



## Working Paper

### New challenges of the 21. century – Fighting terrorism without losing sight of human rights

#### 1. The new face of threats – Globalisation of terrorism

With the end of the Cold War we have seen new challenges emerging, one of the most significant of which is the threat of terrorism. The attacks in New York, Madrid and London as well as the failed plots in UK and Germany earlier this year revealed that terrorism is a phenomenon of a completely new nature that cannot be handled like the conventional threats of the previous decades. From the standpoint of the European Union and the United States, the issue is even more compound, since while fighting against terrorism, decision makers have to avoid the violation of human rights that serve as main pillars of western societies.

Terrorism poses a serious threat to our security, values, the rights and freedoms of citizens, especially as it targets innocent people. Therefore YEPP declares that terrorism is criminal, unjustifiable under any circumstances and must be persecuted by all means.

The phenomenon has its roots back in the Cold War era. Nevertheless, it became a world-wide menace after the breakdown of the Iron Curtain. While in the bipolar world terrorists had well articulated, geographically limited demands of political nature, nowadays violent groups declare apocalyptic missions that are nor country nor region specific.

We can state that the frequency of terrorist attacks has been gradually dropping since the end of the Cold War, yet the fatality of aggressions tends to be increasing. The terrorists are less interested in having a lot of people die, but rather than in making millions of people have fear. This factor is to blame for the radicalization of attacks that are often committed by means of unanticipated tools (form of mass transit, airplane). It is important to highlight that present day terrorism focuses on symbolic targets like the WTC or the Pentagon.

In many ways, present-day terrorism might be compared to a kind of guerilla warfare that focuses on symbolic targets like the WTC or the Pentagon.

The religiously and apocalyptically motivated aggressors, as non-state actors using violence against unarmed people, are to be handled in a different way by the authorities. Terrorist groups lacking any rational goal can not be negotiated with, conventional tools like secret talks or intermediation can not be used. Therefore the fight against terrorism has to be based on force of deterrence on one hand, and consequent monitoring the root causes on the other. Due to the attacks in 2001 and

after, the meaning of national security has undergone a remarkable change in the recent years.

The fight against terrorism can not be interpreted as a purpose of one certain country or region. It is a global phenomenon with global consequences; therefore it must be handled on a global level. The cooperation should extend to numerous fields: defense policy, justice affairs, financial control, international data flow, migration, border management, organized crime and even research and development.

The concept itself has a wide range of approaches. Therefore a comprehensive approach should be promoted that addresses social as well as political factors and increases the knowledge of other cultures and religions. Terrorism could not have become a world-wide threat if it were not for the forms of mass communication. Accordingly, the media has an increased responsibility in the fight against violent groups.

## **2. THE CULTURAL AND GEOPOLITICAL BACKGROUND OF THE TERRORISM IN EUROPE**

After the attacks in London and Madrid and the plots encumbered by national authorities, it became clear that Europe is one of the main targets of the lately emerged global terrorism. Of greatest concern is the element of the threat generated within the European Union.

In its history Europe has encountered various types of terrorism. The latest wave of them were the threats posed by the regional terrorist groups, which chose the means of aggression so as to achieve their well established political goals. The threat we have to face now terrorism is wider-ranging, since global terrorism aims to engage the western civilization as a whole takes heavier toll of human life and thus is more difficult to encounter.

Fighting against it is made even more complicated by the fact that all parts of Europe has seen continuing activity not only in terms of being a target but also in terms of hosting terrorist recruitment, planning, communications and financing. At least three of the men who carried out attacks on July 7 and 21 were born and brought up in the United Kingdom. Terrorist attacks with an element of domestic generation had occurred in Spain in 2004 as well. Earlier, terrorists who developed their extreme views in the European soil played a leading role in the September 11 attacks.

YEPP believes that the vast majority of European citizens, irrespective of belief, do not accept any extremist ideology. Even amongst the small number that does, only a few turn their radicalize approach into an active role in a terrorist. This decision is individual but deeper-reaching factors can be discovered in its background, such as **deprivation**, alienation, lack of integration within the western multicultural societies, **religious fundamentalism**. These individuals are much more vulnerable to the extremist religious thoughts.

Playing upon the achievements of the 50-year-old development of the European integration these dangerous thoughts and the individuals affected by them can freely spread and move within the borders of the Schengen area. On top of all this, they are continuously getting reinforcement through the illegal immigration from the

Mediterranean. Through this phenomenon, persons reaching the European borders cannot be traced and controlled. That is why the cooperation with countries in the North African region and the Euro-Med Barcelona process is of high importance and the calls for a common migration policy are getting louder and louder.

### **3. COUNTER-TERRORISM MEASURES IN THE EUROPEAN UNION**

As a consequence of the violent attacks in New York, Madrid and London the fight against terrorism became a top priority in all Member States as well as for the European Union. Terrorist cells should be pursued both on the regional, state and community level. Therefore, since the attacks mentioned above, beyond the states, the EU is also expected to create a comprehensive strategy, covering a wide range of measures.

