

Global Terrorism: Multilateral Responses to an Extraordinary Threat

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Foreword

Terje Rød-Larsen

President, International Peace Academy

The International Peace Academy (IPA) is pleased to introduce a new series of Working Papers within the program *Coping with Crisis, Conflict, and Change: The United Nations and Evolving Capacities for Managing Global Crises*, a four-year research and policy-facilitation program designed to generate fresh thinking about global crises and capacities for effective prevention and response.

In this series of Working Papers, IPA has asked leading experts to undertake a mapping exercise, presenting an assessment of critical challenges to human and international security. A first group of papers provides a horizontal perspective, examining the intersection of multiple challenges in specific regions of the world. A second group takes a vertical approach, providing in-depth analysis of global challenges relating to organized violence, poverty, population trends, public health, and climate change, among other topics. The Working Papers have three main objectives: to advance the understanding of these critical challenges and their interlinkages; to assess capacities to cope with these challenges and to draw scenarios for plausible future developments; and to offer a baseline for longer-term research and policy development.

Out of these initial Working Papers, a grave picture already emerges. The Papers make clear that common challenges take different forms in different regions of the world. At the same time, they show that complexity and interconnectedness will be a crucial attribute of crises in the foreseeable future.

First, new challenges are emerging, such as climate change and demographic trends. At least two billion additional inhabitants, and perhaps closer to three billion, will be added to the world over the next five decades, virtually all in the less developed regions, especially among the poorest countries in Africa and Asia. As a result of climate change, the magnitude and frequency of floods may increase in many regions; floods in coastal Bangladesh and India, for example, are expected to affect several million people. The demand for natural resources—notably water—will increase as a result of population growth and economic development; but some areas may have diminished access to clean water.

Second, some challenges are evolving in more dangerous global configurations such as transnational organized crime and terrorism. Illicit and violent organizations are gaining increasing control over territory, markets, and populations around the world. Non-state armed groups complicate peacemaking efforts due to their continued access to global commodity and arms markets. Many countries, even if they are not directly affected, can suffer from the economic impact of a major terrorist attack. States with ineffective and corrupted institutions may prove to be weak links in global arrangements to deal with threats ranging from the avian flu to transnational terrorism.

Finally, as these complex challenges emerge and evolve, “old” problems still persist. While the number of violent conflicts waged around the world has recently declined, inequality—particularly between groups within the same country—is on the rise. When this intergroup inequality aligns with religious, ethnic, racial and language divides, the prospect of tension rises. Meanwhile, at the state level, the number of actual and aspirant nuclear-armed countries is growing, as is their ability to acquire weapons through illicit global trade.

As the international institutions created in the aftermath of World War II enter their seventh decade, their capacity to cope with this complex, rapidly evolving and interconnected security landscape is being sharply tested. The United Nations has made important progress in some of its core functions—“keeping the peace,” providing humanitarian relief, and helping advance human development and security. However, there are

reasons to question whether the broad UN crisis management system for prevention and response is up to the test.

Not only the UN, but also regional and state mechanisms are challenged by this complex landscape and the nature and scale of crises. In the Middle East, for example, interlinked conflicts are complicated by demographic and socioeconomic trends and regional institutions capable of coping with crisis are lacking. In both Latin America and Africa, “old” problems of domestic insecurity arising from weak institutions and incomplete democratization intersect with “new” transnational challenges such as organized crime. Overall, there is reason for concern about net global capacities to cope with these challenges, generating a growing sense of global crisis.

Reading these Working Papers, the first step in a four-year research program, one is left with a sense of urgency about the need for action and change: action where policies and mechanisms have already been identified; change where institutions are deemed inadequate and require innovation. The diversity of challenges suggests that solutions cannot rest in one actor or mechanism alone. For example, greater multilateral engagement can produce a regulatory framework to combat small arms proliferation and misuse, while private actors, including both industry and local communities, will need to play indispensable roles in forging global solutions to public health provision and food security. At the same time, the complexity and intertwined nature of the challenges require solutions at multiple levels. For example, governments will need to confront the realities that demographic change will impose on them in coming years, while international organizations such as the UN have a key role to play in technical assistance and norm-setting in areas as diverse as education, urban planning and environmental control.

That the world is changing is hardly news. What is new is a faster rate of change than ever before and an unprecedented interconnectedness between different domains of human activity—and the crises they can precipitate. This series of Working Papers aims to contribute to understanding these complexities and the responses that are needed from institutions and decision-makers to cope with these crises, challenges and change.



Terje Rød-Larsen

Introduction: An Extraordinary Threat?

In recent years, the traditional tendency to treat non-state actors that resort to terrorist violence as a domestic issue has given way to an increasing focus on international—and multilateral—responses.¹ Nationalist/separatist terrorist groups such as the Kurdistan Peoples Party (PKK) in Turkey, the Tamil Tigers (LTTE) in Sri Lanka, or the Revolutionary Armed Forces of Colombia (FARC) generated only limited responses at the multilateral level. The emergence of transnational terrorism in the 1970s led to a spate of international law-making to facilitate inter-state cooperation in response to hijacking, hostage-taking and other forms of terrorism. But only with the emergence of Al Qaeda, with its extraordinary global reach, has the transnational threat moved to the top of the agenda of international fora such as the United Nations and G8.

Although terrorism as a phenomenon is not new, with the upsurge in terrorist attacks around the world claimed by or ascribed to Islamist terrorist groups² there is now recognition, even among the most economically and militarily powerful of countries, that this particular threat cannot be fought by a single state or even a group of states.³ As a result, even as countries increasingly understand the indirect economic impacts of terrorist attacks and terrorist exploitation of weaknesses in governance or financial infrastructure, very different perceptions of the threat posed by terrorism have emerged. This has complicated efforts to develop coherent international responses to the—by definition—extraordinary threat posed by terrorism.

In this *Coping with Crisis* Working Paper, I focus on the status—and prospects—of multilateral responses to global terrorism. First, I briefly review what is known, and perceived, about the nature of the “extraordinary” threat posed by contemporary

international terrorism to international peace and security. Second, I discuss current efforts directed at managing this threat, focusing on initiatives in the multilateral realm. And finally, third, I point to possible scenarios for the future development of a more coordinated and coherent international response to terrorism, and on the basis of these scenarios I make a number of policy recommendations.

The Many Threats of Contemporary Terrorism

The terrorist attacks on the United States of America on September 11, 2001 transformed the debate about international responses to terrorism. With global terrorism now at the top of the United States’ agenda, it quickly became a matter of central concern in international institutions, most notably the United Nations.

Since it was Islamist terrorism—and most significantly, Al Qaeda and affiliated individuals and entities—that centrally occupied the United States, it was—and remains—Islamist terrorism that is a central, if unstated, target of much of the international counter-terrorism activity since September 11. Al Qaeda in fact remains the only terrorist group that the United Nations Security Council has explicitly declared to be a threat to international peace and security, and is the terrorist group of which there is most widespread condemnation by states. Yet at the same time, many states remain wary that an excessive focus on Islamist terrorism will risk skewing the security agenda away from the many other security threats, including those posed by domestic and other terrorist groups. Moreover, there is perhaps greater concern that it will give the United States excessive control over the international security agenda and international institutions, at their expense.⁴

International responses to terrorism should thus

¹ For the purposes of this Working Paper, “terrorism” is broadly defined as deliberate violence by non-state actors against civilians for political purposes.

² According to Peter Bergen and Paul Cruickshank, Al Qaeda’s attacks have been increasing significantly: “Even when attacks in both Afghanistan and Iraq (the two countries that together account for 80 percent of attacks and 67 percent of deaths since the invasion of Iraq) are excluded, there has still been a significant rise in *jihadi* terrorism elsewhere—a 35 percent increase in the number of *jihadi* terrorist attacks outside of Afghanistan and Iraq, from 27.6 to 37 a year, with a 12 percent rise in fatalities from 496 to 554 per year.” Peter Bergen and Paul Cruickshank, “The Iraq Effect: War Has Increased Terrorism Sevenfold Worldwide,” *Mother Jones*, March 1, 2007, available at www.motherjones.com/news/featurex/2007/03/iraq_effect_1.html.

³ At the same time, it is worth—and indeed important—noting that, as Andrew Mack makes clear, the majority of terrorist violence has occurred in the Middle East and South Asia; see Andrew Mack, “Global Political Violence: Explaining the Post-Cold War Decline,” *Coping with Crisis* Working Paper Series, International Peace Academy, New York, March 2007. Much of it is concentrated in Iraq, where attacks of a more “global *jihadi*” nature blur with those inspired by a more domestic agenda of “resistance” against foreign occupation and sectarian strife. As this example and further empirical analyses indicate, the incidence, form and dynamics of terrorist violence vary significantly depending on context.

⁴ In particular, some are concerned an overly broad definition of the global *jihadi* movement led and inspired by Al Qaeda will be used to encompass non-violent Islamic political opposition movements as well. Despite the fact that some of these movements might be perceived as legitimate resistance movements in specific conflict contexts, they might nevertheless be treated as akin to the global *jihadi* movement inspired by Al Qaeda, despite

be framed in terms that allow them to deal with a diverse set of terrorist threats, while recognizing that the central driver of policy is often the threat posed by internationally operating Islamist terror groups, most notably Al Qaeda. This working paper, therefore, focuses on what we know and understand about this specifically “global” threat, and international responses to it. International responses to terrorism since September 2001 can be best understood if we bear in mind the many different threat perceptions that states and other international actors hold, and how, for some of them, the counter-terrorism agenda itself represents a threat. This issue is further examined below.

Characteristics and Correlates of Contemporary Terrorism

An effective appreciation of these different threat perceptions is only achievable if we first examine what is known about the characteristics and correlates of terrorism. Although there is wide recognition that terrorism does not take place in a social and political vacuum, there is continuing debate on the question surrounding its “root causes” both at the political level and among academic experts. According to Harvard University’s Louse Richardson, “because terrorism is a highly varied phenomenon, the search for a single, all-purpose cause is bound to be futile. At the same time, the importance of identifying and addressing the underlying factors that are conducive to terrorism cannot be over emphasized.”⁵

At the political level, and simplifying somewhat, countries in the global south often argue that poverty, political oppression, social and economic marginalization, lack of self-determination, and foreign occupation are the “root causes” of terrorism. In the global north, politicians tend to dismiss the notion that there is a direct causal relationship between any of these factors and the use of terrorist violence, arguing that placing emphasis on them implies that terrorism can only be successfully addressed once socioeconomic and political grievances are removed on a global scale. Additionally, many capitals—not least of all Washington, DC—understand the “root causes”

language as containing apologetic undertones and implying a justification for terrorist acts.

