

# Terrorism and counter terrorism: european approach



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The term ' Terrorism' is hard to define. There is no official definition of terrorism agreed on through the world. Definitions tend to rely heavily on who is doing the defining and for what purpose. Some definitions focus on terrorist tactics to define the term, while others focus on the participant. The UN, philosophers and different states try to formulate a concrete definition of Terrorism over the last several decade. The UN Security council adopted a several range of measures to define ' Terrorism'. Different states define terrorism according to their political, religious, regional and economical aspect. This paper concern on the defination of terrorism and counter terrorism, ideology of counter terrorism, the EU's approach on counter terrorism and their drawback. I have tired to formulate a defination of terrorism with example of defination of other international organization. Different ideology of counter terrorism how EU approach accroding to that ideology to fight against terrorism. This paper does not discuss the other facts of European Union's battle against terrorism, such as education, business and other social facts.

## **Terrorism:**

C. A. J. Coady in his book " Defining Terrorism", say: " the organized use of violence to attack noncombatants (' innocents' in a special sense) or their property for political purposes is terrorism". Though there is no such definition that philosophers and international organization like UN, EU and Arab council agreed on, from my view the general definition can be defined for terrorism is " an ' act' that is committed in whole or in part for a political, religious or ideological purpose, objective to intimidate the public or a segment of the public with regard to their security. The ' act' includes

causing death or bodily harm through violence, endangering life or creating a serious risk to the health or safety of the public or any segment of public”.

### **UN Definition of Terrorism:**

UN security council states in one resolution about the definition of terrorism is that “ causes danger to human dignity and security, development, global stability, prosperity, and UN purposes and principle”. The UN General Assembly clearly condemned “ all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed”. This refer to the threat to peace and security posed by terrorism and its danger to life.

### **EU Definition of Terrorism:**

The European Union describes terrorism for legal/official rationales in Art. 1 of the Framework Decision on Combating Terrorism. The EU define terrorism as terrorist offence. The last EU Justice and Home affair council reached a “ Political” agreement on the “ Framework Decision on Combating Terrorism” and defined that terrorist offences are certain criminal offences set out in a list comprised largely of serious offences against persons and property which given their nature or context, may seriously damage a country or an international organization where committed with the aim of: seriously intimidating a population; or unduly compelling a Government or international organization to perform or abstain from performing any act; or seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization.

But this definition of EU is criticized by civil society groups because the definition mostly influenced USA and leading EU governments around G8. The civil society think that this definition will cause harm to legitimate action, such as trade union activities or anti-globalization movement.

### **US Definition of Terrorism:**

The United States has defined terrorism under the Federal Criminal Code. Title 18 of the United States Code defines terrorism and lists the crimes associated with terrorism. In Section 2331 of Chapter 113(B), defines terrorism as: "...activities that involve violent... or life-threatening acts... that are a violation of the criminal laws of the United States or of any State and... appear to be intended (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and...(C) occur primarily within the territorial jurisdiction of the United States..."

US Patriot Act of 2001: terrorist activities include-

- threatening, conspiring or attempting to hijack airplanes, boats, buses or other vehicles.

- threatening, conspiring or attempting to commit acts of violence on any "protected" persons,

such as government officials

- any crime committed with “ the use of any weapon or dangerous device,” when the intent of the

crime is determined to be the endangerment of public safety or substantial property damage

rather than for “ mere personal monetary gain

FBI indentify the terrorism as “ The unlawful use of force or violence against persons or property to intimidate or coerce a Government, the civilian population, or any segment thereof, in furtherance of political or social objectives”.

U. S. Army also define terrorism is the “ calculated use of unlawful violence or threat of unlawful violence to inculcate fear. It is intended to coerce or intimidate governments or societies ... [to attain] political, religious, or ideological goals.” U. S. Army Field Manual No. FM 3-0, Chapter 9, 37 (14 June 2001).

### **Arab council definition:**

The council of Arab Ministers of the interior and the council of Arab Ministers of Justice define Terrorism as “ Any act or threat of violence, whatever its motives or purposes, that occurs in the advancement of an individual or collective criminal agenda and seeking to sow panic among people, causing fear by harming them, or placing their lives, liberty or security in danger, or seeking to cause damage to the environment or to public or private installations or property or to occupying or seizing them, or seeking to jeopardize national resources”.

