

# A multilateral response to terrorism

By **Ibrahim A Gambari**, United Nations Under-Secretary-General for Political Affairs



Nearly five years since the attacks of September 11th, 2001 (9/11), international terrorism has not subsided but evolved. Notwithstanding the unprecedented energies being poured into the fight against terror, few would argue seriously that the world is now secure. With its shared experience, the Commonwealth can play a significant role in assisting countries in need to build up their capacities to prevent terrorism, and also contribute to strengthening dialogue and understanding between different civilisations, cultures and faiths. This article describes the continuing and widening efforts of the United Nations (UN) agencies to promote a fully international response to terrorism, including the conclusion of a Comprehensive Convention on International Terrorism, and the adoption of a UN counter-terrorism strategy.

**B**y the measure of Rohan Gunaratna, one well-known expert on the topic, terrorist actions have actually increased seven-fold since the destruction of the World Trade Center in New York. One perceived challenge is that Al Qaida has transformed from a unitary entity into a movement or something more akin to an ideology. As it spreads and mutates, Al Qaida has become a scattered, hidden and persistent target that is, as a result, more difficult to combat. Fears persist that terrorists have the intention and the capability to stage devastating attacks. At the end of March 2006, Interpol warned that the threat of a biochemical strike by Al Qaida remains real. There is no lack of concern that the ongoing instability in Iraq will ultimately play into the hands of Al Qaida and its declared 'jihad of horror'.

It is an opportune moment, then, to ask what more could be done or done differently. Those favouring a stronger multilateral approach have looked to the UN to play a more prominent role. Addressing the 2005 World Summit, the Prime Minister of Malaysia, Mr Abdullah Ahmad Badawi, went as far as to say that only the UN can galvanise the necessary global response to terror.

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But can the UN really play this leading role? Can its member states work together on this matter? Where are the real opportunities to make a difference, now and in the future? Before UN potential can be tapped to its fullest, we must first answer these basic questions.

## **Norms, human rights and capacity-building: elements of the UN response**

The potential for a crucial UN role in the struggle against terrorism was evident in the immediate aftermath of 9/11. The Security Council moved quickly and decisively in adopting Resolution 1373, which obligates all 191 states to take specific action to counter terrorism, including freezing the financial assets of terrorists and their supporters, denying them travel or safe haven, preventing terrorist recruitment and weapons supply, and cooperating with other countries in information sharing and criminal prosecution.

In an editorial published in the 'New York Times' on September 21st, 2001, only 10 days after the attacks, Secretary-General Kofi Annan made the case that terrorism would be a global struggle and that the UN, henceforth, could prove to be the essential forum for building a universal coalition and for establishing the global legitimacy needed to underpin a long-term response to terrorism.

One clear UN comparative advantage is in the setting of international norms. In past decades, the UN has promoted and adopted thirteen international conventions that criminalised specific acts of terrorism including hijacking, hostage taking, terrorist financing and nuclear terrorism. These have become the cornerstone of a 'global norm' against terrorism. The increased rate of ratification of the conventions has been impressive. For example, in the first two years of the convention on terrorist financing, only five states ratified the agreement; now there are 150 on board. Yet there is still great urgency for member states to sign, ratify and implement all the thirteen conventions.

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The UN's commitment to human rights is among its most powerful weapons against terrorism. Although definitions of terrorism are rife with conceptual difficulties, human rights norms help to establish a clear moral threshold that should not be crossed. Terrorist acts that violate the fundamental right of human beings – the right to life – are unjustifiable and inexcusable. At the same time, counter-terrorism efforts must be carried out in keeping with international human rights obligations. Sacrificing our core values in the process of combating terrorism will be self-defeating and self-destructive.

A third area of potential support is UN assistance in helping member states build capacity to fight terrorism. Aid to legal drafting as well as the ratification and implementation of the international instruments against terrorism, anti-money laundering and combating terrorist financing, prevention of and response to weapons of mass destruction (WMD) terrorism, and enhancement of maritime and civil aviation security are a few of the relevant capacity-building options. Many African countries, for example, need significant assistance in areas such as legislation, judicial training, and border controls.

