

How substantial has us-european counter- terrorism cooperation



There has been both continuity and change in US-European counter-terrorism cooperation from 1990 to the present day. Several factors, including differing values, historical experiences, threat perceptions and military capabilities have led to different “strategic cultures” that have limited the cooperation that is possible between the two. However, the events of 9/11 led to a new impetus and urgency for cooperation between Europe and America, in order to jointly tackle what was now seen as a major threat to western civilisation.

Despite progress with cooperation in key areas in internal security, obstacles remain, and external security cooperation has barely improved at all, as the case of Iraq in 2003 showed. This essay will explore the underlying history and issues that have served as impediments to transatlantic cooperation on terrorism, and then go on to look separately at progress made in internal (that is domestic security, usually achieved within a legal institutional framework) and external (international security often achieved by military means) security cooperation since 1990.

The biggest focus of the essay will be on the post-9/11 period, as this has seen far more cooperation than the 1990-2001 period. It is certainly the case the America and Europe, as much as the latter can be seen as a unified actor, have taken different approaches to counter-terrorism.

According to Hoffman, “terrorism has long been a source of friction between the United States and Europe,”¹ for instance in the 1970s and 1980s the US viewed Europe as soft on terrorism because many countries appeared to appease terrorists acting against US interests in order to avoid reprisals on

their own soil. International terrorism directed against US allies and interests was relatively rare in this period, and many European countries were more worried about dealing with domestic terrorist threats such as the IRA in Britain, ETA in Spain and the Baader-Meinhof gang in West Germany. It is in many ways these differing historical experiences that have led to the current different approaches to terrorism.

Europe's experience has mainly been with the "old" domestic focused terrorism based on issues of national succession or ethnic strife, and this form of terrorism has tended to be more restrained, aimed at particular political goals, and more open to political accommodation or settlement. 3 America's experience with terrorism, by contrast, has mostly been with the "new" Islamist terrorism, that is much more apolitical in that it aims not at particular achievable goals but the complete overthrow of the system via massive death and destruction, or often simply massive death and destruction for its own sake. Negotiation is unlikely to achieve anything with terrorists like Al-Qaeda, especially since it is not a terrorist organisation in the traditional sense like the IRA, and leaders such Bin Laden serve more as an inspiration to potential recruits than a direct leadership figure. This has led to a fundamentally different approach to dealing with the terrorist threat.

Another possible explanation for the differing approaches comes from the ideas most famously expressed by Robert Kagan, that America's preference for using military action and Europe's preference for sanctions, engagement and negotiations comes from their differing abilities to project military power. Kagan claims that "on major strategic and international questions

today, Americans are from Mars and Europeans are from Venus: They agree
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on little and understand one another less and less. “ 5 America’s military power and spending now far outweighs that of all of Europe combined, and no other countries can hope to beat America militarily.

This comparative strength naturally leads America to use this strength, while Europe’s comparative weakness leads it to favour methods that do not rely on military force, such as sanctions, diplomacy and engagement. But this can lead to misunderstandings and divisions between the two. Europeans believe that America “ resorts to force more quickly and, compared with Europe, [and] is less patient with diplomacy. “ 6 Meanwhile the Americans tend to see Europe as weak and dependent on America for their security.

Americans and Europeans also have different values, with Europeans putting more emphasis on things like privacy, human rights, and the rule of law. America has alienated many Europeans with allegations of torture and “ extraordinary rendition” in the fights against terror. In many cases what America regards as necessary evils are sacrifices that Europeans are unwilling to make. These differing explanations are all part of what Rees and Aldrich term different “ strategic cultures”, that is Europe and America have vastly different historical experiences, political systems and cultures that predispose them to deal with problems in a certain way.

It is certainly true that the US has had a greater disposition towards using force and that Europe has preferred non-military methods, although it is also true that the two approaches are not mutually exclusive. It is also worth pointing out that Europe is made of many separate actors, and is not unified like the US, and while we can generalise about what European countries tend

to do, they do not all act coherently all the time. 8 However, historically, the different approaches to conceptualising and dealing with force have led to tension between Europe and America that has impeded their ability to cooperate.

Between 1990 and 2001, there was not a great deal of cooperation between Europe and America on issues relating to internal security. Partly, this was because there was little perceived need for it, due to the lack of terrorist threat common to both countries. 9 The US had seen little domestic terrorism, and what they had seen bore little resemblance to the nationalist conflicts that troubled European countries like Britain and Spain. Indeed the threats were so country specific that there was very little cooperation even between European countries. 0 There were some agreements and declarations made with G7/G8 countries, including France, Germany, Italy and the UK, such as the “ Common Declaration on Countering Terrorism” in 1995, and a declaration in 1996 that terrorism was a high priority to the G7 countries, including the endorsement of 25 ways to improve counter-terrorism cooperation, 11 but this did not lead to substantial counter-terrorism cooperation¹² and did not involve any attempt to engage with the European Union as a whole.