As might be expected, there is a somewhat more nuanced consideration of this subject within the academic community. Poverty, inequality, poor education, modernization, lack of democracy, failed states, and poor education, among others, have been identified by academics as “root causes” of political violence and terrorism. Yet some, including Wesleyan University’s Martha Crenshaw, argue that the use of the term “root causes” is misleading as even with social, economic, and political conditions remaining constant, empirical research shows that terrorist activity may escalate, decline, or disappear.⁶ Some note the limitation of the “root causes” approach, which is founded on the idea that terrorists are just passive actors, who are “pawns of the social, economic, and psychological forces around them—doing what these ‘causes’ compel them to do.”⁷ It is more useful, as other experts argue, to see terrorists as rational actors who develop deliberate strategies to achieve political objectives.⁸

Generally speaking the debate regarding whether terrorism has “root causes” and, if so, what they are, is somewhat misleading given that any proffered “cause” seems to produce a variety of real-world outcomes, of which terrorism may be only one. Thus, what we are really talking more about are the indirect, underlying risk factors conducive to the spread of terrorism. Researchers have increasingly begun to focus their efforts, in particular through a growing field of quantitative research, on learning more about the complex social-economic-political phenomena that constitute these risk factors. While this research may suffer from many of the same limitations of other quantitative social science research such as questionable data, it has nevertheless produced some interesting results.

The majority of empirical scholarship on terrorism provides little indication of correlations between socioeconomic factors such as poverty, inequality, and unemployment and the incidence of terrorism. Different studies have looked at the socioeconomic factors at the country-level (where a terrorist

their regional focus and genealogical differences. If international counter-terrorism initiatives are not precisely targeted against the Al Qaeda-inspired movement, they might have significant domestic and regional repercussions at the expense of governments in the Muslim world.

⁵ Louise Richardson, “The Root Causes of Terrorism,” March 5, 2007, available at www.madrid11.net/articles/root-causes-of-terrorism_0606.

⁶ Martha Crenshaw, “Thoughts on Relating Terrorism to Historical Contexts,” in Martha Crenshaw, ed., *Terrorism in Context*, (College Park, PA: Penn State University Press, 1995).

⁷ “Root Causes of Terrorism: Findings from an International Expert Meeting in Oslo, 9-11 June 2003,” Tore Bjorgo, chairman and rapporteur, available at www.nupi.no/IPS/filestore/Root_Causes_report.pdf.

⁸ See, e.g., Louise Richardson, *Understanding the Enemy, Containing the Threat: What Terrorists Want* (New York: Random House, 2006), p. xxii; Scott Atran, “Global Network Terrorism,” NSC Briefing, White House, Washington, DC, April 28, 2006, available at www.au.af.mil/au/awc/awcgate/whitehouse/atransc-042806.pdf; David A. Lake, “Rational Extremism: Understanding Terrorism in the Twenty-first Century,” *International Organization* (Spring 2002), pp. 15–29.

is from or where the terrorist incident takes place) and the individual level (socioeconomic background of the individuals themselves).

Data on individual terrorists is somewhat limited and the few individual level studies tend to focus largely on terrorism in the Middle East, notably Al Qaeda. Marc Sageman's study of Islamist terrorists (172 members of Al Qaeda) is particularly innovative as it not only reveals that two thirds of those studied were middle or upper class, but focuses on the socialization processes of Islamist terrorists rather than static socioeconomic indicators. Sageman found that individuals joined Al Qaeda mainly because of ties of kinship and friendship, facilitated by what he calls a "bridging person" or entry point, perpetuated in a series of local clusters in the Maghreb and South Asia, for example.⁹

Sageman's study, and others focused on the individual, generally indicate that those who participate in terrorist activity are relatively more educated and wealthier than the average person within their countries,¹⁰ supporting Alan Krueger and Jitka Maleckova's conclusion that terrorism should not be viewed as a reaction to "low market opportunities or ignorance" but rather "as a response to political conditions and long-standing feelings (either perceived or real) of indignity and frustration that have little to do with economics."¹¹ This is consistent with the findings of Jessica Stern, who has interviewed Islamist terrorists and their sponsors, and has noted that one distinguishing factor of "holy wars" is that they depend "first and foremost on redressing a deep pool of perceived humiliation."¹²

Yet Olivier Roy's work appears to call into question much of this empirical research focused on trying to identify individual-level explanations. Writing about the perpetrators of a series of recent "home-grown" Islamist terrorist attacks in Europe, Roy argues that there is

no characteristic that links them definitively to a given socioeconomic situation. More precisely,

the reasons that may push them toward violence are not specific enough and include traits shared by a larger population that deals with similar situations in very different ways. Explanations based on poverty, exclusion, racism, acculturation, and so forth may contain kernels of truth, but they are not specific enough to be of much practical help in stopping terrorists from acting.¹³

There is additionally a growing, but still limited, body of analysis investigating the correlation between regime-type and terrorism.

At the country-level, F. Gregory Gause III argues that there is "no empirical evidence for a strong link between democracy, or any other regime type and terrorism, in either a positive or negative direction."¹⁴ Citing the survival of ETA after Spain's transition from dictatorship to democracy, the IRA in the UK, one of the oldest democracies, terrorist attacks in India, the world's largest democracy, the Red Army Faction in West Germany and the Oklahoma City bomber, Gause attempts to demonstrate that democracies and non-democracies alike are susceptible to terrorism.¹⁵ And indeed, State Department statistics from the "Patterns of Global Terrorism" report show that between 2000 and 2003 more terrorist activity had in fact taken place in "free" countries than "partly free" or "not free" countries.

Other data suggests that there may nevertheless be a link between regime type and terrorism, even if that link is not linear. The data in Alan Krueger and David Laitin's global study of the origins and targets of terrorism lend little support to the notion that poverty leads to terrorism, instead suggesting that limited political rights and civil liberties tend to be the most influential in inciting people to terrorism and country-level economic factors, such as poverty and high unemployment, tend to be most relevant in determining the targets of terrorism.¹⁶ Those states with mid-level respect for civil rights tend to produce more terrorism than those with the most repressive regimes.¹⁷ Tore Bjorgo argues similarly that the

⁹ *Ibid.*

¹⁰ See, e.g., Peter Bergen and Swati Pandey, "The Madrassa Myth," *The New York Times*, June 14, 2005; Gilles Kepel, *Muslim Extremism in Egypt: The Prophet and the Pharaoh* (Berkeley: University of California Press, 1995).

¹¹ Alan B. Krueger and Jitka Maleckova, "Education, Poverty, and Terrorism: Is There a Causal Connection?," *Journal of Economic Perspectives* 17, no. 4 (Winter 2003), p. 119.

¹² Jessica Stern, "Beneath Bombast and Bombs, a Caldron of Humiliation," *Los Angeles Times*, June 6, 2004, M1.

¹³ Olivier Roy, "Europe's Response to Radical Islam," *Current History* 104, no. 685 (Nov. 2005), p. 360.

¹⁴ Gregory Gause III, "Can Democracy Stop Terrorism?," *Foreign Affairs* 84, no. 5 (September/October 2005): 62-76.

¹⁵ *Ibid.*

¹⁶ Alan B. Krueger and David Laitin, "A Cross-Country Study of the Origins and Targets of Terrorism," November 11, 2003. Available at www.krueger.princeton.edu/terrorism3.pdf.

¹⁷ Marc Sageman, *Understanding Terror Networks* (Philadelphia: University of Pennsylvania Press, 2004).

relationship between lack of democracy, civil liberties, and the rule of law and terrorism and other political violence reflects an inverse U-curve where authoritarian regimes and full democracies have a much lower likelihood of experiencing such violence than those states in transition.¹⁸ In fact, it may be that the difficulty that some groups and individuals have in coming to terms with social change and rapid modernizations is likely to produce more rather than less radicalization (and violence) in the short term.¹⁹

Although there may not be a common identifiable set of underlying conditions that can explain all manifestations of terrorism, most terrorist groups, including global Islamist terrorists, are motivated by and exploit social, economic, and above all else political grievances. Even the United States, which had long been reluctant to acknowledge that certain socioeconomic and socio-political factors can lead people to embrace rather than spurn terrorism, now agrees: addressing these “underlying conditions” is now one of three prongs in its counter-terrorism strategy (with the other two being the removal of terrorist leaders and the denial of physical and virtual safe haven).²⁰

Global Islamist Terrorism

Olivier Roy describes the overall ideology of global Islamist extremists by asserting, “[t]he Islamists target ‘US imperialism’ and ‘Zionism’ in support of the Ummah—the world community of Muslims.”²¹ The central exponent of this ideology is Al Qaeda, whose

objective is the “restoration of the pan-Islamic caliphate.”²² Since September 2001 an unprecedented global counterterrorism campaign has resulted in the death or capture of much of the Al Qaeda leadership. As a result, Al Qaeda is now more a hybrid organization than a hierarchical structure under the direction of Osama bin Laden and his lieutenants, with a degraded capacity to centrally orchestrate large-scale attacks.²³ Yet, Al Qaeda has spawned successor groups, inspired movements and individuals, and forged ties with local and regional groups that share its millenarian goals and destructive means.²⁴ Many recent terrorist attacks have been carried out, not by those who have trained in Al Qaeda camps in Afghanistan, but by a growing group of self-starters, “home-grown” terrorists who may have very little connection to Al Qaeda or other preexisting groups, but have been won over by the ideas of Osama bin Laden and his followers.²⁵ Self-recruited and often self-trained, they have relied on the Internet, operating without external support or instructions from what might remain of an Al Qaeda hierarchy.²⁶

One aspect common to the activities of these disparate groups that distinguishes contemporary Islamist terrorism as an extraordinary threat—even when compared to earlier and other contemporary terrorist movements—is their commitment to destruction on an unprecedented scale.²⁷ This has been expressed through a significant rise in the use of suicide attacks as a weapon of terror.²⁸ Such attacks are now responsible for the majority of all terrorism-

¹⁸ Tore Bjogo, “Conclusion,” in Tore Bjogo, ed., *Root Causes of Terrorism: Myths, reality and ways forward* (London: Routledge, 2005), pp. 256–262. See also Ian Bremmer, *The J-Curve: A New Way to Understand Why Nations Rise and Fall* (New York: Simon & Schuster, 2006).

¹⁹ Francis Fukuyama and Adam Garfinkle, “A Better Idea: Promote Democracy and Prevent Terrorism—But Don’t Conflate the Two,” *Wall Street Journal*, March 27, 2006, available at www.opinionjournal.com/editorial/feature.html?id=110008147.

²⁰ Henry A. Crumpton, United States Coordinator for Counterterrorism, “Remarks at the Royal United Services Institute Conference on Transnational Terrorism,” London, England January 16, 2006, available at www.state.gov/s/ct/rls/rm/2006/59987.htm.

²¹ Olivier Roy, “Europe’s Response to Radical Islam,” 360–364.

²² Bruce Hoffman, *Inside Terrorism* (New York: Columbia University press, 2006), p. 96.

²³ See, e.g., Rohan Gunaratna, “The Post-Madrid Face of Al Qaeda,” *The Washington Quarterly* 27, no. 3 (Summer 2004): 91–100; Olivier Roy, *Islamist Networks: The Afghan-Pakistan Connection* (London: Hurst & Co., 2004); Ahmed Rashid, *Jihad: The Rise of Militant Islam in Central Asia* (New Haven: Yale University Press, 2002). But see Karen DeYoung, “Individuals, Small Groups Cited as Terrorist Threats,” *Washington Post*, September 6, 2006, A4, citing Georgetown University’s Bruce Hoffman, who notes that “Al Qaeda is still directing and plotting attacks on a grand scale and seems undeterred.”

