation, prosecution, conviction, and punishment of terrorist acts. Notably, Section 58 of the Act gives the force of law in Guyana to specific provisions of key international conventions. These include Articles 7, 8, 10, and 11 of the **Vienna Convention (1988)**; Article 1(1) of Part B of the **Second Schedule of the International Convention for the Suppression of the Financing of Terrorism**; and Articles 7, 18, 19, 20, 24, 25, and 29 of the **Palermo Convention**.[7]

- **Anti-Money Laundering and Countering the Financing of Terrorism (AMLCFT) Act 2009 (as amended)**: This legislation provides the legal and regulatory framework for preventing, detecting, and prosecuting money laundering and terrorist financing. It establishes the Financial Intelligence Unit (FIU) and lays out obligations for reporting entities. The Act also created the AMLCFT National Coordination Committee (NCC) and provides for the implementation of targeted sanctions related to proliferation financing.[8]

- **Mutual Assistance in Criminal Matters Act No. 38, 2009**: Facilitates international cooperation in criminal investigations, including terrorism-related offences.[9]

- **Criminal Law (Offences) Act, Section 309, Chapter 8:01**: Addresses acts of terrorism and related criminal activities.[10]

- **Cybercrime Act, 2018**: Addresses emerging threats including the use of cyberspace for planning or executing acts of terrorism.[11]

- **National Intelligence and Security Agency Act, 2023**: Establishes the National Intelligence Agency (NISA) and a framework for national intelligence operations in relation to security threats, including terrorism.[12]

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[7] https://www.parliament.gov.gy/publications/acts-of-parliament/anti-terrorism-and-terrorist-related-activities-act-2015
[8] https://finance.gov.gy/wp-content/uploads/2021/01/anti-money_laundering_and_countering_the_financing_of_terrorism_act_2009-1.pdf
[9] https://moha.gov.gy/wp-content/uploads/2021/04/Mutual-Acts.pdf
[10] https://mola.gov.gy/laws/Volume%203%20Cap.%206.03%20-%2010.071696982679.pdf
[11] https://www.parliament.gov.gy/publications/acts-of-parliament/cyber-crime-act-2018
[12] National Intelligence and Security Agency Act 2023 Part IV Operational Powers of the Agency

4) <u>Coordinating Bodies and Intelligence Agencies</u>

- **AML/CFT National Coordination Committee (NCC)**: A central body responsible for coordinating national AML/CFT policies, strategies, and inter-agency operations. Members of the Committee are from the following agencies: 1) the Attorney General's Chambers, 2) the Financial Intelligence Unit; 3) the Commissioner of Police; 4) the Special Organised Crime Unit; 5) the Guyana Revenue Authority; 6) the Director of Public Prosecutions; 7) the Ministry of Home Affairs. [13]
- **Financial Intelligence Unit (FIU)**: A statutory agency mandated to request, receive, analyze, and disseminate intelligence on suspicious financial transactions related to money laundering and terrorism financing. The FIU also oversees compliance by reporting entities and coordinates with local and international partners. The Unit's functions are aimed at supporting the work of law enforcement agencies and other competent authorities in Guyana's fight against money laundering, terrorist financing, and the proceeds of crime.[14]
- **National Intelligence and Security Agency (NISA)**: Established under the 2023 legislation, NISA is responsible for the coordination of the States's defense and law enforcement activities relating to national intelligence and security. NISA provides national intelligence and security advice to the President, Cabinet and entities in the security sector, and for connected matters. [15]
- **Special Branch of the Guyana Police Force**: Conducts intelligence gathering, covert surveillance, and monitoring of persons of interest, including those linked to foreign terrorist networks.
- **Special Organized Crime Unit (SOCU)**: Investigates financial crimes linked to terrorism and assists in the prosecution of such cases.

5) <u>Strategic and Policy Frameworks</u>

Guyana has developed several national strategies to strengthen its efforts to combat terrorism and terrorist-related activities:

National Strategy for Combatting Terrorist Financing 2023: This strategy is principally concerned with creating a more robust law enforcement department that will respond to and conduct investigations regarding terrorist financing and proliferation financing. It entails more powers and capabilities in the AML/CFT legislation for law enforcement agencies to enable the relentless disruption of criminals and terrorist.[16]

Counter Proliferation Financing Strategy 2023: This strategy is designed to establish a roadmap for transforming Guyana's strategic goals into actionable steps and to guide the development of future action plans in the dynamic terrorism and proliferation

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[13] AML/CFT National Coordination Committee
[14] About the FIU
[15] https://www.parliament.gov.gy/new2/documents/bills/23619-bill_no._5_of_2023.pdf
[16] https://bankofguyana.org.gy/bog/images/compliance/Counter%20Terrorism%20Financing%20Strategy%20GUYANA.pdf

financing environment. Specifically, it seeks to detect, deter, and prevent activities related to proliferation financing, including the generation, movement, and utilization of funds intended to support proliferation, both domestically and internationally.[17]