From the above definition of terrorism will probably never arrive at a perfect definition and it appeared controversial. Though terrorism does have characteristics to which we all spot, like violence or its threat. In reality, the only defining feature of terrorism may be the fact that it is asked, since the label "terrorism" or "terrorist" starts when there is disagreement over whether an act of violence is justified. Different government agencies and legal authorities define terrorism in their national legislation. The Australian Parliamentarian Angus Martyn says while briefing the house "The International community has never been succeeded in developing an accepted comprehensive definition of terrorism". So, in one logic, it may be reasonable to say that terrorism is exactly violence (or the threat of violence) in perspective where there will be disagreement over the use of that violence.

### **Counter Terrorism:**

Counter-terrorism generally refers to the government, militaries, police departments and different agencies adopted practices, tactics, techniques, and strategies in response to terrorist threats and/or acts, both real and imputed. It is a mechanism to neutralize terrorist and their act by through hunting down and killing or making arrest of the terrorist individuals or groups. Counter terrorism is the strategy of the same aggressive behavior that the terrorists have holds in order to oppose the acts of terrorism.

### **Ideology of Counter Terrorism:**

Ideology is a set of aims and ideas that directed people goal. It is like comprehensive vision, a way of looking things, in common sense and several philosophical tendencies. Alternatively it is a systematic body of concepts <https://assignbuster.com/terrorism-and-counter-terrorism-european-approach/>

about human life or culture, a manner or the content of thinking characteristic of an individual or groups. The ideology of counter terrorism is to neutralize and defeat terrorism. It is considered that ideology is the key motivation force for the current roll of terrorism. The ideological approach guided to some interesting perspectives in the plead to find solution to the problem of terrorism. There are three approaches to fighting terrorism-

- (1) Operational counter terrorism,
- (2) Strategic counter terrorism,
- (3) Conflict resolution respectively.

### **Operational Counter Terrorism:**

The operational counter terrorism aims at reducing the immediate threat by monitoring suspected terrorists, collaborators, supporters and their cell, disrupting their plan by timely arrests. Now a day many countries possess a special force, security agencies and elite tactical units are dedicated to handle terrorist threats. Their role is to directly engage with terrorist and carry out preventive actions, hostage rescue and responding to current terrorist attacks. Tactics, techniques and skills for manhunting are under steady development. For an example after 9/11 the US government invested in developing their operational counter terrorist capabilities, increased the budgets and expanded the numerical strength of their intelligence communities and enforcement authorities. As a result post 9/11 operational counter terrorism degraded terrorist capabilities in US.

## **Strategic Counter Terrorism:**

A policy that guide actions, help undermine the recruitment of terrorists, and change the environments they inhabit into increasingly non-permissive ones. This policy may not work well against terrorists who are prepared to sacrifice their lives. But it is possible to at least inhibit some terrorist action if the operatives find their world increasingly hostile, new initiatives harder to find, and the likelihood that they will be turned in to the authorities great. [B. Deniel, 2008, p3]

The strands of strategic counter terrorism are in ideological, educational, media, legislative and financial responses. The fundamental is to counter the terrorist ideology that activates, forces and justifies terrorism. Similar to ideological response to terrorism, which reveals the unusual teachings of terrorist groups, initiatives in educational response seeks to make it difficult for terrorists to use the current religious education system to politicize the religious. It is setting up an ethic against terrorism in the broad society. To build communities that hate violence, the governments work with the media to counter political terrorism and violence. The media has perform such an important role in formally and informally meliorating the public and evoking their awareness about disease and famine. Similarly with the legislative reaction to terrorism.

## **Resolving Regional Conflicts:**

The government of developed countries do not try to understand the necessary of resolving the regional conflict zones that breed and hold terrorism. To decrease the hazard of political violence globally it is essential for the international community to make a justified attempt to end the <https://assignbuster.com/terrorism-and-counter-terrorism-european-approach/>



regional conflicts through political negotiation. The United Nations publish a guideline for UN Mediator-Terrorism. In that publication UN global counter-terrorism strategy on resolving the regional conflicts appeared in Section 1, paragraph 1:

“ To continue to strengthen and make best possible use of the capacities of the United Nations in areas such as conflict prevention, negotiation, mediation, conciliation, judicial settlement, rule of law, peacekeeping and peacebuilding, in order to contribute to the successful prevention and peaceful resolution of prolonged unresolved conflicts. We recognize that the peaceful resolution of such conflicts would contribute to strengthening the global fight against terrorism.”