²⁴ A sampling of groups that are now in some way connected to Al Qaeda includes the Moro Islamic Liberation Front (the Philippines), Jemaah Islamiyah (Southeast Asia), al-Ansar Mujahidin (Chechnya), Abu Sayyaf (the Philippines), Islamic Movement of Uzbekistan, the Salafist Group for Call and Combat (Algeria) and Harkut ul-Mujahadin (Pakistan/Kashmir). For a comprehensive discussion of the number of Al Qaeda-related groups see, *Defeating the Jihadists: A Blueprint for Action* (Century Foundation: New York, 2004), pp. 21–63.

²⁵ Daniel Benjamin, Senior Fellow, Center for Strategic and International Studies, Testimony before the Senate Foreign Relations Committee, “The Changing Face of Terror: A Post 9–11 Assessment,” June 13, 2006, available at www.senate.gov/~foreign/testimony/2006/BenjaminTestimony060613.pdf.

²⁶ Rik Coolsaet, “Jihadist Terrorism: Where Do We Stand?” Second IRRI Conference on International Terrorism, February 13, 2006, available at www.irri-kiib.be/speechnotes/06/060213-jihad.terr/coolsaet.htm.

²⁷ Audrey Kurth Cronin, “How al-Qaida Ends: The Decline and Demise of Terrorist Groups,” *International Security* 31, no.1 (Summer 2006): 7–48.

²⁸ The tactic is growing in both popularity and geographic reach, with such attacks taking place in seven countries in the 1980s and 1990s and twenty since 2000. Louise Richardson, *What Terrorists Want: Understanding the Enemy, Containing The Threat* (New York: Random House, 2006), p.105. There have been a number of variations on suicide terrorism over the course of the past century, with different motivations behind the “attackers” depending on the context. Terrorist groups, including those of the ethno-nationalist variety such as the PKK and the LTTE traditionally used suicide as a tactic as part of an organized campaign by military weak forces aiming to end perceived occupation of homelands or to compel democratic

related casualties, with the rate rising rapidly.²⁹ Unlike many terrorist organizations of the past, Al Qaeda and its affiliates are not seriously interested in a negotiated settlement to resolve their grievances and thus exhibit less constraint in their use of large scale violence to achieve their goals. Al Qaeda's stated and demonstrated interest in acquiring chemical, biological and nuclear capabilities raises the possibility of even deadlier terrorist attacks.³⁰ Despite these common tactics, the motivations and actions of the exponents of Islamist terrorism vary significantly in different contexts.

The transformation from a "coherent Al Qaeda central to a global proliferation of 'self-starter' terrorist groups" has made the Islamist terrorist threat more complex.³¹ These groups are becoming more sophisticated in their use of technology, particularly the Internet, to improve their global reach, intelligence collection, and operational capacity.³² There is increasing overlap between Islamist terrorist groups and criminal enterprises, with the former often using the same networks as transnational criminal groups to raise and launder funds, and avoid detection, although the extent of the connection is much debated.³³ Furthermore, essentially ethno-nationalist conflicts are increasingly being co-opted by Islamist radicals, with local conflicts from North Africa to the Philippines providing recruits and ideological fuel to the global Islamist movement.

Despite the variations in location, motivations and approaches of Islamist (and other contemporary) terrorists, what is common among many Islamist terrorist groups is a willingness to direct massive violence against the West—and those they seek to portray as its collaborators. This has led to terrorist violence around the world: in Bali, Mombassa, Riyadh, Istanbul, Casablanca, Jakarta, Madrid, Sharm el-Sheik, London, Mumbai, and Amman, to name just

some of the cities hit by terrorist bombings in recent years. One implication has been that while the nominal target of Islamist terrorism is Western interests, more states in the global south have experienced the tragic effects of an attack than have those in the global north. And yet, many southern states do not perceive terrorism as a central threat to their own security.

Differing Threat Perceptions

In recent years, two severe attacks have been perpetrated by Islamist terrorists in Kenya, one in Nairobi in 1998 and another in Mombassa in 2002. The latter was carried out by local terror cells that allegedly had been broken after the first attack.³⁴ Although the targets were foreigners (the US embassy in the case of the former and Israeli tourists in the later) the victims of those attacks were overwhelmingly Kenyan. The attacks had a clear negative effect on the Kenyan economy. Nevertheless, Kenyan officials and a majority of Kenyans remain inclined to look at Islamist terrorism as a Western problem, seeing it as less salient to their own concerns than HIV/AIDS and violent street crime.³⁵

According to Kurt Shillinger, a research fellow at the South African Institute for International Affairs, this threat perception is not unique to Kenya.³⁶ There are a number of reasons why many African and other developing countries do not view terrorism, particularly Islamist terrorism, as a priority. This is perhaps not surprising, given the limited resources available in such countries; the fact that many more people are dying from HIV/AIDS and other infectious diseases, poverty, and hunger than terrorism; and that most such countries have never been (and never will be) victimized by Islamist terrorism.³⁷ With the fight against Islamist terrorism seen by many as a US-driven

governments to change their policies. According to Scott Atran, an expert on suicide terrorism, however, Islamist suicide terrorists are motivated by a violent ideology based on an extremist interpretation of the Islamic faith and [are] unlikely to subside if the US and its allies leave the "Arab heartland." See Scott Atran, "The Moral Logic and Growth of Suicide Terrorism," *The Washington Quarterly* 29, no. 2 (Spring 2006): 127-147.

²⁹ Atran, *Moral Logic*, p.131.

³⁰ Bruce Hoffman, *Inside Terrorism* (New York: Columbia University Press, 2006), pp. 272-278.

³¹ James Fallows, "Declaring Victory," *Atlantic Monthly* 298, no.2 (September 2006), p. 70.

³² Ambassador Henry A. Crumpton, Coordinator for Counterterrorism, Testimony before the Senate Committee on Foreign Relations, Washington, DC, June 13, 2006.

³³ David E. Kaplan, "Paying for Terror: How Jihadist Groups are Using Organized-Crime Tactics—and Profits—to Finance Attacks on Targets around the Globe," *US News World and Report*, December 5, 2005, available at www.usnews.com/usnews/news/articles/051205/5terror.htm. See further James Cockayne, "Transnational Organized Crime: Multilateral Responses to a Rising Threat," *Coping with Crisis Working Paper*, International Peace Academy, New York, April 2007.

³⁴ Daniel Benjamin, "Work to Institutionalize the International Fight Against Terrorism," in *American Leadership: 13 Cooperative Steps to Advance Global Progress* (Open Society Institute and Security and Peace Institute: 2005), p. 4, available at www.securitypeace.org/pdf/Chapter1.RAL.Terrorism.pdf.

³⁵ Volker Krause and Eric E. Otenyo, "Terrorism and the Kenyan Public," *Studies in Conflict and Terrorism* 28, no. 2 (February 2005): 99-112.

³⁶ Jeffrey Herbst and Greg Mills, "Africa and the War on Terror," *RUSI Journal* 148, no. 5 (October 2003): 12-17.

³⁷ According to Trevor Nielson, executive director of the Global Business Coalition on HIV/AIDS, "there are equivalent of 20 jumbo jets full of people dying of AIDS around the world every day..." Vithal C. Nadkarni, "Killing Us Softly: AIDS Beats Terrorism," *The Economic Times* (India), July 14, 2004, available online at: <http://economictimes.indiatimes.com/articleshow/776991.cms> (accessed March 8, 2007).

Western agenda targeting Islam, many governments, particularly those with significant Muslim constituencies, see little reason to provide support or resources to the pursuit of this agenda. Finally, even if there are terrorist incidents taking place in the global south, the majority of targets of Islamist terrorism are Western, including embassies or hotels.³⁸

Yet for those states whose interests are targeted wherever they are found, the general reluctance of African—and other developing—states to prioritize Islamist terrorism is itself problematic, because it offers breathing space to Islamist terrorist groups. Africa also provides an example of why many developed states suggest that weak state capacity is itself problematic from a counter-terror perspective: Africa is attractive to Islamist terrorists, they argue, because it offers space within disenfranchised countries, whose populations are frustrated and ripe for recruitment. Additionally, there are a number of sources of militant Islamic radicalism on the continent as well as opportunities for fundraising through exploitation of natural resources such as oil and diamonds.³⁹

States with interests dispersed globally thus tend to see Islamist terrorism as a global threat. The most obvious case is the United States, which since September 11 has treated Islamist terrorism as an existential threat requiring eradication through a “global war on terror.” European countries, despite their similarly dispersed interests, have tended to take a less hard-line approach. Europeans continue to view the threat as a narrower and more local one that must be managed carefully.⁴⁰ According to Olivier Roy, Europeans “don’t buy the concept of global terrorism as a strategic and political idea.”⁴¹

These diverging threat perceptions help explain the different responses the US and EU have adopted for addressing it.⁴² Although their approaches have much in common—for example, both highlight the need to secure borders, protect critical infrastructure,

prevent the proliferation of weapons of mass destruction, and address the underlying conditions that can lead to radicalization, and both recognize the need for multilateral cooperation and building the capacities of foreign partner governments—only the US strategy includes a significant military element aimed at destroying terrorist cells and support networks. The EU chooses instead to continue the traditional criminal justice approach that allowed various European governments to isolate and disrupt local terrorist groups in the second half of the twentieth century. It also places greater emphasis on what the UK home secretary and French interior minister recently described as “prevent[ing] European citizens from turning to terrorism by sharing our experiences of radicalization and recruitment in social environments like schools and places of worship, or through the media and Internet.”⁴³

The steady divergence among states in their understanding of how Islamist terrorism ought best be dealt with—including questions of the role of military power, and the balance between unilateral, bilateral and multilateral action—has become a central polarizing factor in multilateral institutions, particularly the United Nations, in recent years. This divergence has only been widened by differing analyses of the legitimacy and impacts of the US approach to counterterrorism and particularly the US-led invasion of Iraq. Whereas the invasion was justified by its architects in part on the basis of the need to reduce the threat posed by potential connections between Saddam Hussein and terrorists, Iraq is now functioning as a magnet, training ground, and rallying point for Islamist terrorists worldwide, much as Afghanistan did in the 1980s. According to some experts, the war in Iraq seems to underscore Osama bin Laden’s “contention that America lusts to occupy Islam’s sacred sites, abuse the Muslim people, and steal Muslim resources.”⁴⁴ The violence and regional

³⁸ Despite competing concerns, some countries in Africa and other parts of the global south have recognized potential benefits from strengthening their counter-terrorism architecture and have adopted new counterterrorism measures as a result. For example, having a well-regulated banking and financial system, immigration controls, border security, customs security, and improved police and law enforcement capacity, may help provide enhanced revenue collection, prevent trans-border activities, curb illicit drug trafficking, small arms trafficking, and smuggling, and help a stable domestic environment to attract tourism and other economic activity. Curtis A. Ward, “Building Capacity to Combat International Terrorism: The Role of the United Nations Security Council,” *Journal of Conflict & Security Law* 8, no. 2 (2003): 289–305.

