



The fight against **TERRORISM**



THE FIGHT against TERRORISM

PES GROUP POSITION PAPER ON THE FIGHT AGAINST TERRORISM
IN THE AFTERMATH OF THE ATTACKS ON THE UNITED STATES

MARCH 2002

SUMMARY:

The fight against terrorism and its causes must focus on the following elements:

In the short term :

- ▶ guarantee the continuation of the global alliance against terrorism through diplomacy
- ▶ delivery of emergency aid to the people of Afghanistan
- ▶ implement urgent measures to increase the security of the people within the European Union;
- ▶ contribute to the **consolidation of a democratic, multi-ethnic, gender diverse and internationally-oriented government for Afghanistan which respects fundamental human rights;**
- ▶ freeze the financial assets of terrorist organisations;
- ▶ respect for human rights, including those of the Guantanamo prisoners;

In the middle term :

- ▶ help adopt and implement a programme for the reconstruction of Afghanistan in cooperation with the neighbouring countries, with the aim of enhancing stability in the whole of the neighbouring region;
- ▶ intensify the existing programmes for cooperation in and with countries and regions that need support to establish stability;
- ▶ intensify the democratic and political dialogue between politicians and civil society in different cultural entities;
- ▶ **certain conflicts have to be solved, including the Israeli-Palestinian conflict which breeds extremism and is being used as an argument for people involved in international terrorism;**
- ▶ **proceed urgently with the implementation of the European Security and Defence Policy, with special emphasis on making the European Rapid Reaction Force operational for joint European peace-keeping tasks;**
- ▶ **provide for a truly European programme of enhancing internal security whilst guaranteeing respect for the rights of the individual;**
- ▶ **reform international financial organisations (IMF, World Bank);**
- ▶ **fight against fiscal havens;**
- ▶ continue with the process of setting up an International Criminal Court;
- ▶ **reactivate negotiations on the use of small arms;**

In the longer term :

- ▶ **act on a clear commitment to fight hunger, poverty and underdevelopment** world-wide with adequate resources;
- ▶ act on a comprehensive programme for education, understanding and respect between cultures and in favour of gender mainstreaming in society;
- ▶ establish long-term partnerships and intensive cooperation with European and other regions in need of support to achieve prosperity, stability and respect for law;
- ▶ further enhance the tools to develop the EU's common internal and external security policy;
- ▶ **reinforce international structures, in particular the UN, a vital instrument for the establishment, respect and enforcement of internationally accepted standards and values.**

The European Union must, together and in close cooperation with other developed democratic states, give priority to a substantial political and financial investment in this field. If this is not the case, our own stability and security will be continuously and increasingly under threat.

**Freedom and Security in a globalised world;
Europe's responsibility for our common future**

"Nous autres, civilisations, savons maintenant que nous sommes mortelles."
Paul Valery

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humiliation, fanaticism, violence, crime and terrorism can flourish. Although terrorism has various reasons going far beyond only the economic causes, a deteriorating economic climate is often exploited by terrorists to pursue their own goals and objectives. We have to be aware that combating terrorism is also very much a European issue as witnessed in recent times in Ireland, Spain and France. Regional cooperation embedded in a global framework, a dialogue of cultures based on universal standards and respect for international law supplemented by the power of enforcement must be part of a global security strategy.

Together with the United States, the European Union and its Member States have adhered to the newly formed global alliance against terrorism. The activities of this coalition have different components, but most important is that it is used as a long-term commitment to achieve global peace, stability, prosperity and justice. In this alliance, the EU will not be satisfied with American unilateralism. The Union itself has a specific role to play.