The strategy should aim at increasing co-operation fields ranging from intelligence sharing to law enforcement and the control of financial assets in order to make it easier to find, detain and bring to justice terror suspects. The criminal law of the 25 Member States is also being aligned so that terrorism is prosecuted and punished in the same manner throughout the EU.

The acceptance of the European Union Counter-Terrorism Strategy and its biannual updated Action Plan can be regarded as one of the most important measures. The Youth of the European People's Party stands for the main priorities of this strategy, since it commits the EU to combat terrorism globally while respecting human rights, and to make Europe safer, allowing its citizens to live in an area of freedom, security and justice.

YEPP believes that even though Member States have primal responsibility for combating terrorism the EU can provide an added value by facilitating European cooperation, developing collective capability and promoting international partnership with third countries. We also welcome the fact that a high-level political dialogue started in this issue; the European Council review the implementation of the strategy – so called Counter Terrorism Action Plan - every six months.

The strategy itself is based on four pillars: *prevention, protect, pursue and respond*. Under the goal of *Prevention* the European Union aims to prevent people turning to terrorism by eliminating the factors and root causes that can lead to radicalization. The pillar comprehends developing joint communication strategies and also the promotion of inter-cultural dialogue within the EU and outside it. The pillar of *Protection* seeks to reduce the vulnerability of Europe to terrorist attacks through improved security of borders, transport and infrastructure. It comprises the introduction of biometrics in passport systems, the establishment of a new Visa Information System and the second generation of Schengen Information System. The higher level of protection also requires the best use of EU research activity. The *Pursuit* of terrorist cells is also a high priority of the strategy; it is crucial to impede the planning, travel and communication of terrorists as well as to cut off their financial resources. Bringing terrorists to justice is an ultimate objective that can ease the fear of Western societies in the wake of attacks. The priority of *Respond* of the EU strategy is aimed at testifying solidarity and minimizing the consequences if a terrorist attack occurs.

YEPP fully supports the goals laid down in the Counter-Terrorism strategy and welcomes the fact that a counter-terrorism coordinator was appointed following a proposal of Javier Solana. The adoption of the strategy and the activity of “Mr. Terrorism” might be a cornerstone in combating terrorism.

The Declaration on Combating Terrorism also can be regarded as a remarkable document. It stated that if one of the Member States is the victim of a terrorist attack, the Member States shall mobilize all instruments at their disposal, including military resources – but all of them just by clear voluntary willingness. YEPP declares its support to the European Security and Defense Policy (ESDP) to contribute further to the fight against terrorism, principally in support of other instruments of prevention, protection, consequence management and supporting third countries or international institutions. The EU under ESDP needs to concentrate its force modernization on interoperability with NATO military capabilities. In view of the transatlantic link, YEPP strongly emphasize that during the ESDP capability building process, perpetual and open consultation with representatives and high level experts of key partners, such as the US government agencies, the US Joint Forces Command and NATO is specially recommended.

#### **4. THE TRANSATLANTIC LINK**

All of us in the European political community have to recognize that terrorism became a central issue of the Transatlantic relations on an irreversible way. In the long term, a successful European participation in the (partly terrorism focused) NATO reform or the transfer of democratic, security and justice experiences to the developing world, could lead to an acknowledged “European pillar” in the Atlantic security alliance. European governments need to commit themselves to keep not only classical defense, but the so called “soft security” spending up or, where it is falling, stop the slide.

In consideration of these widely known developments, YEPP to point out that the EU should tighten its co-operation with its Transatlantic partner institutions especially with NATO, under the major principles of the United Nations . According to the EU Plan of Action on Combating terrorism the collaboration should include the perpetual elements, without losing sight of human rights, the facilitation of cross border transport and building common databases of points of contact. And also case-by-case cross-participations in each other’s consequence management exercises. It is also critical that technology transfer takes place in between both sides of the Atlantic.

therefore we call our Transatlantic partners, that the US should share high technology with its closest allies.

#### **5. EFFECTS OF TERRORISM ON HUMAN RIGHTS**

Since terrorism became a real global threat, the question of human rights has got into the focus of debates on each level of society. These dialogues led to a polarization of opinions and to different views about the importance of the protection of human rights and the right to life and to free movement.

In the last five years most of the analysis concerning terrorism assume that the often clashing aspects of basic rights and state security have to be taken into consideration with another weight than before when determining the required level of freedom. Today, a more visible restriction of freedom can be accepted than earlier, when the threat of transnational terrorism was less evident or at least less obvious for the public and the political decision makers.

But here we have to raise a very important question: how far can we go? The borderline between restriction of freedom and serious violation of human rights is very narrow and opinions also alternate depending on the interpretation of "freedom".

Most of the debates can be originated from the fact, that the justness of this statement itself does not tell anything about the reasonability of concrete freedom-restricting measures or about the question whether the situation really requires the restriction of freedom rights in the name of the fight against terrorism.

There is an increasing need for a proper legal system to effectively combat terrorist at an early stage. We are convinced that all states should place a high value on the respect for individuals.

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