³⁹ Kurt Shillinger, “Global Terror: Africa not Immune to Terror,” *Business Day*, October 7, 2005; Princeton N. Lyman and J. Stephen Morrison, “The Terrorist Threat in Africa,” *Foreign Affairs* 83, no. 1 (Jan/Feb 2004): 75–86.

⁴⁰ Kimberley L. Thachuk, “Countering Terrorism Across the Atlantic?” *Defense Horizons*, no. 53 (July 2006), p. 3.

⁴¹ Quoted in Scott Shane, “News Analysis: Terrorism Has a Global Impact but is Often Rooted in Local Disputes,” *International Herald Tribune*, July 16, 2006, available at www.iht.com/articles/2006/07/16/news/terror.php. See further Olivier Roy, *Globalised Islam: The Search for a New Ummah* (London: Hurst, 2004).

⁴² See generally, Wyn Rees and Richard J. Aldrich, “Contending Cultures of Counterterrorism: Transatlantic Divergence or Convergence?” *International Affairs* 81, no. 5 (2005): 905–923.

⁴³ John Reid and Nicolas Sarkozy, “Cooperation Can Defeat Terrorism,” *International Herald Tribune*, August 18, 2006, available at www.iht.com/articles/2006/08/17/opinion/edreid.php.

⁴⁴ James Fallows, “Declaring Victory,” *The Atlantic Monthly* (September 2006), p. 69.

destabilization unleashed by the invasion of Iraq have caused many states to query the efficacy of the US emphasis on unilateralism and military force in its approach to counterterrorism, and have caused suspicion about ulterior motives in US counterterrorist tactics, even in multilateral institutions. Many developing states have thus come to see terrorism as posing a threat not only in and of itself, but as an indirect conduit for the US to expand its power at their expense.

Thus, depending upon one's perspective, contemporary terrorism can be seen as not one coherent threat, but rather many threats. In that context, multilateral action to counter terrorism has become increasingly problematic, to the point that even the attempt to reach a consensus definition of terrorism has, as yet, borne no fruit. It is to those multilateral responses that I now turn.

Managing the Threat: Multilateralism and Multifaceted Responses

Given the complexity and evolving nature of the threat, as well as the diversity of conditions conducive to the spread of terrorism, combating international terrorism requires a comprehensive, multifaceted response at the global, regional, and local levels. To be effective, the response must be enduring and sustainable and include a significant non-military component.

The overarching challenge in the next few years will be to find ways to sustain the international cooperation that has so far characterized the post-September 11 counterterrorism effort, despite the significant divergence in threat perceptions detailed above. Multilateral institutions have a pivotal role to play here. So far, they have tended to concentrate on the more traditional elements of the non-military, global counterterrorism effort, e.g., combating terrorist financing, strengthening border security, improving law enforcement cooperation, and information sharing—producing modest results. The ability to maintain, and hopefully strengthen, this cooperation will depend on developing and implementing strategies and programs at the global, regional, and local levels that can address changing terrorist tactics and recruitment tools. In addition, given the increasing linkages between terrorism and

other security threats posed by crime, WMD proliferation, corruption, underdevelopment, poor governance, and poverty, and the number of multilateral bodies seeking to address these issues, coordinating the counterterrorism-related efforts of these institutions will become both more important and more difficult.

To the extent that the threat continues to become decentralized, with local conditions being a significant driving force behind terrorist activities, greater attention will need to be paid to addressing the conditions that are providing fertile soil for radicalization and recruitment in communities in Europe and elsewhere. Effective strategies have yet to be developed at the international, or for that matter local, level for tackling many of them. This is partly because a number of these issues—such as local conflicts, religious extremism, lack of political freedoms—touch upon highly sensitive issues on which it is difficult to achieve consensus regarding appropriate multilateral responses. As a result, according to one expert, “international counterterrorism cooperation has been least successful where it matters most.”⁴⁵

The “Battle of Ideas”

One of the reasons that international efforts to counter the growing radicalization and extremism connected to much of Islamist terrorism remain in their infancy is the very significant divergence in perceptions of the threats posed by terrorism and of the responses to it, detailed above. Countering the radicalization that leads to the adoption of terrorist tactics is made more difficult when the steps taken to deal with those terrorist tactics in turn fuel further radicalization. This is, some would argue, exactly what we see in the growing skepticism and distrust among Muslims around the globe that the US-led counterterrorism effort is targeting Islam.

As the concepts and discourse of counterterrorism itself becomes a battleground for competing political agendas, what emerges is a “battle of ideas.” Some characterize this battle as a competition between, on the one hand, the radical ideologies adopted by Islamist and other terrorists, and, on the other, the narratives promoted by their opponents. Jessica Stern argues that “we need to respond not just with guns—but by seeking to create confusion, conflict, and competition among terrorists and their sponsors and sympathizers”⁴⁶ and develop “ideas and

⁴⁵ Coolsaet, “Jihadi Terrorism,” p. 7.

⁴⁶ Jessica Stern, *Terror in the Name of God: Why Religious Militants Kill* (New York: Harper Collins, 2003), p. 296.

stories that counter the terrorist narrative—and draw potential recruits away from the lure of jihad.”⁴⁷

Both the US and EU increasingly adopt such an approach in their respective counterterrorism strategies.⁴⁸ Both face challenges. On Europe, an August 31, 2006, Oxford Analytica report concludes that

the background factors that make home-grown terrorism possible—youth alienation and radical Islamic ideology—are unlikely to fade away. Governments can crack down on individuals who recruit Muslim youth or otherwise preach hate, but doing so will only deal with part of the problem. Furthermore, it does not appear that existing European immigrant integration policies are designed to prevent either Muslim radicalization or terrorism, but continue instead to target their traditional aims.⁴⁹

Fallows argues that America’s very public efforts to win the “battle of ideas” and generate support among the world’s Muslim populations have been “drowned out by the implicit messages from Afghanistan and Iraq and Guantanamo (and from the State Department, as it rejected requests for student visas).”⁵⁰ Even former US Secretary of Defense Donald Rumsfeld would seem to share the bleak assessment of how the US is faring in this “war,” telling an audience at the US Army War College in March 2006 that the US deserves a “D” or “D-plus” in its efforts to fight this battle.⁵¹

But the “battle of ideas” cannot be so straightforwardly reduced to a battle between the West and Islamist terrorists. When the *Economist* referred to Iraq “as an own-goal in the battle for hearts and minds—and not just Muslim minds,”⁵² it made clear that the “battle” was equally one waged within democratic polities, within Muslim communities—and perhaps one might add, within multilateral institutions.

Global institutions such as the UN in fact have a unique role in this battle, and in broader attempts to

manage the threats posed by contemporary terrorism, because their global membership offers a unique basis for normative legitimacy and effective action. Anthony Cordesman of the Center for Strategic and International Studies has gone so far as to conclude that “institutions like the UN . . . are the only way to cut across the fault lines that divide the world.”⁵³

The Relationship between National, Regional and Multilateral Responses

Although national governments will remain the first responders to international terrorism, since they bear the primary responsibility of protecting their citizens, formal multilateral bodies, informal multilateral arrangements, and programs at the international and regional levels can, if structured properly, make a substantial contribution as well. Successes in the campaign against terrorism have, to a large degree, been a result of cooperation and mutual support among governments around the world.⁵⁴

At the national level, non-military counterterrorism measures now generally fall into three broad areas. The first involves law enforcement efforts aimed at “chasing and investigating terrorists and their networks across borders” and extraditing or prosecuting those that are arrested.⁵⁵ This requires not only properly trained and equipped law enforcement and intelligence officials and exchanges and intensified cooperation with intelligence and security services worldwide, mostly through bilateral channels, but adequate legislation and an effective (and uncorrupted) judicial system. Efforts to improve law enforcement measures have paid significant dividends, making it more difficult for terrorists to move money and communicate, and have led to the arrest of hundreds of militant Islamic radicals and the disruption of a number of attacks.⁵⁶

A second involves protecting the homeland, including measures such as enhancing border and transportation security and safeguarding critical

⁴⁷ Jessica Stern, “Jihad – A Global Fad,” *The Boston Globe*, August 1, 2006.

⁴⁸ United States, *National Strategy for Combating Terrorism* (updated September 2006), p. 19, available at www.whitehouse.gov/nsc/nsct/2006/; European Union, *Counter-Terrorism Strategy* (December 2005), available at <http://register.consilium.eu.int/pdf/en/05/st14/st14469-re04.en05.pdf>.

⁴⁹ *Oxford Analytica*, “Western Europe: Why Radicalism Appeals to Muslim Youth,” August 31, 2006.

⁵⁰ Fallows, *Declaring Victory*, p. 70.

⁵¹ *CBS News*, “Rumsfeld: US Losing War of Ideas,” March 27, 2006, available at www.cbsnews.com/stories/2006/03/27/terror/main1442811.shtml.

⁵² “Five Years On,” *The Economist*, September 2–8, 2006, p. 10.

⁵³ Anthony Cordesman, “The Lessons of International Co-operation in Counter-Terrorism,” *RUSI Journal* 151, no. 1 (February 2006), p. 49.

⁵⁴ William P. Pope, “European Cooperation with the United States in the Global War on Terrorism,” remarks to the House International Relations Committee, Subcommittee on Europe and on International Terrorism, Nonproliferation and Human Rights, Washington, DC, September 14, 2004.

⁵⁵ Coolsaet, “Jihadi Terrorism,” p. 2.

⁵⁶ See, e.g., John Miller, “Law Enforcement, American Style,” *New York Times*, September 14, 2006, A27; Ambassador Henry A. Crumpton, “The Changing Face of Terror: A Post 9/11 Assessment,” Testimony before the Senate Committee on Foreign Relations, June 13, 2006; and Testimony by E. Anthony Wayne, Assistant Secretary for Economic and Business Affairs, Department of State to the House of Representatives Committee on International Relations Subcommittee on International Terrorism, Nonproliferation and Human Rights, March 26, 2003.

infrastructure, including nuclear, chemical and petro plants, and gas pipelines that could be terrorist targets. A key element of this is preventing WMD and related materials from getting into the hands of terrorists, which among other measures requires the protection of sensitive weapons and materials, trained customs, transportation and other security officials, and enhanced detection technology.

A third element, and one that is getting greater attention as Islamist terrorists gain increasing influence, centers around efforts to stem the radicalization and recruitment of local populations, discouraging them from turning to terrorism and other forms of violence. This includes taking steps to prevent educational, religious, and cultural institutions and the Internet from being used as platforms for incitement and recruitment and focusing more attention on tackling the underlying conditions that can breed resentment and lead to disaffection and marginalization. The worldwide web's transnational nature makes it necessary for states to harmonize their thinking, or risk creating loopholes. An effective response could include the monitoring and/or surveillance of Internet sites and requiring all Internet service providers to submit to background checks and register with the government. The need to harmonize or coordinate the response of individual states would seem to leave multilateral institutions well-placed to contribute to the development of a comprehensive response to this new threat.