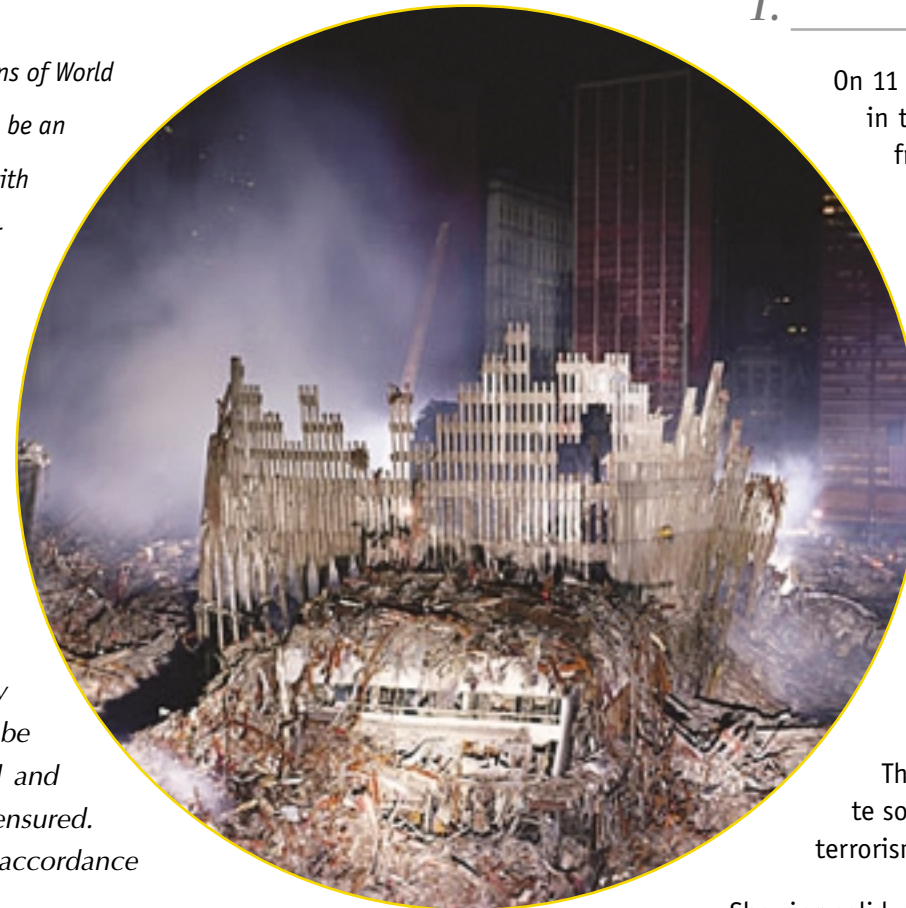


INTRODUCTION

Over the past 50 years the European Union and its Member States have built, on the ruins of World War II, an area of peace, political stability and economic prosperity that is considered to be an example to the rest of the world. With the process of enlargement, active cooperation with the countries of the former Soviet Union and the implementation of the Stability Pact for the Balkans and a special relationship with the Mediterranean countries, the European Union seeks to overcome the divisions of the Cold War and to extend peace, stability and prosperity to the whole of the European region.

Hunger and underdevelopment, repression and the proliferation of weapons of mass destruction, or of soft weapons and small arms, international crime and terrorism are a threat to peace and stability and directly contradict the values and the convictions which form the basis of the European Union. The European Union has the experience of terrorism on its own territory. It obliges the European Union to act, to take responsibility and to commit itself to promote peace, to fight injustice and inequality. To be effective in its actions and to be respected in its commitment, the political and institutional development of the EU's foreign and security policy must be ensured. Effective civil and military instruments to enhance its capacity for action in accordance with international law and conventions must be rapidly established.

Poverty and underdevelopment, violation of basic human rights and institutionalised inequality, as well as the perception of cultural imperialism create an untenable climate in which discrimination, a sense of deep



1.

On 11 September 2001 a most horrific and unprecedented terrorist attack was committed in the United States in which thousands of innocent citizens lost their lives. Leaders from around the world have condemned these attacks in the strongest possible terms, declaring that these terrorist acts must be considered as an armed attack, as an act of aggression against all open, democratic, multi-cultural societies and as a breach of international peace, stability and security.

2.

An urgent call on all states was made by the Security Council of the United Nations (Resolution 1368 (2001)) 'to work together urgently to bring to justice the perpetrators, organisers and sponsors of those terrorist attacks' while it stressed that 'those responsible for aiding, supporting or harbouring them would be held accountable'. On the basis of this resolution a broad international coalition was built, which rallied to the United States more than fifty states including the members of the European Union, the applicant countries and many others, i.e. Russia, China, Japan, India, Pakistan, Australia, Canada and even Cuba.