A fourth area is in the political role played by the UN in conflict zones around the world. UN efforts to broker and consolidate peace settlements have a clear and direct value in bringing normality and productivity back to large areas that could otherwise become incubators for terrorism.

## **Opportunities in 2006**

If we are to build on these areas of UN comparative advantage, there are two major opportunities for UN action this year. One is the conclusion of a Comprehensive Convention on International Terrorism. The other is the adoption of a UN counter-terrorism strategy.





Although it has produced a number of conventions as mentioned above, UN moral authority on terrorism would be greatly enhanced if agreement could be reached on a Comprehensive Convention on International Terrorism, which would establish a definition for terrorism and outlaw terrorism in all its forms. Member states took a strong step forwards at the 2005 World Summit, whose Outcome Document, unanimously endorsed by world leaders, contains for the first time in UN history an unqualified condemnation of terrorism – “in all its forms and manifestation, committed by whomever, whatever and for whatever purpose”. This provides a sound basis to conclude the long overdue comprehensive convention.

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The Summit Outcome Document signalled broadening recognition that there is no such thing as ‘bad terrorism’ and ‘good terrorism’. Yet in subsequent negotiations to move toward a comprehensive convention, member states continue to be divided over the same questions as before – whether the activities of armed forces should be exempted from the scope of the convention since they are governed by international humanitarian law; and whether that exemption should also cover armed resistance groups involved in struggles against colonial domination and foreign occupation.

A substantial political push will be needed to reach a consensus. A universally accepted comprehensive convention under the auspice of the UN would create a shared normative-political platform for a united global front against terrorism.

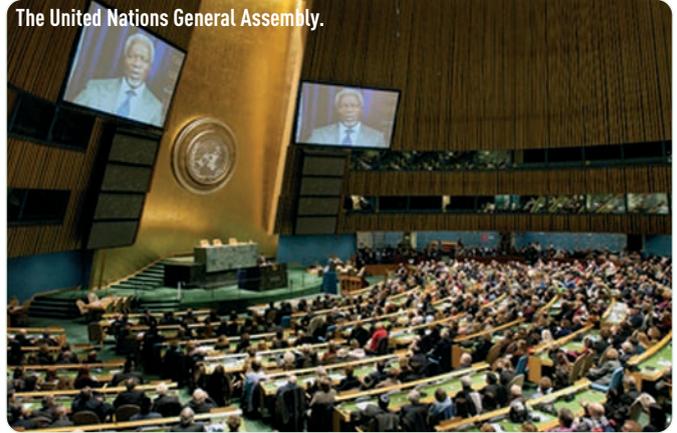
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In the meantime, the elusiveness of a comprehensive convention does not prevent us from pursuing a more operational strategy to counter terrorism.

In a speech in Madrid in March 2005, on the first anniversary of the terrorist railway bombings there, Secretary-General Annan sketched out the broad outlines of a global counter-terrorism strategy. The five elements contained in the strategy are:

- To dissuade disaffected groups from choosing terrorism as a tactic to achieve their goals;
- To deny terrorists the means to carry out their attacks;
- To deter states from supporting terrorists;
- To develop state capacity to prevent terrorism; and
- To defend human rights in the struggle against terrorism.

The Secretary-General also created a Counter-Terrorism Implementation Task Force (CTITF) encompassing the UN Secretariat and the wider UN system to promote better coordination and strengthen information sharing throughout the system. For the first time in the history of the UN, all the key institutional players gathered together in an effort to forge a cohesive UN response to the threat of terrorism.



The five elements of the strategy that the Secretary-General proposed in Madrid could serve as the basis for an inter-governmentally-approved counter terrorism strategy approved this year by the General Assembly. The effect would be unprecedented. For the first time, 191 Member States will have the chance to promote a joint response to terrorism. We hope that Member States can see this as a major opportunity and rally behind the strategy as both contributors and beneficiaries.