In each of these three areas, many states, particularly in the developing world, lack the capacity necessary to implement such strategies, even if they are willing to do so. This lack of capacity is particularly troubling since terrorists have proven adept at exploiting such gaps to fund, organize, equip and train their recruits, carry out their attacks, and hide from arrest.⁵⁷ In the end, given the global and fast-moving nature of the terrorist threat, the international community's ability to deal effectively with it will only be as strong as the globe's weakest link. Thus, building capacity of all states, including those in the often vulnerable global south must remain a priority—and is clearly another area in which multilateral institutions have an important role to play.

Effective implementation of each of these elements involves working with regional and global

partners, including multilateral institutions. US and Russian presidents George Bush and Vladimir Putin made this point clear in a joint statement in May 2002, declaring that a “successful campaign against terrorism must be conducted by nations through bilateral, regional, and multilateral cooperation, and requires a multifaceted approach that employs law enforcement, intelligence, diplomatic, political, and economic actions.”⁵⁸

A key point here, however, is that while states in general are the primary responders to the terrorist threat, it is the globally superior powers, in particular the US, that constitute the main engine in global counterterrorism activity. More than five years into the global “war against terrorism,” the Bush administration's updated counterterrorism strategy acknowledged what many experts have long recognized, namely the importance of non-military tools, international cooperation, and multilateral institutions in this “war.”⁵⁹

Regional Responses

Regional organizations also have a particular role to play here. In theory, they offer an ideal forum for building trust, information sharing, developing strategies that can take into account cultural and other contextual issues, and undertaking region-specific initiatives or other actions that complement and build upon global counterterrorism objectives. Regional organizations can also prod their members into taking steps necessary to develop their counterterrorism capacities.

In practice, however, the contributions of regional bodies have varied widely. While a number have adopted regional counterterrorism treaties aimed at enhancing the ability of countries in the region to cooperate in the investigation, prosecution, and extradition of terrorist suspects, others have adopted frameworks not fully consistent with the global regime, thus complicating efforts to enhance law enforcement and judicial cooperation in pursuing cases against suspected terrorists with countries outside of the region. Although nearly every organization that has a security-related mandate has strongly condemned and adopted declarations against terrorism, only a few have succeeded in moving

⁵⁷ Testimony by US Department of State Counterterrorism Coordinator, Cofer Black, before the US House of Representatives International Relations Committee Subcommittees on Asia and the Pacific, International Terrorism, Nonproliferation, and Human Rights, October 29, 2003, available at www.house.gov/international_relations/108/blac1029.htm.

⁵⁸ The White House Office of the Press Secretary, “Joint Statement on Counterterrorism Cooperation: Joint Statement by President George W. Bush and President Vladimir V. Putin on Counterterrorism Cooperation,” Washington, DC, May 24, 2002.

⁵⁹ United States, *National Strategy for Combating Terrorism* (updated September 2006), p. 19, available at www.whitehouse.gov/nsc/nsct/2006/.

beyond symbolic gestures to make concrete contributions to strengthen regional responses. Further, with the exception of the EU, the Council of Europe (CoE), and the Organization on Security and Cooperation in Europe (OSCE), regional organizations have had great difficulty in developing programs aimed at addressing the underlying conditions that are conducive to terrorism and contributing to the “battle of ideas.” Organizations in regions with large Muslim populations, such as Southeast Asia, North Africa, and South Asia, might seem ideal fora for developing regional programs to tackle these issues, but governments in these areas rarely view the threat of international terrorism as a priority area for action, least of all on the regional level. Many governments in those regions instead prefer to work directly with the US or other bilateral partners.

Not surprisingly, given its unprecedented degree of integration, the EU has been the most aggressive in pursuing a regionally coordinated response to terrorism. It has developed numerous counterterrorism-related mechanisms.⁶⁰ Despite its extensive regional architecture, intra-regional cooperation and coordination remain a challenge at the EU-level. The European Council appointed an EU counterterrorism coordinator in 2004 to coordinate the work of the different EU members, but most counterterrorism mandates remain vested in the individual states and a number of the powerful EU members remain opposed to giving the EU’s supranational bodies more competency in this area. The EU bureaucracy is also a problem, where the funding and authority for the coordinator is very limited.⁶¹

A number of less integrated bodies such as the OSCE, the Organization of American States (OAS), and Asia Pacific Economic Cooperation Forum (APEC) have succeeded in developing pragmatic, results-oriented, technically-focused programs. The keys to their success include adequate secretariat resources (e.g., a dedicated counterterrorism unit to design and oversee implementation of programs), the identification of common interests that allow the body

to focus on the more technical aspects of counterterrorism in furtherance of those interests, the existence of one or more donor countries among the organization’s membership, and a shared perception of the threat.

Organizations such as the Association of South East Asian Nations (ASEAN), the African Union (AU), South Asian Association for Regional Cooperation (SAARC), and the Organization of the Islamic Conference (OIC), however, have been hampered by a lack of institutional and member state capacity, the absence of a common perception of the threat and political commitment, and sometimes rigid adherence to the norm of non-interference in the domestic affairs of their members. As a result, their counterterrorism contributions have largely been limited to the adoption of declarations and action plans, with little focus on member state implementation.

In addition to the formal regional responses to terrorism, a number of more informal, regional partnerships have been developed where the participating countries engage directly with each other, rather than through a regional body, to strengthen regional counterterrorism capabilities and cooperation.

The consensus-based decision-making processes of regional organizations make it difficult for them to respond quickly to evolving threats. Further, there is a tendency of even the more effective bodies to drift towards becoming fora for talking rather than doing. Ad hoc regional partnerships, however, can be quickly formed, more easily designed to respond to a particular threat, and include only like-minded countries with shared goals. A limitation of these ad hoc partnerships is that they are generally US led and funded, and thus reinforce the “Made in America”⁶² label that many countries have attached to the post-September 11 campaign against Islamist terrorism. In doing so, they help fuel the perception that this campaign is driven by the global north (for which counterterrorism is more of a priority), which

⁶⁰ In addition to a counterterrorism convention and the adoption of a comprehensive counterterrorism strategy in December 2005, it has, among other things, adopted a European Arrest Warrant that facilitates extradition among EU members; adopted a framework decision on combating terrorism that provides not only a definition of terrorism, but a EU terrorist list; established both EUROJUST to facilitate coordinated criminal investigations and EUROPOL to facilitate coordination of intelligence and investigative support; developed a robust counterterrorism capacity-building fund to assist countries in the global South; and appointed a counterterrorism “czar” to coordinate the activities of the European Commission and EU members. “The European Union Counter-Terrorism Strategy,” December 2005, available at www.ec.europa.eu/justice_home/fsj/terrorism/strategies/fsj_terrorism_strategies_counter_en.htm (accessed 19 February 2007). For an in-depth discussion of the EU’s post-September 11, 2001, counterterrorism efforts, see Paul Wilkinson, “International Terrorism: the Changing Threat and the EU’s Response,” *Chaillot Paper*, no. 8, October 2005, available online at www.iss-eu.org/chaillot/chaill84.pdf (accessed 19 February 2007).

⁶¹ It has no budget and can neither propose legislation nor chair meetings of national justice or foreign ministers to help set the EU’s counterterrorism agenda. Daniel Keohane, “The EU and Counterterrorism,” Center for European Reform, Working Paper, May 2005, p.18.

⁶² Daniel Benjamin, “Work to Institutionalize the International Fight Against Terrorism,” in *Restoring American Leadership: Cooperative Steps to Advancing Global Progress* (New York: Open Society Institute and Security and Peace Initiative, 2005), p. 13.

is seeking to impose its security-focused agenda on the global south.⁶³

Functional Responses

A number of functional, treaty-based international organizations, such as the International Atomic Energy Agency (IAEA), International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO), and the World Customs Organization (WCO), have either added or enhanced terrorism-related components of their work since September 11, 2001. Some have adopted counterterrorism-related best practices, codes, or standards and/or provided training and other forms of counterterrorism technical assistance. These technical bodies, relatively unencumbered by inter-state politics, have been able to respond in a relatively timely manner to the terrorist threat in their respective areas. In addition, having large secretariats with significant technical expertise, these organizations have also been able to provide technical assistance to their members that lack the capacity to implement the various standards and best practices.

In addition to the above-mentioned, formal entities, informal intergovernmental mechanisms have been established by groups of states, as a result of Western initiatives, to address discrete security issues related to terrorism. These bodies, such as the Financial Action Task Force (FATF) and various export control regimes, often have limited membership and little or no secretariat staff to support them. They have tended to adopt less bureaucratic and process-oriented approaches to addressing their particular issue while producing more results and less talk than formal organizations. Given both the general lack of an independent secretariat to help implement the body's mandate and the self-selecting membership in the groups, however, these informal bodies and the

work they produce tend to lack the legitimacy of the more inclusive and formal functional bodies. The political or voluntary nature of these arrangements also means that many lack any formal mechanism to monitor implementation or enforce compliance.

A number of export control regimes have focused increasingly on preventing the spread of dangerous weapons and materials to non-state actors.⁶⁴ These mechanisms, in which membership generally ranges between thirty and forty states, have helped promote cooperation and develop standards among like-minded states in discrete technical fields and have succeeded in establishing various export control guidelines and standards.⁶⁵

The Group of Eight's (G8) Lyon-Roma Anti-Crime and Terrorism Group, which consists of a series of subgroups staffed by experts from each of the G8 capitals meeting several times annually, has developed counterterrorism standards and best practices on a wide variety of topics, including the areas of radicalization and recruitment. Because participation in the Group and its sub-groups is informal and flexible enough to allow the participation of a wide assortment of experts according to different subjects, the G8 has been able to produce concrete results, e.g., counterterrorism standards or best practices, more quickly than more formal multilateral bodies. However, its rotating presidency, and lack of a secretariat, often impede the necessary follow up to make such initiatives sustainable. In addition, because of the G8's limited membership, it lacks broad legitimacy among members of the global south.

To complement its standard-setting work, in 2003, the G8 created the Counterterrorism Action Group (CTAG). Yet the CTAG, like the G8 itself, is an ad hoc political mechanism with the same shortcomings mentioned above. As a result, it has yet to deliver the results G8 Leaders had hoped for when it was established at the G8 summit in Evian, France.

⁶³ Two examples are the US-led Trans-Sahara Counterterrorism Initiative and the "3+1 Group on Triborder Area Security" in South America. The former is a five-year, multi-faceted, \$100 million p.a. US program to enhance the indigenous capacities of governments in the pan-Sahel (Mauritania, Mali, Chad, Niger, Nigeria, and Senegal) to confront the challenge posed by the operation of Islamist terrorist organizations, including the Salafist Group for Preaching and Combat (GSPC) and enhance cooperation with countries in the Maghreb. It includes aviation and other border security training, military assistance, and public diplomacy and good governance programs. See remarks by Ambassador Henry A. Crumpton, Algiers Conference, February 20, 2006, available at <http://usinfo.state.gov/is/Archive/2006/Mar/06-408429.html>. The latter, also a US initiative, includes the US, Paraguay, Argentina, and Brazil. It was created in 2002 to enhance the capacities of the "Three" to fight cross-border crime and combat money-laundering and potential terrorist financing activities in the region. It has served as a forum to allow technical experts from the participating countries to share information and identify ways to strengthen law enforcement and other forms of counter-terrorism cooperation. For more on the Tri-Border Area, see Arlene Tickner, "Latin America and the Caribbean: Domestic and Transnational Insecurity," *Coping with Crisis Working Paper Series*, International Peace Academy, New York, February 2007.