The European Councils of Brussels and Ghent confirmed the European Union's concrete solidarity with the American people and its commitment in terms of the fight against terrorism.

Showing solidarity with and giving support to the United States has also given the European Union the opportunity to discuss with the United States the scope of its actions.



3.

A successful global alliance against terror depends very much upon Europe's ability to integrate its efforts, in particular with its neighbours and to have such diverse nations as Russia, Iran and the countries of the Middle East and North Africa be part of that strategy. New offers of political and economic links with these countries, decisive steps towards the solution of the crisis in the Middle East and an extension of aid to support the necessary economic and social reforms in these countries are vital.

Parallel to this political strategy Europe must insist on respect for human rights as a more efficient instrument for long-term stability. The ability of Europe to enter into and enhance this dialogue is paramount to the success of military, judicial and police activities in combating terrorism. In this dialogue preference should be given to a common European voice.

4.

The North Atlantic Council has for the first time in its history agreed that this attack shall be regarded as an act covered by Article 5 of the Washington Treaty, stipulating that each ally will assist the Party that has been attacked and take such action as it deems necessary.

Although most of the EU Member States were and are affected in one way or another by the decision to implement Article 5 and to offer military support to the actions by the United States, this decision remains completely within the responsibilities of NATO and its Member States. However, once this decision was taken, NATO did not actually become directly involved in the military operations in Afghanistan.

5.

Even with further development of the European Common Security and Defence Initiative, EU actions will at this stage be limited to the so-called Petersberg tasks, i.e. peace-keeping actions. **The exclusion of the EU's military responsibilities does not however reduce its duties or capabilities.** It is within the Union's remit to take all the political, civil, economic and military measures within its power.

6.

The European Union can and must play a leading role in a global action to combat terrorism, to improve security whilst upholding the values of democracy, human rights and freedom, to prevent the escalation of conflicts from becoming a source and pretext for terrorist attacks and to build a world based on solidarity and multilateralism.

In this framework it is important to develop parliamentary diplomacy and contacts with the developing countries both through the European Parliament and through national parliaments. As these contacts take place between equals, they can bring about frank discussion between the parties involved and can contribute to a better mutual understanding of individual positions.

7.

The European Union should include in its agenda a discussion on a common defence policy having Community competence thus providing a framework in which to develop EU capacities needed to face up to a security crisis. **The EU should fill the institutional gap and offer positive proposals that allow for action to be taken in the security area under a Union Treaty more adapted to dealing with current problems.** In the meantime the Member States should fulfil their commitments made at the Helsinki Summit to set up a rapid military reaction force.

8.

Within the framework of the European Union, the response to the threat of bioterrorism must be based on an integrated approach. The gathering and analysis of information, the assessment of the risks, the early warning system, crisis management and informing the public must be part of this approach. Member States should be equipped with Centres for Disease Control like those which already exist in the United States and these centres should work together at the European level.

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9.

The terrorist attacks and the responding actions can in no way be considered to be the expression of a conflict between East and West nor between North and South, between Christianity and Islam or between Israel and its allies on the one hand and the Palestinians and their allies on the other. This kind of terrorist attack is aimed at the destabilisation of all, indiscriminate of race, religion or origin. The aim of terrorists, as some Western ideologies claim, is to persuade people that it is a conflict between cultures and civilisations or, just as seriously, between religions. We reject these hasty and dangerous simplifications. **There is agreement today between most peoples on the fundamental values – freedom, respect for human rights, solidarity, consolidating democracy and so on – that must unite states based on the rule of law in their fight against intolerance. This shared core of civilisation remains, even if it is understood or perceived in different ways, the only historical path towards a world of freedom and solidarity that has rid itself of fanaticism and extremism.** Today all cultures are challenged by the events of 11 September. Our role is to assist the forces of progress and dialogue, wherever they may be, in combating those who seek to destroy the foundations of democratic civilisation. **Far from dividing humanity into opposing camps on the pretext of their irreducible cultural differences, the fight against terrorism must bring us closer together, as peoples mobilised for the only cause that matters – and one which is Europe's purpose – the cause of justice for humanity.**

10.