### Regional counter-terrorism efforts

When we speak of the need for greater multilateral action, the UN is only part of the answer. Terrorism has its global manifestations as well as regional dimensions.

Over the past years, particularly after the 9/11 terrorist attacks, many regional organisations have launched counter-terrorism initiatives that have helped to respond to the threat.

The Africa Union’s commitment to address Africa’s security challenges posed by international terrorism is one example. Thirty-six out of 53 countries in the Africa Union have ratified the Convention on the Prevention and Combating of Terrorism. A Plan of Action on the Prevention and Combating of Terrorism was adopted in 2002. The African Centre for the Study and Research on Terrorism was established in Algeria in 2004.

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Other initiatives that aimed at strengthening the mechanisms to combat terrorism in the African continent were promoted, such as the Bamako Declaration on African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons. Those instruments can make a difference in addressing the threat of terrorism if they are followed by concrete actions to implement them.

The counter-terrorism efforts by other regional organisations are equally impressive. The Asia-Pacific Economic Cooperation (APEC) created a Counter-Terrorism Task Force (CTTF) in 2003 which mandated all APEC members to submit their respective action plans. At the end of 2005, the European Union adopted the EU Counter-Terrorism Strategy and Strategy for Combating Radicalisation and Recruitment to Terrorism. Most recently, it was reported that more than 250 terrorist acts were prevented on the territories of six countries of the Shanghai Organisation of Cooperation by that organisation’s Regional Counter-Terrorism Structure (RCTS).

The Commonwealth has taken a firm collective stand against terrorism. Achievements include the development of 'Model Legislative Provisions on Measures to Combat Terrorism' (to assist countries with implementation of UN Security Council Resolution 1373), and 'Implementation Kits for the International Counter-Terrorism Conventions,' covering 12 multilateral treaties drawn up between 1963 and 1999 by the UN and other international organisations in response to terrorism.

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### Conclusion

Terrorism is not only a threat to all societies, but also an attack on values that define the international community – the rule of law, respect for human rights, protection of civilians, inter-cultural faith and tolerance, and the peaceful resolution of conflicts. Counter-terrorism efforts can best succeed by pursuing them on all fronts and in all countries.

Forging a comprehensive multilateral response will require political courage as well as deeper reflection about terrorism itself and the means at our disposal to combat it. As the military strategist Sun Tzu wrote in *The Art of War*: "Know yourself and know your enemy: your victory will not stand in doubt."

**Ibrahim Agboola Gambari** of Nigeria assumed the post of Under-Secretary-General for Political Affairs on July 1, 2005. He was appointed by Secretary-General Kofi Annan. He previously held the position of Under-Secretary-General and Special Adviser on Africa at the UN. Before joining the UN Secretariat in 1999, he served as the Permanent Representative of Nigeria to the UN, and as President of the Security Council on two occasions when Nigeria was a member. He also chaired the UN Special Committee against Apartheid. Before his tenure as Ambassador/Permanent Representative, Dr Gambari served as Minister of External Affairs of Nigeria. He had served as Director-General, Nigerian Institute of International Affairs. Born in Nigeria in 1944, Dr Gambari has an MA in political science with a specialty in international relations from the London School of Economics (LSE), and a Ph.D in Political Science/International Relations from Columbia University in New York.

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UN Responses to Terrorism. UN Security Council. As the principal international organ dealing with international peace and security, the UN Security Council has passed several significant resolutions on the counterterrorist front. It is important to note that the terrorism financing prohibitions of the UN refer only to the Taliban, Osama bin Laden and Al Qaeda-affiliated organizations designated under Resolution 1267. The UN does not maintain a general list of terrorist organizations. It is therefore legal, according to the UN, to finance and provide safe haven to, for example, Hamas terrorists. Counter-Terrorism Committee (CTC).