⁶⁴ The Nuclear Suppliers Group, the Australia Group, and the Zangger Committee. Gabriel H. Oosthuizen and Elizabeth Wilmshurst, "Terrorism and Weapons of Mass Destruction: United Nations Security Council Resolution 1540," *Chatham House Briefing Paper*, September 2004, available at www.chathamhouse.org.uk/pdf/research/il/BP0904.pdf#search=%22Terrorism%20and%20Weapons%20of%20Mass%20Destruction%3A%20United%20Nations%20Security%20Council%20Resolution%201540%22.

⁶⁵ See Christine Wing, "Nuclear Weapons: The Challenges Ahead," *Coping with Crisis Working Paper Series*, International Peace Academy, New York, April 2007, for a discussion of how the United States is a key player, and often the driving force, in these regimes.

The Financial Action Task Force (FATF), which was created by the then G7 in 1989, and which has strict membership criteria, has developed a set of recommendations in the fields of money laundering and terrorist financing that are widely accepted as the global standards in these areas. Although consisting of only thirty-three members, in order to broaden its appeal and the legitimacy of its work, FATF has helped establish FATF-style regional bodies (FSRBs) in all regions, including Africa and the Middle East. Each of the more than 150 States or territories, which are now members of one of the FSRBs, are thus politically committed to implementing the FATF's standard-setting work.⁶⁶ As noted in James Cockayne's *Coping with Crisis Working Paper on Transnational Organized Crime*, one of FATF's innovations has been its use of "peer review" and blacklisting mechanisms, which have "combined international legitimacy with effective sanctions mechanisms to ratchet up international banking [and other terrorist financing-related] standards."⁶⁷

The Need for Multilateralism

Although improved regional and functional responses should be applauded, most of the bodies are toiling on small pieces of territory or within a narrow field. This piecemeal approach has left swaths of territory (for example, the Middle East and North Africa, Sub-Saharan Africa, South Asia, and parts of the former Soviet Union) that are not covered by an effective multilateral body. Substantive areas (for example, transport security, terrorist safe haven, travel, radicalization, and misuse of the Internet and other media) are also inadequately addressed or overlooked. It is in these areas where the terrorist threat may be greatest, with states often lacking the capacity—for example, appropriate legal and intelligence infrastructures or land, port, and airport security—to confront the threat posed by home-grown terrorist groups. Partly due to a lack of capacity and political will, regional bodies in Africa and the Middle East have generally not had much success in prodding their members to take the steps necessary to upgrade their counterterrorism capacities. The result is that the goal of developing a seamless counterterrorism web remains incomplete. The challenge is to find ways to get multilateral bodies

in Africa and the Middle East, and their members, to become more active in this area, again keeping in mind the vastly diverging perceptions of governments and societies related to the acuteness of the threat posed to them by global terrorism.

In addition to these gaps in regional and thematic coverage, after September 11, the rapid increase in the number of bodies active on the counterterrorism plane has led to a growing need and calls for greater cooperation and increased efforts to enhance synergies and minimize duplication of effort. As will be discussed below, for the past five years the UN has sought to assume the global coordinating role among organizations involved in counterterrorism. However, it has so far not made a significant or enduring contribution in this area.

International: UN Response

The UN has struggled since its inception with how to formulate an effective response to terrorism. Its efforts have been ambivalent and produced mixed results. On the one hand, using its norm-setting authority, it has provided a solid international legal framework for combating terrorism—via the adoption of sixteen terrorism-related treaties adopted by the General Assembly and UN agencies and a number of legally binding resolutions adopted by the Security Council—thus often reinforcing efforts undertaken outside the UN. On the other hand, it has been unable to reach agreement on a comprehensive definition of terrorism. A further feature of the UN's counterterrorism effort has been its reactive nature, adopting declarations or treaties or establishing committees or programs in response to individual attacks, without developing a coherent and coordinated response to the overall effort. As a result of its largely piecemeal approach, today more than twenty different parts of the UN system deal with terrorism in one form or another, with the Security Council and its four separate counterterrorism-related bodies and three staff bodies now at the center of this effort.⁶⁸

General Assembly

Although the General Assembly has contributed a handful of important international counterterrorism treaties, it is most well-known in the counterterrorism

⁶⁶ For a detailed description of FATF's current mandate, see www.fatf-gafi.org/dataoecd/14/60/36309648.pdf.

⁶⁷ Cockayne, "Transnational Organized Crime."

⁶⁸ For a critical overview of the UN's counterterrorism efforts, see, e.g., Edward C. Luck, "Uninvited Challenge: Terrorism Targets the United Nations," in Edward Newman and Ramesh Thakur, eds., *Multilateralism Under Challenge: Power, International Order and Structural Change* (Tokyo: United Nations University and the Social Science Research Council, 2006), pp. 336-355.

world for what it has not contributed, namely a definition of terrorism. The global body has been divided on this question since it first took up the issue of terrorism in 1972 in response to the murder of 11 Israeli athletes at the Munich Olympics by members of the Palestinian Liberation Organization. This ongoing failure, which continues to be rooted largely in the Israeli–Palestinian conflict (as well as the dispute between India and Pakistan over Kashmir) is evidenced by the still unsuccessful efforts of the Ad Hoc Committee to conclude a comprehensive convention on international terrorism, with differences surrounding the definition of terrorism continuing to impede progress. The General Assembly’s inability to reach agreement on a definition of terrorism after more than three decades of discussions—with the unfortunate continuing relevance of the phrase “one man’s terrorist is another man’s freedom fighter”—has limited the impact of its counterterrorism efforts. Yet, its adoption of a global counterterrorism strategy in September 2006 and the uneven counterterrorism contributions of the Security Council, both of which will be discussed below, may signal a shift to the General Assembly as the central UN counterterrorism actor.

UN Office on Drugs and Crime

A number of UN offices have become involved in providing counterterrorism-related assistance and training to states. The most significant element of this assistance program is carried out by the UN Office on Drugs and Crime (UNODC), located in Vienna. Its Terrorism Prevention Branch (TPB) and Global Programme against Money Laundering (GPML) provide states with legislative drafting and other technical assistance and have expanded their respective programs since September 11, 2001. The former focuses on helping states ratify and implement the international conventions and protocols related to terrorism and the latter on helping states implement the Terrorist Financing Convention and the FATF’s special recommendations on money laundering and terrorist financing. With staff and consultants stationed in regional offices and country offices around the globe, it has been able to coordinate quite closely with regional organizations, including by co-hosting legislative drafting workshops in different regions.

The Security Council

Like the rest of the UN, the Security Council was generally reluctant to address terrorism prior to the events of September 2001. This reluctance reflected the prevailing attitude that terrorism was largely a national problem and thus generally did not constitute the threat to *international* peace and security required for the council to be seized with the issue under the UN Charter.⁶⁹ The Al Qaeda attacks on the US on September 11, 2001, ushered in a new era, however, for the Council, whereby it has sought to assume a leading role in global counterterrorism efforts.

The day after the attacks, it adopted Resolution 1368, which not only condemned the acts of terrorism and urged all states to bring the perpetrators, organizers and sponsors of the attacks to justice, but linked the response to international terrorism with the right to self-defense as enshrined in Article 51 of the UN Charter.⁷⁰ Around two weeks later, the Council adopted what still remains perhaps its most ground-breaking resolution ever—Resolution 1373—which imposed significant obligations on all states to, among other things, enhance legislation, strengthen border controls, coordinate executive machinery, and increase international cooperation in combating terrorism.⁷¹ It also established a committee, the Counterterrorism Committee (CTC), to monitor states’ efforts to implement these obligations, work with countries to improve their counterterrorism capacities, and coordinate the efforts of the dozens of other international, regional, and subregional bodies involved in the global campaign.⁷²

Since September 2001, the Council has condemned major international terrorist attacks and used its authority to impose an increasing number of binding counterterrorism-related obligations on all states via a series of unprecedented resolutions. The resolutions established several different counterterrorism subsidiary bodies mandated to monitor states’ efforts to implement their Council-imposed obligations, as well as work with states to strengthen their counterterrorism infrastructure. These include the CTC and its Counterterrorism Executive Directorate, a staff body consisting of some 20 experts; the 1540 or Non-Proliferation Committee and its group of eight experts, and the 1267 Committee or “Al-Qaida/Taliban Sanctions Committee” and its eight

⁶⁹ After the Cold War paralysis in the Security Council ended, it was able to adopt resolutions and impose remedial measures in response to discrete acts of terrorism, such as the bombing of Pan Am flight no. 103 and the bombings of the US embassies in Kenya and Tanzania. *Ibid.*

⁷⁰ UN Security Council Resolution 1368 (September 12, 2001), UN Doc. S/RES/1368.

⁷¹ UN Security Council Resolution 1373 (September 28, 2001), UN Doc. S/RES/1373.

⁷² See, e.g., *ibid.*; and Ramesh Thakur, *The United Nations, Peace and Security* (Cambridge: Cambridge Univ. Press, 2006), pp. 181–203.

member Analytical and Support Monitoring Team.⁷³

Limitations of the Current UN Security Council-led Approach

The Council has succeeded in developing a broad counterterrorism legal framework, albeit via a controversial tool—resolutions that impose obligations on all UN member states. Such resolutions have circumvented the traditional international law-making process based on the consent of states.⁷⁴ The counterterrorism-related subsidiary bodies created by the Council to oversee implementation of these resolutions, however were often hastily established in response to specific crises.⁷⁵ The resulting proliferation of Council programs and initiatives has produced overlapping mandates, duplication of work, multiple and sometimes confusing reporting requirements for states and continuing tension between the Council and the UN Secretariat. In general, information sharing and other forms of cooperation between and among these groups have been inadequate and often redundant, which has inhibited the overall Council effort. The wider UN membership, the Secretary-General, and the Council itself have recognized many of these shortcomings since 2004. In fact, the Council has repeatedly called for improvements in numerous resolutions and presidential statements, but has yet to take the steps needed to improve the situation.⁷⁶

In general, the Council's approach has been narrow in focus. It has had difficulties addressing the broad range of security issues that often intersect with terrorism and developing and implementing a meaningful human rights policy that would help ensure that all counterterrorism measures are consistent with international human right norms. Finally,

although the CTC now has a mandate to address terrorist recruitment and incitement and “enhance dialogue and broaden understanding between civilizations” in its interactions with states—the result of the adoption of Resolution 1624 following the 2005 London train bombing—it has so far had limited success doing so. Given the political sensitivities within the UN membership surrounding efforts to focus on a single religion (i.e., Islam) the CTC will likely find it difficult to make a meaningful contribution to efforts to tackle these cutting-edge issues.