National Policy and Strategy for Combating Money Laundering, Terrorism Financing, and the Financing of Proliferation 2021-2025: The core objectives of this strategy are to achieve a high level of compliance with the Financial Action Task Force (FATF) Standards for combating Money Laundering (ML), Terrorism Financing (TF), and Proliferation Financing (PF). It also aims to effectively meet the practical objectives of Guyana's Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) system. This national policy and strategy serves as a guide to enhance Guyana's effectiveness in mitigating ML, TF, and PF risks.[18]

National Risk Assessment (NRA): Guyana conducts NRAs to evaluate its vulnerability to money laundering (ML), terrorist financing (TF), and proliferation financing (PF). Comprehensive NRAs were completed in 2017 and 2021, with an updated TF risk assessment conducted in 2023. This assessment notably identified Guyana's exposure to TF as medium. A new assessment is scheduled for 2024-2025. Significantly, the national TF and PF strategy was developed following the 2023 updated TF/PF risk assessment.

Counter Proliferation Financing Guidance 2023: This guidance document provides updated information to competent authorities and reporting entities regarding the countering of the financing of proliferation of weapons of mass destruction (WMDs). It aims to align Guyana's national framework with international best practices and standards, particularly those set by the Financial Action Task Force (FATF).[19]

6) <u>Operational Measures</u>

6.1) Surveillance, Intelligence Gathering, and Information Sharing

Guyana actively monitors individuals suspected of affiliation with international terrorist groups. It receives and shares intelligence with international and regional partners, including:

- INTERPOL
- Regional Intelligence Fusion Center (RIFC)
- United States Embassy
- Other international law enforcement agencies

Surveillance and intelligence techniques include:

- Human Intelligence (HUMINT)

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[17] https://bankofguyana.org.gy/bog/images/compliance/Counter%20Proliferation%20Financing%20Strategy%20GUYANA.pdf
[18] https://fiu.gov.gy/wp-content/uploads/2023/03/Guyana-National-Strategy-for-combatting-MLTFPF-2021-to-2025.pdf
[19] https://bankofguyana.org.gy/bog/images/compliance/Counter%20Proliferation%20Financing%20Strategy%20GUYANA.pdf?utm_source=chatgpt.com

- Signals Intelligence (SIGINT)
- Open-source intelligence (OSINT)
- Covert surveillance
- Deployment of officers at ports and border locations to monitor Persons of Interest (POIs)
- Risk assessments

Guyana remains particularly alert to threats from regional terrorist organizations such as the Ejército de Liberación Nacional (ELN), a Colombian guerrilla group with a presence in Venezuela near the Guyana border. The ELN engages in guerrilla warfare, kidnapping for ransom, extortion, and drug trafficking, using Guyana as a transshipment point for illicit drugs destined for the United States and Europe.

6.2) Interagency Coordination and Protocols

To enhance interagency coordination in countering terrorism and terrorist financing, Guyana's competent authorities signed an Interagency Memorandum of Understanding (MoU) on August 30, 2023. The MoU strengthens collaboration to combat money laundering, terrorism financing, and other related predicate offences.

Additionally:

- The Special Organized Crime Unit (SOCU) and the Office of the Director of Public Prosecutions (DPP) maintain internal manuals for the investigation and prosecution of terrorist financing cases.
- The Attorney General's Chambers and the Financial Intelligence Unit (FIU) have established procedures for listing, managing, and delisting individuals and entities subject to UN Security Council Resolutions (UNSCRs) 1267, 1373, 2231, 1718, and related resolutions.

6.3) Monitoring and Supervision of Terrorist Financing

6.3.1) Reporting Requirements

Guyana requires all financial institutions and Designated Non-Financial Businesses and Professions (DNFBPs), collectively referred to as Reporting Entities (REs), to:

- File Suspicious Transaction Reports (STRs) and Terrorist Property Reports (TPRs) in accordance with Section 18(4)(b) of the AMLCFT Act, 2009 (as amended).
- Submit STRs promptly to the FIU within three days of forming a suspicion of terrorist financing.
- File TPRs "without delay" as well as quarterly summary reports with the FIU.

6.3.2) Supervision and Compliance

Supervisory Authorities (SAs), appointed under relevant legislation such as the AMLCFT Act, Guyana Compliance Commission Act, and the Real Estate Authority Act, ensure compliance with the reporting and anti-terrorism financing requirements. These authorities supervise:

- Commercial banks
- Non-bank financial institutions
- DNFBPs

They have the authority to impose sanctions for non-compliance, which must be effective, proportionate, and dissuasive. All sanctions imposed and STR data are shared with the FIU by the respective supervisory bodies. The FIU disseminates related intelligence to SOCU and other relevant agencies.