Palestine, Kashmir, Maluku [Indonesia], Mindanao [Philippines], Afghanistan, North Korea and Iraq's regional conflict are major creators of human rights violations, domestic disarticulation, refugee flows and terrorists. The Israeli-Palestinian conflict in the 1970s and 1980s produced terrorists and poured forth over to neighboring countries; Afghanistan produced the largest number of terrorists in the 1990s and today. International community neglects this regional conflicts, thinks that the fighting group will fight each other and weaken themselves. The developed countries proved wrong when al Qaeda organized a strike against US from Afghanistan. The most regional political groups adopted violence some situations, If the international community provide the right opportunities and negotiate with the terrorist groups, many of them join mainstream politics and end the violence. If they develop an environment to facilitate negotiation, actively mediate between fighting factions, the gap for regional ideological and

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political terrorism can be significantly reduce. Proper knowledge and implementation for structuring peace processes must be developed.

### **EU Background:**

There is a contradiction in the EU's role in counter-terrorism. EU politicians have debated strongly in concern of greater European co-operation in combating terrorism. There is established terrorist groups in EU like ETA and IRA who are active for the long time but the international terrorist organization like Al-Qaeda cells are operating across the globe and may attack anywhere in Europe. A studies says, there are roughly 18, 000 trained al-Qaeda terrorist around the world and no one knows how many of the active in Europe. There is a terrorist attack in Madrid in March 2004 and killed about 191 innocent people. After that attack the politicians argued that the EU must take necessary act in helping the member-states to supervise and prevent cross-border terrorist activities in Europe. The EU governments has a common borders which is a core benefit for the terrorist to move freely across the Union. The EU can do many things to help their member states counter terrorist group. But EU's ability is limited for two reasons.

Firstly the EU is not a national government. The EU cannot arrest or prosecute terrorist and cannot use spies or satellites to track them. This actions are conducted by the local policemen and national intelligence of the local government. The government dislike to share intelligence information with the other government and the cross-border investigations, the governments conduct mostly of their work bilaterally not at EU level.

Secondly the term ' Counter Terrorism' is not itself a defined policy area which complex the difficulties of EU. " Counter Terrorism" spans a number of policy area in its broadest and fullest sense. To success the EU needs action from every government department not only from those who charged with law enforcement, border control, foreign and defense policy. Finance ministries need to track terrorist funding, health ministries should have stockpiles of vaccines, and education ministries should fund academic research into Islamic groups. National governments facing difficulties to coordinate with own ministries and agencies involved in counter-terrorism. It is exponentially more difficult for EU to trying to coordinate the collective efforts of 25 governments. [B. Deniel, 2008, p3]

### **EU Counter Terrorism Strategy:**

Since all EU countries facing the same threat, there is a shared ' European Approach' has taken for counter terrorism. The European Security Strategy, a document agreed by EU governments in December 2003, is clear " Europe is both a target and a base for such terrorism...Concerted European action is indispensable." The strategy makes a particularly pointed reference to the danger of terrorist groups using biological, chemical or even nuclear bombs on European soil. The document goes on to recommend that the EU should take a broad approach to dealing with terrorism, as " none of the new threats is purely military; nor can any be tackled by purely military means... Dealing with terrorism may require a mixture of intelligence, police, judicial, military and other means." [B. Deniel, 2008, p3]

The counter terrorism strategy both US and European posses mix judicial, police, diplomatic and means with a long term political approach to tacking <https://assignbuster.com/terrorism-and-counter-terrorism-european-approach/>

ling terrorism. The main different of European and US strategy is that, US chosen to fight its war on terror abroad, whereas the Europeans have primarily concern on the threat at home. The European do not generally support the idea of “ war on terror” by US which tends US approach as over-reactive and military driven. The European Security officials choose to use the phrase “ fight against terrorism” to describe their approach.

The different government of EU prosecute terrorism in different way. UK, Spain, France, Italy , Denmark, Finland and Ireland have a strong anti-terrorism laws. Several of these countries have decentralized police forces and secrete services that dominate counter terrorism effort. The other government have national police force centralized under clearly designated ‘ chief’. On the other hand Germany, Belgium, Netherland and other countries have weak terrorism laws. So often these countries face difficulties in keeping the suspects in jail. In Germany terrorist suspects remain free whereas in other countries they would face arrest. These are the aspect that different government of EU are operation differently against terrorism.