Although all of its post-September 2001 counterterrorism resolutions were adopted unanimously, the use of this controversial law-making method has hindered the Council's ability to get the sustained cooperation from states needed to implement them. The largely under-resourced mechanisms the Council established to prod and encourage states to implement its counterterrorism framework were generally part of the Council's reaction to particular terrorist attacks, at which times the politics of the moment trumped the need to develop an effective and coherent Council counterterrorism program. Despite pockets of success, the Council has failed to develop a coherent and effective program capable of implementing the far-reaching legal mandate it gave itself in this area and has proven unable to coordinate global counterterrorism capacity-building efforts effectively.

Having established a series of subsidiary bodies which generally meet once or twice a month at the expert level to focus on the implementation of generally technical mandates, the Council itself has made only limited ongoing contributions to the global counterterrorism effort. Apart from broadly overseeing the work of its different committees and

⁷³ In addition to the three Security Council counterterrorism bodies and their respective group of experts, the Council established the “1566 Working Group” in response to the seizure of approximately 1,200 hostages and the death of hundreds of children at a school in Beslan, Russia. The Council provided the working group with a mandate (1) to consider practical measures to be imposed upon individuals, groups, or entities involved in or associated with terrorist activities, other than those on the Al Qaeda/Taliban consolidated list, and (2) to look into the possibilities of creating an international fund for the victims of terrorism. Many individual Council members objected both to the notion of an expanded UN list of terrorists absent a UN definition of terrorism and to the idea of an international fund for terrorist victims. Nevertheless, despite recognizing that the Council's three existing terrorism-related committees were having difficulty coordinating and that the Council's counterterrorism program needed to be rationalized, the Council agreed to establish yet another terrorism-related committee. It did, however, show some wisdom by not creating a new staff body to support the Working Group's efforts.

⁷⁴ The Council's use of this tool has been questioned and criticized by some states, generally those in the global south, as falling outside its mandate. The Council, they argue, was not intended to act as a “global legislator.” They fear that such action could disrupt the balance of power between the Council and the General Assembly as set forth in the UN Charter. For an in-depth discussion of the Security Council's legislative role, see Stefan Talmon, “The Security Council as World Legislature,” *American Journal of International Law* 99, no. 1 (January 2005): 175; and see Eric Rosand, “The Security Council as ‘Global Legislator’: Ultra Vires or Ultra Innovative,” *Fordham International Law Journal* 28 (2005): 542.

⁷⁵ In the Mozambique case this NGO placed itself at the center of a network of sources of power and applied its own considerable intangible resources to lead a successful two-year peace process that culminated in agreements ending the civil war in 1992. The case underscores what can be accomplished when an NGO understands both its capacity and its limits, and works to attract the cooperation and support of major international actors.

⁷⁶ See, e.g., UN Security Council Resolution 1735 (December 22, 2006), UN Doc. S/RES/1735; UN Security Council Presidential Statement (December 20, 2006), UN Doc. S/PRST/2006/56; UN Security Council Resolution 1617 (July 29, 2005), UN Doc. S/RES/1617; UN Security Council Resolution 1566 (October 8, 2004), UN Doc. S/RES/1566; UN Security Council Presidential Statement (January 18, 2005), UN Doc. S/PRST/2005/3; UN Security Council Resolution 1535 (March 26, 2004), UN Doc. S/RES/2004.

their expert groups—which includes convening periodic open Council meetings to solicit the views of the wider UN membership, and adopting short, standardized resolutions or presidential statements, or issuing a press statement following a major terrorist attack—the Council has tended to focus its attention on other threats to international peace and security.⁷⁷

With the committees generally focusing on technical issues and becoming process-oriented, paper-producing bodies, Council member ambassadors have shown less and less interest in the committees' day-to-day work. They have tended to become engaged only when there is a crisis in one of the committees or when a mandate needs to be renewed by the Council. This lack of ambassadorial-level interest has led to diminishing attention from capitals, which in turn has led at times to a lack of political direction in the committees themselves.

In addition, the political, administrative, and budgetary challenges of operating within the UN system have thwarted attempts by the Council's main counterterrorism body, the CTC, to effectively coordinate global capacity-building efforts and the work of the dozens of multilateral institutional actors on the counterterrorism stage.

The decision-making processes of the Council's counterterrorism committees have also presented serious challenges. The practice of taking all decisions by consensus has significantly impeded their ability to take action in a timely fashion and at times diluted their work. In order to maintain its relevance and effectiveness, the leading multilateral counterterrorism body needs to be able to act quickly and decisively on matters that are often technical in nature; it ought to avoid getting bogged down in seemingly endless political debates.

The same consensus-based practice has made it difficult for any of the Council's counterterrorism-related bodies to identify non-performers ("name and shame") or even to agree on a set of standards against which to measure performance.⁷⁸ On a number of occasions, one or two committee members, including the one representing the region in which a targeted country is located, have successfully blocked any

efforts to exert meaningful pressure on a particular country. In practice, the consensus approach has meant that the political and legal power of the different Council resolutions on terrorism adopted under Chapter VII of the UN Charter, which authorizes the Council to impose far-reaching legal obligations and sanctions on States, and the subsidiary bodies that were created using this same authority, are significantly weakened in practice.

The Council is generally focused on responding to specific, time-limited threats to international peace and security. Thus, it responds quickly and forcefully to a discrete terrorist incident, meeting at night or on the weekend to adopt the necessary resolution or presidential statement. It has found it difficult, however, to sustain the momentum of its long-term counterterrorism capacity-building program and the multitude of tasks that are involved.

The UN's comparative advantage in the field of counterterrorism lies in capacity building and standard setting, both of which have a significant technical component. Yet, because the UN's work in this area is overseen by the Council and its subsidiary bodies—and based in New York—this effort has been and will continue to be heavily (and perhaps unnecessarily) politicized, with delegations often interjecting tendentious political issues, thus slowing down the legal and technical work. Thus, when the Council is in the throes of a contentious negotiation outside the purview of its counterterrorism-related committees, the differences of views and even animosities among certain delegations can spill over into these bodies.⁷⁹

The problem of over-politicization of technical issues is exacerbated by the fact that the representatives on the CTC and other Council counterterrorism-related bodies are usually political officers (regular diplomats or generalists), often with little or no background in the technical field of counterterrorism. As a result, rather than focusing on concrete country, regional, or thematic issues, the bodies, in particular the CTC, have tended to become unnecessarily consumed in negotiating process-oriented papers and focusing on the political rather than the technical aspects of a particular issue. This is in contrast to

⁷⁷ Its counterterrorism-related committees have yet to refer any thematic or country-specific issue to the Council for guidance or other action. Apart from the adoption of resolutions extending or renewing the mandates of certain expert groups, the Council has on only two occasions directed any of the committees to address a specific set of issues. In October 2004 (Resolution 1566) the Council requested the CTC to produce a set of best practices related to the implementation of the terrorist financing aspects of Resolution 1373. The following year, in Resolution 1624, the Council directed the CTC to take up the issue of incitement to terrorism.

⁷⁸ There are examples of Security Council subsidiary bodies that do not operate by consensus, i.e., the International Criminal Tribunals for the former Yugoslavia and for Rwanda. Unlike the Council's sanctions and counterterrorism subsidiary bodies, which are political, intergovernmental bodies, these are independent judicial organs where the judges are appointed and act in their individual capacities rather than on behalf of a state.

⁷⁹ This occurred in the latter part of 2005, for example, when the Council was seized with the assassination of former Lebanese Prime Minister Rafiq Hariri.

technical organizations such as the IAEA, the Organization for the Prohibition of Chemical Weapons (OPCW), Interpol, and ICAO, where member state delegations generally include domestic experts in the relevant field.⁸⁰

While many of the CTC's shortcomings are attributable to its lackluster performance, given the limited representation on the committee, even a properly functioning CTC would lack the broad representation necessary to maintain international support over the long run.⁸¹ Many of the member states not on the Council at the time of the adoption of Resolution 1373 and not involved in the formulation of CTC policies would continue to feel excluded from the Council's counterterrorism program. Thus, even if it were to operate more effectively, these countries would continue to lack a sense of ownership in the program, and this would likely affect their readiness to cooperate with the CTC and other parts of the Council's counterterrorism framework.

UN Efforts to Strengthen and Streamline its Counterterrorism Program

As the above brief survey shows, since the events of September 11, 2001, the locus of the UN's efforts shifted to the Council's intergovernmental bodies and the five UN staff bodies (three Council and two UNODC bodies). As a result, for the past five years, greater emphasis has been placed on the security-related, capacity-building issues, with divisions within the General Assembly surrounding the definition question, paralyzing that body's efforts to offer a broader response.

This changed in September 2006, with the General Assembly's adoption, after a year of often contentious negotiations, of a Global Counterterrorism Strategy. The Strategy offers UN member states and multilateral bodies a blueprint for a coordinated, consistent, and comprehensive response to terrorism at the national, regional, and global levels. It calls for a more holistic, inclusive global approach to counterterrorism: one that includes not just security-

related preventative measures, but that also makes respect for human rights and addressing the underlying conditions conducive to the spread of terrorism priorities as well. It further provides broad guidance on practical and action-oriented measures to be taken by states and multilateral bodies.⁸²

Given the universal membership of the General Assembly, the politically sensitive nature of many of the issues involved, and the often different regional and subregional perspectives on both the nature of and appropriate strategy for addressing the threat, it should come as little surprise that the Global Counterterrorism Strategy consists largely of a series of broadly worded provisions which offer few specifics to help guide implementation. Yet the Strategy is significant as it by brings together these commitments into a single document unanimously adopted by the 192-member General Assembly, establishing a global counterterrorism framework for the first time. The test will be whether it is implemented.

One of the keys to implementation will be whether there is clear improvement in the coordination and cooperation among the 24 different parts of the UN system engaged in counterterrorism and the numerous other engaged multilateral bodies and mechanisms. Within the UN, there is need for a new culture of cooperation among the many parts of the system and a rationalization of the respective roles of all the players to bring about the level of coordination and collaboration that is required. This has so far been quite difficult to achieve.⁸³

The lack of effective coordination and cooperation has almost come to define the UN's post-September 11 response, leading countries such as Costa Rica and Switzerland to call, as early as in 2004, for the establishment of a UN High Commissioner for Terrorism to coordinate all of these initiatives. The fourteen-country Group of Friends of UN Reform echoed these calls in 2005 and the G8 heads of state called for a more coherent UN counterterrorism program and response to the threat in their July 2006 summit statement.⁸⁴ To address the problems created

⁸⁰ For example, the US delegation to the IAEA includes representatives from the Department of Energy, its delegation to the ICAO includes representatives from the Federal Aviation Administration, and its delegation to the World Customs Organization includes representatives from the Department of Homeland Security.

⁸¹ A number of member states, including Costa Rica, Lichtenstein, Pakistan, and Switzerland, have voiced concerns about having the fifteen-member CTC play a coordinating role in the global counterterrorism effort, believing that neither it nor its parent body is sufficiently representative to play this role effectively over the long run.