However, 9/11 gave a new momentum to cooperation on issues of internal security, as European countries realised that they too faced a threat from radical Islamist terrorists. There has been a renewed effort for cooperation through the medium of the EU, for instance, the EU agreed on a “ roadmap of priorities” with 60 counter-terrorism recommendations, and US

representatives have taken part in key EU counter-terrorism meetings in <https://assignbuster.com/how-substantial-has-us-european-counter-terrorism-cooperation/>

order to share ideas. 3 Although concerted efforts have finally been made, progress so far has been mixed. In terms of policing and law enforcement there has been a real effort to move from a bilateral, to European basis, especially with the development of organisations like Europol, the Europe-wide police service. However, Europol is a small organisation, largely subordinate to the competing interests of Brussels and European governments, 14 and interested in analysis of overall crime trends rather than specific investigations.

Some progress was made towards a working relationship between the US and EUROPOL, which allowed the sharing of certain kinds of information valuable to fighting terrorism. 15 Although EUROPOL remains very small compared to US and other national law enforcement agencies, this is a significant step. Europe has also made cooperation easier by introducing a Europe wide arrest warrant that reduces the need for extradition between European states. But this has not resolved problems with extradition to the United States, which is not allowed from European countries if the death penalty could be imposed.

While this had impeded progress towards easy and smooth extraditions, it is perfectly possible for compromise in individual cases, if US prosecutors are willing to take the option of capital punishment off the table, showing that differences in values do not necessary make cooperation impossible. 16 A difference in values that has been more difficult to deal with has been that over data sharing and privacy concerns. The most obvious example of this is the US request for Europe to share information on passengers flying into America, including name, address, date of birth, payment method, etc.
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By supplying US authorities with this information, airlines would violate the EU's privacy directive, which has strict rules on what information may be shared with third parties- this puts the airlines between a rock and a hard place, unable to comply with the law in both America and Europe. However, in May 2004 it was possible to reach a compromise in this area, with the US agreeing to accept more limited information, to only use it for specific purposes, to delete it after three and a half years, and to review the agreement after three and half years. 7 Although this agreement faced further legal challenges, it showed that it was in fact possible for America and Europe to compromise over their differing values. There have also been concerns over the overlap in the US between information gained through intelligence and information gained through law enforcement, since information gained through the former is often inadmissible in a court, making criminal trials hard.

This reflects the competing cultures of law enforcement, which values civil liberties and accountability, and national security and intelligence gathering, which privileges secrecy. 18 There have been several disagreements based on clashes of values such as this that have impeded cooperation. America has been concerned about the security of Europe's borders. Apart from the UK and the new accession states, the European Union has no internal borders and once inside people can move freely across the continent.

What this means in practice is that European border security is only as strong as that of the weakest state, and since some of the smaller states such as Belgium have shown little concern about terrorism (this is somewhat understandable, seeing as they are unlikely to be a prime target!) there is a <https://assignbuster.com/how-substantial-has-us-european-counter-terrorism-cooperation/>

worry that lax security there hurts everybody. 19 Despite a promising trial of a border patrol in 2002, stopping both illegal immigrants and drug traffickers, ministers failed to make any real progress on the issue. 0 There have also been tensions over port security, with US attempts to implement the Container Security Initiative causing tensions due to the bilateral nature of the agreements²¹ and issues such as biometric passports, on which the US was eventually forced to back down. 22 Issues relating to border security are one area where cooperation could definitely be improved. There has also been progress made with regards to countering financing of terrorist organisations, which before 9/11 often saw inadequate policing of money laundering and poor enforcement.

Since 9/11, there has been a renewed effort to freeze the assets of organisations linked to terrorism, and encourage transparency in transactions to counter money laundering. Much of this has taken place through the already existing FAFT (Financial Action Task Force), which in October 2001 expanded to specifically to include terrorism in its remit, and offers its advice and expertise to organisations in detecting transactions that could be related to terrorist financing. 23 While this has not been a perfectly smooth area of cooperation, this has been one of the bigger successes of cooperation. 4 So while there has certainly been some progress on cooperation between Europe and America on issues of international security, the situation is by no means perfect. The achievements made so far, while a step in the right direction, are relatively modest and there is certainly room for improvement. There are continuing obstacles, in the form of differing values, and practical issues about the efficacy of new organisations like

Europol. The key to solving many of the issues surrounding European-American cooperation seems to lie in solving problems with cooperation within Europe itself.

Once Europe is a more unified actor that can coordinate cooperation among themselves, they will be in a much better position to be a useful partner to America. But certainly there is cause for optimism in regards to internal security cooperation. The same cannot necessarily be said for the future of cooperation in external security issues. In this area there was once again little cooperation between 1990 and 2001, with most taking the form of declarations by the G7/8, and certainly little in the way of joint military action.

In fact US military action has often been frowned upon or condemned by European countries, and this was no less the case in the 1990s. The Europeans did support some military action, for instance the cruise missile strikes after the 1998 bombing of the Kenyan and Tanzanian American embassies, but there has been a European tendency to view force as a blunt instrument, preferring economic sanctions or positive engagements and incentives. Some of the reasons for this have already been discussed, but generally this issue has led to tension between the two actors.