The European Union must continue its efforts to reduce poverty. It must therefore also step up its efforts to reform and redirect the institutions of global economic governance, such as the WTO, the World Bank and the IMF in the interests of a more democratic governance and an effective promotion of global stability, social justice and the eradication of poverty. Through the WTO in particular, the EU must push for both freer and fairer trade that bridges the gap between developed and developing countries. **Following Doha, the EU should also contribute to the reinforcement of ILO.**

In terms of development aid a binding calendar for each Member State and the EU as a whole to reach a contribution of 0.7% GNP must be agreed upon as well as a schedule for the cancellation of the debt of the developing countries. These measures are essential to prevent dividing the world into two camps: one of industrialised, very rich countries and one of developing, very poor countries.

The EU has a particular responsibility with regard to developing good relations with European and non-European Muslims. Furthermore, it is in our interest to maintain and further develop an open communication with the progressive forces in Islamic countries. Only in this way will there be, in the long term, a fruitful cultural, economic and political collaboration with these countries. **In this context we particularly need to step up our cooperation with regions that are actively looking for closer cooperation with the EU: Mediterranean countries, the Middle East, countries in Central Asia and around the Black Sea.**

Last but not least, it is clear to all that the permanent Middle East crisis plays a pivotal role in these difficult matters. The European Union's endeavours and the constant Socialist initiatives in this region must be pursued with the highest resolve. This must go ahead despite the apparent current deadlock caused by the Israeli government's reluctance to accept any solution based on peaceful co-existence of the two communities and the creation of two states and the obvious importance of the Palestinian authorities putting a stop to the suicide attacks.

11.

For a lasting solution to the problem of terrorism, we must look beyond the immediate needs of bringing to justice the perpetrators of the hideous 11 September crime against the American people. In order to reduce the level of conflict and eventually eliminate armed conflict, a serious effort at the reconciliation of peoples world-wide must be undertaken side by side with the current military operations. Industrially advanced nations must abandon their catastrophic delusion that they are basically right in everything, that they bear no major responsibility for the world's ills, especially those of developing countries. International political mechanisms have to be reactivated in order to bring forth solutions where exclusive dependence on capital markets has so significantly failed. Currencies have to be defended against government mismanagement and also against the abuse of the freeing of capital transfers world-wide that has in many cases degenerated into rampant speculation. The private sector, especially in advanced economies, must at last be made to face the full costs of its financial, trading and production activities; if the task of ending world poverty is to be tackled seriously, the private sector can no longer be allowed to take advantage of environmental, fiscal and financial free rides as it has done in the past. **Measures such as capital flow controls or the Tobin tax, taken very seriously by political leaders in developing countries, must be addressed with a genuine desire to finding real solutions to the real problems. Only a radically new perception of social and economic policies has any chance of shifting the emphasis of international life from violence to a road of peace. Efforts to get rid of fiscal havens must be intensified. The European social model can inspire developing countries and its basic ideas "exported".**



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12.

On 11 September 2001 the debate about security took a sharp turn. For the first time since the Civil War in 1861-1865, American cities suffered attacks, and thousands lost their lives. The myth of American invincibility was shattered, and in the very country that was talking of building up a very high tech 'missile shield', four civil airplanes were forcefully captured at three different airports and were callously used as human flying torpedoes.

It must also be emphasised that, although carried out in the United States, it appears that the attacks had to a great extent been planned within the European states, most notably Germany, Belgium, France, Italy and the United Kingdom.

Due to these reasons, the European summits of Brussels and Ghent decided to accelerate the process of judicial cooperation agreed upon at the Tampere European Council.

The terrorist attacks obliged the Union to take a number of concrete measures regarding both the EU's internal and external policies, with the borderlines between both policy fields becoming ever thinner. These measures include the fight against terrorism, the creation of a genuine European judicial area, the strengthening of the EU's intelligence efforts and the further development of the Common Foreign and Security Policy.

The first measures to fight terrorism have been decided upon in the European Union and in the Member States and implementation of the Action Plan against terrorism has begun.

European citizens expect a united EU response to the threat of terrorism. The existence of the pillars for foreign and internal policy within the European Union are not helpful in achieving a full and effective fight against terrorism. **The development of a general security policy, integrating elements from both pillars, should be considered and made accountable to democratic scrutiny by the European Parliament.**

13.