⁸² UN General Assembly Resolution 60/288 (September 8, 2006), UN Doc. A/RES/60/288.

⁸³ Curtis A. Ward, "Capacity-Building in the Asia-Pacific: The Role of the UN," delivered at the *Workshop on Implementing the UNGA Global Counterterrorism Strategy in the Asia-Pacific*, New York, January 25, 2007.

⁸⁴ The Group of Friends consists of Algeria, Australia, Canada, Chile, Colombia, Germany, Japan, Kenya, New Zealand, Netherlands, Pakistan, Spain, Singapore and Sweden. See Group of Friends Non-Paper, "The Role of the United Nations in the Fight Against Terrorism," 2005, available at www.un.int/mexico/2005/Terrorism.pdf.

by having multiple council counterterrorism bodies with somewhat overlapping mandates, the Secretary-General even recommended in March 2006 that the Council consider consolidating them into a single committee with a single staff body.⁸⁵

Unfortunately, the Strategy does not address this problem adequately. It calls for more cooperation within the UN, but its provisions are largely directed to individual parts of the UN system. It does not identify ways in which overlapping mandates could be streamlined or redundant programs could be eliminated. The Strategy's primary remedy for improving the coordination and coherence of the UN's program is to indicate the Secretary-General's intention to institutionalize the UN Counter-Terrorism Implementation Task Force (CTITF) within the Secretariat. Yet, partly reflecting the concern of some of the permanent members of the Security Council, who want the Council to remain the focus of the UN's counterterrorism program and the need to achieve consensus, the Strategy states that the CTITF must conduct its work within existing resources. In other words, despite the recognized need for improved coordination and coherence, the General Assembly may not have provided the CTITF with the tools necessary to allow it to succeed in the long term. In addition to inadequate resources, it remains to be seen whether the CTITF has the necessary authority to get the different parts of the system to share information, cooperate, and reduce overlapping mandates, all of which are required to improve the UN effort. In short, while the adoption of the Strategy is an important step in the right direction to improve the UN's counterterrorism performance, the necessary institutional structures may not be in place to support effective Strategy implementation over the longer term.

Scenarios and Recommendations for the Future

The increasing number of formal and informal multilateral partnerships (e.g., at least seventy multilateral institutions are involved in counterterrorism in one form or another); the lack of cooperation among them; and the adoption of the first-ever global

counterterrorism strategy, with signs of a further shift towards the non-military side of counterterrorism, including measures to address terrorism's underlying conditions; highlight the need for an effective multilateral body at the center of the effort to facilitate coordination.

The Status Quo

The CTC was supposed to be this body. In the five years since it was created, it has produced some modest successes in increasing awareness of the global nature of the threat and compiling useful information from the hundreds of country reports that have been submitted. Yet it has failed to become an effective coordinator of nonmilitary capacity-building assistance and has fallen short in its efforts to improve the coordination among the some seventy multilateral bodies now involved in counterterrorism.

As the Columbia University based watchdog Security Council Report recently noted, the failure of the CTC and its CTED to meet expectations

will fuel discussions about whether [they are] the right bod[ies] to be entrusted with responsibility for leading efforts to coordinate assistance to UN member states that need capacity-building measures. While there now appears to be broad acceptance that such efforts are needed, views are beginning to emerge that other parts of the UN system with capacity-building expertise may be better equipped for the task, which would leave the [CTC and its] CTED with a strictly monitoring and policy support role.⁸⁶

If the current arrangement continues, the CTC, as well as the other Council counterterrorism bodies will likely find it increasingly difficult to maintain cooperation from the broader UN membership. This particularly goes for countries from the global south, which will continue to grow frustrated with a set of Council bodies that place a growing number of demands on under-resourced bureaucracies, without being able to provide them anything tangible, such as technical assistance, in return. This will likely lead to increased calls for a more representative and "legitimate" body, e.g., the General Assembly, to take over

⁸⁵ "Mandating and Delivering: Analysis and Recommendations to Facilitate the Review of Mandates," A/60/733, Report of the Secretary-General of the United Nations, New York, March 30, 2006, paras. 122-123. These recommendations, which were included in a report to the General Assembly, were never considered by the Security Council.

⁸⁶ Security Council Report, "Monthly February 2007 Review of the Counter-Terrorism Executive Directorate," available at www.securitycouncilreport.org/site/c.gKWLeMTIsG/b.2461281/k.1E4/February_2007brReview_of_the_CounterTerrorism_Executive_Directorate.htm.

these core counterterrorism functions from the fifteen-member CTC. Furthermore, the lack of capacity of some regional bodies and the poor coordination and cooperation among the different regional and functional institutions—which are central to creating a seamless counterterrorism web, and which the CTC is mandated by the Security Council and encouraged by the General Assembly to address, although unable to do so adequately—will also continue. In addition, little progress will be made in developing a more holistic UN response to terrorism, as the UN Development Programme (UNDP), the UN Education, Science and Cultural Organization (UNESCO), and other parts of the UN system that focus on addressing some of the “underlying conditions” that can lead to terrorism would continue to balk at deepening their cooperation with the Council’s CTC for fear that their work might become unduly politicized.

Perhaps most importantly, simply maintaining the status quo will both lend support to the growing number of people who question whether the UN is capable of making a meaningful contribution to addressing twenty-first century global threats, and hinder efforts to enhance the role of multilateral institutions in the fight against terrorism.

Muddling Through: Consolidation

The Secretary-General’s March 2006 Report, “Mandating and Delivering: Analysis and Recommendations to Facilitate the Review of Mandates,” provides a succinct overview of some of the limitations in the Council’s counterterrorism effort as currently structured. It finds the current Security Council-led effort to be too diffuse, lacking sufficient coordination to be effective. Many UN Members appear to share this assessment. It offers a number of possible ways to improve the situation. These include streamlining or consolidating the disparate parts of the Council’s program into a more unified and coherent structure.⁸⁷ The Secretary-General’s recommendations in this report were not acted upon, however, in part because they were presented in a report to the General Assembly, in the context of a General Assembly mandate-review discussion, when Security Council action is required for implementation.

With the mandate of the largest UN counterter-

rorism staff body (the CTED) is set to expire at the end of 2007, rather than simply renew it as would be the norm in the UN, the Security Council could take up the Secretary-General’s recommendations and consolidate its multiple counterterrorism-related bodies into a single entity in order to make the Council’s program more coherent and effective.

In addition to the two options in the Secretary-General’s report for consolidating the various Council bodies—one limited to its staff bodies and one combining the committees themselves into a single member state body—a third option could include bringing the experts in the UNODC’s TPB and GPML into the fold.⁸⁸

With each of these possibilities, the Council might consider whether there are advantages to shifting the locus of its counterterrorism program from New York to Vienna, a “technical” UN city, so as to help depoliticize the effort and enhance the technical focus of the program. In addition, such a move would facilitate greater cooperation not only with UNODC’s counterterrorism assistance offices, but with its drugs and crime programs, and the IAEA, the primary international body addressing the threat of WMD terrorism. This might facilitate the development of more coherent UN strategies for addressing the connections between terrorism and some of the other major security threats.

Even a more unified Security Council-led UN counterterrorism program, however, would run up against the inherent political and institutional challenges that would make it difficult to coordinate global capacity-building efforts and the work of the dozens of multilateral institutional actors on the counterterrorism stage effectively. With the adoption of the General Assembly’s Strategy, it no longer makes sense to have the main UN intergovernmental and staff counterterrorism bodies—even if unified—under the authority of the Security Council, with its limited representation and narrow counterterrorism focus. For example, as already noted, a Council-led UN program will have difficulty developing the partnerships with those parts of the UN system and beyond that will play an important role in crafting and implementing strategies for addressing terrorism’s underlying conditions, which figure prominently in the General Assembly’s Strategy.

⁸⁷ Report of the Secretary-General, “Uniting Against Terrorism: Recommendations for a Global Counter-Terrorism Strategy,” UN Doc. A/60/825, April 27, 2006.

⁸⁸ Any steps involving either of the UNODC programs would require a decision by the General Assembly, which has oversight over UNODC.

The Golden Scenario: The Establishment of a New UN Counterterrorism Body

Monitoring the implementation of states' global counterterrorism obligations, helping states develop their counterterrorism capacities, coordinating the work of the some seventy different multilateral bodies engaged in counterterrorism, and, more broadly, promoting and overseeing the implementation of the General Assembly Strategy, requires a long-term and unwavering commitment—one that will not diminish as the memories of the most recent horrific terrorist attack fade or if the Council is seized with specific threats to international peace and security that require its urgent attention. In addition, it requires a body with broad legitimacy in both the global north and south. Given the importance and long-term nature of the task, the political and institutional limitations of working within the Security Council, and the need to stimulate efforts to implement the comprehensive Strategy, a new UN counterterrorism coordinating body is likely to be needed.

A dedicated counterterrorism body, with the support of an adequately resourced and trained technical secretariat, which could be established by a General Assembly Resolution—and endorsed by the Security Council—could take over the work of the existing council counterterrorism-related bodies, particularly the CTC, plus UNODC. This new body could focus and build upon their work. Moreover it would work to monitor implementation of current and future UN conventions and other instruments against terrorism, including the Strategy.⁸⁹ Regional and subregional organizations could be invited to sit as observers on the body's member state governing board, which should be larger than the 15-member Security Council, but small enough so as not to impede decision-making.

Removed from the under-representative Security Council and its Chapter VII security-focused

mandates, a new, more representative body could play a leading role in designing programs, in cooperation with UNDP, UNESCO, and other relevant bodies, aimed at addressing terrorism's underlying conditions, which now figure prominently in counterterrorism strategies at the national, regional, and global levels.

The numerous international bodies that have been created in the past fifty years to address security and other global issues, and/or to improve the UN system's ability to tackle complex issues, offer a range of models to look to when establishing this new body. These include the OPCW, IAEA, and more recently, the Peacebuilding Commission and the Human Rights Council. Given the *sui generis* nature of counterterrorism, a new UN body would likely draw upon elements from many, if not all, of these models.

The top three priorities for enhancing the capacity of multilateral institutions to respond more effectively to terrorism are 1) to improve the coordination and cooperation among the some seventy different formal and informal bodies that now operate in the counterterrorism arena; 2) to depoliticize and enhance the technical, capacity-building focus of the current effort; and 3) in so doing, give priority to those regions that lack the necessary institutional capacities to address the complex and evolving threat effectively, while developing a more holistic approach to countering the threat—e.g., one that includes strategies for addressing terrorism's underlying conditions, which involves, among other things, winning the “battle of ideas” and combating terrorist use of the Internet. As this Working Paper's discussion of the current framework concludes, these priorities are unlikely to be met if the current UN-led arrangement continues. In the end, only a more representative and technically-focused UN body with broad support from the global north and south dedicated to combating terrorism and designed to address these priorities is likely to be up to the task.

⁸⁹ The counterterrorism-related work of organizations in the broader UN family need not be affected, except insofar as a new global body would enhance the cooperation and coordination among them.

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