In 1995, there was the establishment of the New Transatlantic agenda, accompanied by the US-Europe Joint Action Plan, with the aim of moving towards “ a more comprehensive and action orientated partnership” between the United States and Europe, on terrorism and other issues. 25 This led the EU and US to meet twice a year at presidential level to discuss

joint issues of concern, but led to very little substance on the terrorism issue, especially since pre-2001 terrorism was not seen as a joint threat to the same extent that it is today.

What's more, America has run into problems even with the use of sanctions. The Iran-Libya sanctions act, enacted by Clinton in 1995 due to pressure from the Republican congress, caused problems in Europe due to the fact that it allowed the US to penalise European companies who continued to trade with these two countries. 26 The US regarded it as a principled stand against state sponsors of terrorism, but the Europeans viewed it as bullying, especially since it was imposed from outside by the US congress.

After a bitter row, America was finally forced to back down due to threats that the issue would be taken up at the World Trade Organisation, but it left a bitter taste in the mouth of many American's and a continuing belief that Europeans are soft on terrorism. 27 These differences have only intensified since 9/11. While the US has been very enthusiastic about responding to the new threat militarily, Europe on the whole hasn't been keen, and has displayed a considerable amount of skepticism about the idea of a " war on terror. 28 Many Europeans feel the term suggests purely military approach, and since they are not convinced that terrorism can ever be defeated entirely, they fear it will become a war without end, with no defined fronts or fixed targets. The US has tended to see terrorism as part of a wider nexus that also included states of concern and weapons proliferation, which naturally lends itself to a military response.

The Europeans have not quite bought into this idea, which led to far more reluctance to accept the rationale of the Iraq war as being a part of the fight against terrorism, fearing the instability it would bring²⁹ The 2003 conflict caused a vast split in transatlantic relations, but four years on with the supposed Iraqi WMD still missing, those who claimed Iraq was part of different strategic objectives rather than a core prong of the war on terror appear to have been vindicated.

US-European military cooperation was very difficult in the 1990s anyway, because until the advent of ESDP Europe simply didn't have a common defence identity for the US to work with. When this did come about in 1999, the military capability was still tied to NATO, and seen as fundamentally weak. ³⁰ It could hardly be said that Europe was united on all major issues, making it hard for America to engage with Europe as a single actor. Instead they preferred bilateral cooperation with individual European states. ¹ The divisions over Iraq have only encouraged this. When Europe is so divided over key issues it is incapable of acting as a unitary actor with a coherent position, it is only natural that the US would chose to work with those that supported its views- countries like Britain, Spain, and the new accession countries to the European Union. These continuing bilateral agreements actually make development more pan-European cooperation harder³² But when Europe HAS been willing to offer military cooperation, the US has not always been interested.

There was widespread support and offers of assistance for the war in Afghanistan. This stems from the fact that the reason given for the war, ridding Afghanistan of the Taliban after their sheltering of Al-Qaeda and lack

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of cooperation after 9/11 was seen as far more legitimate than the reasoning given for Iraq. Many of these offers of help were turned down, including the invocation of NATO's mutual defense clause, which some in Europe saw as a slap in the face.

However, since then many European countries have been part of the peacekeeping effort and continued fights against the Taliban in Afghanistan as part of NATO, suggesting that it is possible for Europe and America to cooperate on military matters. But these areas of disagreement do not have to spell the end for all hope of cooperation between the countries. Since Iraq, there has been a recognition among many in America that military means alone will not win the war against terrorism, and that European efforts based on diplomacy or economic power can have their part to play in dealing with the important issues.

Similarly, there has been some recognition on the part of the Europeans that America has some things right, for instance that the acquisition of WMD by rogue states or terrorist cells is a serious concern that needs concerted action. ³³ It is worth noting that the American National Security Strategy published in 2002 and the European National Security Strategy published in 2003, while differing in emphasis, e. g. the European emphasis on multilateralism and positive engagement, do not fundamentally contradict each other in their diagnosis of the problems that the two actors need to face. ³⁴ While there is certainly a great deal of progress to be made before Europe and America can be full partners in counter-terrorism, there is enough to suggest that the future does not have to be as bleak as we might have expected given the venom witnessed in 2003. So it is fair to say that <https://assignbuster.com/how-substantial-has-us-european-counter-terrorism-cooperation/>

transatlantic counter-terrorism cooperation since 1990 has not been as substantial as it could have been.

The 1990s were a fairly bleak period, characterised by much in the way of misunderstandings, misgivings and lack of political will. 9/11 changed the viewpoints of many people and instilled a new sense of urgency and political will among the main political actors to counter what they now perceived to be a common threat to them all. While this has begun to bear fruit in internal security cooperation, there is still a long way to go and a lot of learning and accommodation to be done by both the Europeans and Americans.

There has been significantly less progress on external security cooperation, with the Americans and Europeans still not often seeing eye to eye on the appropriateness of military force. The starkest example of this was the transatlantic rift that developed over the 2003 Iraq war, with many of the wounds still not healed. However, it is encouraging to note that many other forms of cooperation carried on taking place even at the height of the venom that surrounded the conflict. While there is a lot of work to be done, there is hope for the future of transatlantic counter-terrorism cooperation!