6.4) Criminalization of Terrorism and Terrorist Financing

Guyana's Anti-Terrorism and Terrorist Related Activities Act, 2015 criminalizes terrorism, terrorist financing, harbouring, and support for terrorist acts. It provides for detection, prevention, prosecution, conviction, and punishment, including the death penalty for terrorism-related acts resulting in death.

Guyana's Anti-Money Laundering and Countering the Financing of Terrorism (AMLCFT) Act, 2009 (as amended) Section 68(1) criminalizes terrorist financing in line with the International Convention for the Suppression of the Financing of Terrorism. Both terrorism and terrorist financing are classified as serious offences and predicate offences for money laundering investigations.

Guyana implements targeted financial sanctions as per UNSCRs, through coordination among:

- Minister of Finance
- Director of the FIU
- Director of Public Prosecutions
- Attorney General and Minister of Legal Affairs
- AMLCFT National Coordination Committee (NCC) and sub-committees

6.5) Safeguarding Non-Profit Organizations (NPOs) from Abuse

To mitigate the risk of misuse of NPOs for terrorist financing:

- A sector-specific risk assessment of NPOs was conducted.
- The Compliance Commission Act, 2023 was enacted to facilitate risk-based supervision of the NPO sector.
- The FIU and AMLCFT NCC have conducted guidance sessions, training, and outreach to educate NPOs and charities on compliance and TF risk mitigation.

7) <u>International Cooperation</u>

7.1) Information Exchange and Memoranda of Understanding (MOUs)

Regionally and internationally, the FIU has established MOUs with:

- Most counterpart FIUs in the Caribbean Financial Action Task Force (CFATF) – a FATF-style regional body.
- FIUs from other FATF-style regional bodies.
- Belize and Trinidad and Tobago, specifically for the exchange of information related to the implementation of Targeted Financial Sanctions (TFS) pursuant to UNSCRs such as 1267, 1373, 2231, and 1718.

All MOUs include provisions for the sharing of information related to terrorist financing and the implementation of counter-terrorism measures.

7.2 Cross-Border Cooperation by Competent Authorities

All competent authorities in Guyana, including the FIU, Director of Public Prosecutions (DPP), law enforcement agencies, supervisory bodies, and tax authorities, are legally empowered to provide a broad range of international cooperation in relation to terrorist financing and other associated predicate offences.

The Special Organized Crime Unit (SOCU) plays a central role in these efforts. SOCU actively monitors individuals suspected of affiliation with international terrorist groups and engages in intelligence sharing with international and regional partners, including:

- INTERPOL
- Regional Intelligence Fusion Center (RIFC)
- United States Embassy
- Other international law enforcement agencies

Guyana's law enforcement capabilities have also been strengthened through:

- Collaboration with the U.S. Drug Enforcement Administration (DEA)
- SOCU's participation in specialized training, such as the RSS AML/CFT Workshop in November 2024.[20]

7.3 Regional and International Engagement

Guyana plays an active role in regional and global counter-terrorism frameworks and initiatives, including:

- Implementation of the CARICOM Counter-Terrorism Strategy, through which national measures are aligned with the regional framework to prevent and respond to terrorism.
- Active participation in INTERPOL counter-terrorism cooperation mechanisms.
- Engagement with Organization of American States (OAS) initiatives, including:
    - Cybersecurity capacity-building
    - Critical infrastructure protection

[20] https://m.facebook.com/story.php?story_fbid=585728534113263&id=100080283641774

- Law enforcement and counter-terrorism training

7.4 National Risk Assessments and Strategic Implementation

Guyana has conducted two National Risk Assessments (NRAs) (2016–2020), in collaboration with the World Bank, to identify and assess national vulnerabilities and threats related to terrorist financing and other predicate offences.

As a result of these assessments, Guyana has undertaken the following strategic actions:

- Implementation of FATF Recommendations to strengthen AML/CFT compliance.
- Establishment of a Counter-Terrorism Department within law enforcement.
- Enhanced detection, investigation, and prosecution mechanisms for terrorism-related offences.
- Drafting of regulations to address TF and PF, thereby improving risk-based resource allocation and operational effectiveness.[21]

8) Challenges and Capacity Building Needs

Guyana continues to strengthen its counterterrorism framework. Current challenges and needs include:

- Further technical support for implementation of targeted financial sanctions and asset freezing
- Enhanced training for law enforcement, judiciary, and prosecutors on terrorism-related offences
- Improved information sharing across agencies
- Expanded supervision of high-risk sectors, such as legal professionals and credit unions

[21] https://fiu.gov.gy/wp-content/uploads/2023/04/NRA-Executive-Summary-2021.pdf