The immediate battle against terrorism, be it in Europe or at international level, will take place for the most part, in the area of justice and home affairs and will have clear implications for the areas of external policy and security. This does not have to be contradictory but can be complementary. It is clear that bombing Afghanistan has not solved the more fundamental problem of terrorism. We must develop a more comprehensive approach based on the following elements:

- ▶ In order to guarantee the right of citizens to life, freedom and security, as established in the Treaty of the Union, our best tool is **close cooperation in the areas of justice and home affairs. Following 11 September, this need has become more evident.**

- ▶ The Member States should accept the need for more flexible and efficient mechanisms and a more democratic functioning of the policies of justice and home affairs. **We support the integration of these policies within the community framework** using the procedure foreseen in Article 42 of the EUT.
- ▶ We support the decisions taken by the extraordinary European Council of 21 September 2001:
 - to convert Europol into an operative agency in which there is a real and effective exchange of information, with an operative capacity; Europol should act under judicial and parliamentary control;
 - to create Eurojust and put into action the mechanisms of judicial cooperation;
 - to adopt the European law on searching and arresting;
 - to continue the process of the approximation of national laws for offences of a transnational character as described in Article 29 of the EUT;
 - continuous monitoring to ensure effectiveness, and that people's rights are not being abused.

Greater effectiveness means less sacrifice in terms of freedoms and individual rights. Cooperation within the Union can offer citizens increased efficacy in protecting the freedom that terrorism tries to destroy.

Cooperation in the fields of justice and home affairs must form part of the EU's external agenda. Cooperation between governments with the aim of legal and judicial law enforcement, and increased police and intelligence collaboration has to be an integral part of our fight against terrorism both in Europe and internationally.

The European Union has new legal and financial instruments for helping refugees. The directive for the Temporary Protection of Refugees and the European Fund for Refugees gives us the means to support refugees both in the EU and in third countries, which should be used if necessary, even though they are still in a transposition phase.

The struggle against discrimination, foreseen in the Tampere agenda and its legislation, has for the most part been adopted and is in the process of being transposed into the national legislations. This is despite the many derogations that Member States have been able to obtain from the initial Commission proposals that could risk weakening the struggle against discrimination. It will be particularly useful in combating racism and xenophobia. The common legislation foreseen at Tampere for immigration policies must be elaborated.

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The European Union potentially has a huge role to play in global governance. Looking ahead, Europe will have real opportunities to be a force for positive change, using our experience of building bridges amongst old enemies. Punitive measures at some point must give way to constructive cross-cultural dialogue. This is where Europe can excel.



How will we manage a global society, where religions and cultures are thrown together in close proximity either because of increasing mobility and movements of people or through increasing visibility as a result of increasing media penetration? This is in our view a key question of the globalised age, one which has yet to be given the importance it deserves.

The bottom line in terms of the way we would approach a culture policy and present it to the public is that we should **suggest that the principle of heterogeneity be valued more highly than homogeneity.** We should embed our policies in the concept of unity in diversity. We should all recognise that the recent traditional (and rather derogatory) image of culture as a soft policy area is, in the present global context, no longer tenable.

14.

We must recognise that the terrorist attacks have aroused fear and alarm amongst the public, in particular in the USA but also in Europe and elsewhere. The demand for security, protection and direct actions from our citizens must not be overlooked. Fear does not eliminate danger and can be misleading. The zero risk level does not exist and it will not be possible to completely exclude terrorist attacks in the future without becoming a totalitarian police state. Extremists such as those who committed the incredible crimes in New York and Washington will always find ways to exploit the inherent vulnerability of our open society. **It must constantly be emphasised that openness and democracy constitute the basic values of our society and therefore our justification for fighting terrorism.** Our liberties and democratic rights must at the same time be protected against all over-reaction so that the basis of our open society which we want to defend is not undermined. The European Union must remain an example for the rest of the world in the field of promoting democracy and respect for human rights, justice, and political, economic and social stability.

15.

Many of the underlying concerns, which are said to feed terrorist networks in the Middle East and elsewhere, relate to those rigid religious, ethnic and cultural identities that are hostile to the concept of mutual trust, dialogue and tolerance.