The EU member first working together on counter terrorism in 1979 by establishing the police working group on terrorism. The group brought together senior police officials to compare methods for combating the IRA in Britain and Ireland, the Red Brigades in Italy, and the Baader Meinhof gang in Germany. The growth of cross-border organized crime and soccer hooliganism in the 1980s further accelerated pan-European police co-operation. Member-states made police co-operation a formal EU policy area in the Maastricht treaty of 1991. The EU governments invested additional resources to battle against terrorism after 2001 attack in US. They impose an <https://assignbuster.com/terrorism-and-counter-terrorism-european-approach/>

EU-wide arrest warrant, establish a common definition of 'terrorism' and a common list of terrorist groups, and outlined rules for joint operations between national police forces. Governments gave Europol, the EU police agency, extra funds, and set up a counter terrorism task force combination of national police officers. The governments also created Eurojust, the EU's emerging law enforcement agency, to help national magistrates work mutually on cross-border investigations. The European external borders agency in Poland has just started its work to support co-operation between national border guards. This are the operational strategy of EU to counter terrorism. [B. Deniel, 2008, p17]

The EU not only focus on the types attacks that intend to carryout but also about why these people become terrorist and why some society support them. EU government consent that terrorism can only be beaten with a long-term political approach. For long-term counter terrorism strategy the EU has made an 'Framework Decision'. The EU Counter-Terrorism Coordinator (CTC) Mr. Gijs de Vries has stated: "the role of the union is not to supplant Member States but to support them in working internationally and the main thrust of Europe's defense against terrorism remains firmly at the level of national governments". [Leitner, S. 2005]

For the long term policy the EU has adopted new laws to control terrorist funding, and is pushing non-EU countries to stick to United Nations terrorism conventions. EU countries had not much previous experience of different terrorist groups so they working with US help on their counter terrorism strategy. Both US and EU approach mixed judicial, police, diplomatic and military means for their long-term strategy to counter terrorism. The long-  
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term counter-terrorism strategy, drawing upon the full resources of the EU and its member-states. [B. Deniel, 2008, p17]

The EU counter-terrorism long-term policy is not very clearly defined policy, as it encompasses aspects of almost all traditional policy areas, for example the EU non-proliferation policy or the European Security and Defence Policy. EU need to find answer to two key problem- how to better integrate different religious people like Muslim into European society; how to encourage democratic reform throughout the Middle East. Several EU policies help to address the causes of radicalisation and recruitment into terrorism. The EU development strategy and its contribution to the Middle East Peace Process play a significant role in this respect, as does the process of comparing and analyzing the Member States policies with respect to the integration of minorities and countering discrimination.[ De Vries, 2004, p. 8 ]

### **EU's Drawback:**

According to EU's foreign and security policy chief, Javier Solana, there three major shortfalls of counter terrorism of EU-

- i) some member-states were not implementing EU agreements, such as the common arrest warrant;
- ii) The EU lacked sufficient resources to play a meaningful role in counter-terrorism;
- iii) Co-ordination between EU officials working on law enforcement, foreign and defence policies was poor.

Several countries of EU do not want to implement the EU's common arrest warrant in their nationally. Like Cyprus, Greece, Luxembourg and Spain firstly not agreed to common arrest warrant but latterly they do. Italy agreed on April 2005 and Germany argued that it violates the German constitution on human rights grounds.

Co-ordination between different governments also a major problem for EU. One government do not want to share defence policy, intelligence information and foreign policy with other EU government. The cross-border issue still solved bilaterally.

## **Conclusion:**

International terrorism is not the only security challenge facing EU governments. They are currently training Iraqi security forces, keeping the peace in the Balkans, Afghanistan and parts of Africa, and trying to convince Iran not to build nuclear weapons. EU governments are also concerned about failing states, such as Sudan and Congo, and the problems posed by organized crime. However, as the Madrid attacks demonstrated, terrorism - in particular radical Islamist terrorist groups - remains a serious threat in Europe and beyond.

EU governments in their counter terrorism strategy try to focus on not only the types of attacks that terrorists plan to carry out, but also on why these people turned into terrorists and why some segment of society support them. After the Madrid attack the member states updated the counter terrorism action plan containing over 150 measure, covering a broad range of counter terrorism co-operation. EU does not have the power to investigate

and prosecute in order to tackle terrorism but can help member states to identify, extradite and prosecute terrorists.

The counter terrorism strategy of EU should be 'isolated'. EU must try to isolate the terrorist from their targets, supplies and supporters both in Europe and around the world. The strategy of isolation must possess three tactical elements: integration; investigation; and insulation. Achieving this goal will be difficult because EU needs to manage a multi-faceted and long-term approach at home and abroad. If the EU could develop the counter-terrorism parts of its law enforcement, foreign and defence policies, based on an agreed strategy, it could start to become a much more effective counter-terrorism actor, terrorism can be defeated with this long-term approach.