Fighting terrorism is part of the overall quest for better global governance. The 11 of September has proven that more than ever we need a properly functioning global democracy and even a global 'welfare state' which fulfils people's basic needs. Global governance is more than just more rules and stronger institutions democratically organised and with representatives. It is a socially equal distribution, 'humane' market economies and the provision of adequate security. More than ever, we are dependent upon each and every country's will to be a fully-fledged part of a global democracy solving challenges together. **The 21st century is a century for a global community and cooperation, not unilateralism and isolation.**



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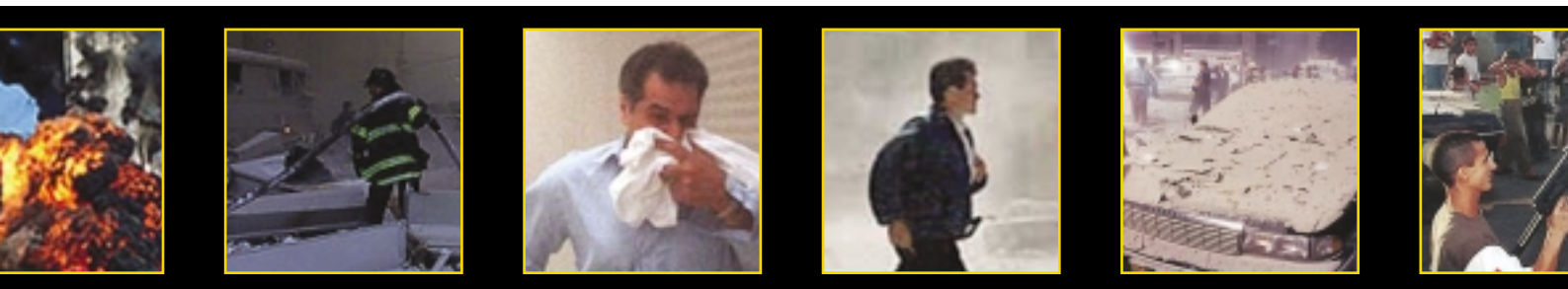
The campaign in Afghanistan was a success for the international alliance and, of course, also for the opposition in that country. But there is no certainty that the networks, which created the possibility for the attacks on 11 September, have been destroyed. This uncertainty is the basis of the fear that new, and even more dramatic terrorist attacks might follow. International terrorism, though weakened, still seems to be in place and its main goal, to get the Americans out of the Islamic countries, is not accomplished. Bombs are not capable of ending this threat; that is the work of the police and the secret services and the judicial systems generally. The public has the right to know what real progress is being made in that area. The EU has, rightly, decided that terrorism needs a European response and, therefore, it should report on its efforts, first of all concerning protection and security within the area of its responsibility but also on the efforts made on a global scale.

The Americans are already moving into other areas such as the Philippines while not excluding actions elsewhere. President Bush was very clear in his State of the Union speech. The collapse of the Taliban does not mean that state sponsorship has been brought to an end according to the US administration. In their view, international terrorism cannot operate without state sponsorship. At the same time we do not know its present scope. **The EU must address this issue in the framework of the CFSP, as it has already started to do, and clearly indicate its concept of security and peace in the world and the settlement of conflicts, which, beyond the solidarity shown with the US following 11 September, can be expressed by adopting a specific EU position.**

We need to identify the criteria on which we base a judgement of state sponsored terrorism and the steps we are prepared to take to deal with it, in terms of political, diplomatic, economic and military means. In that respect we reject a simplistic view singling out certain countries being the "axis of evil" and by those means justifying military intervention against them.

Europe should operate as a partner of the US. We have to urge the US not only to be tough on international terrorism but also on the real causes of terrorism and to act in multilateral co-operation and with respect. Europe should express its view that replacing regimes by new wars without delivering evidence of terrorist sponsorship and without convincing the global coalition of this strategy, should be opposed with clear arguments.

Pervenche Berès, Chairwoman of the Working Group on Terrorism
Jan Marinus Wiersma, Rapporteur of the Working Group on Terrorism

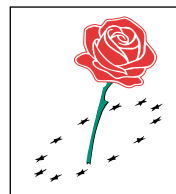


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