



Transcript

Combating Terrorism: The Strategy of the United Nations

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Jean-Paul Laborde:

Thank you very much for your kind introduction and good afternoon. Thanks to Chatham House for giving me this honour and privilege of addressing such a distinguished gathering. Your institution is famous for its expert analyses and ground-breaking work on the issues that affect international peace and security. I am glad that we had even this small chat before we started this discussion.

If I can contribute to your work, I would be very happy about that. Of course, your institution is also famous world-wide for the Chatham House rule but I understand that today this rule is completely broken or violated.

So anyway, coming back to the subject matter. I think that none of us needs to be reminded about the dangers that terrorists present to human life, welfare, and the way we live. The threat I would like to say, day after day, year after year, has not diminished but becomes more dangerous.

From Iraq to Yemen, Afghanistan to Pakistan, here in London we have not even to say. Terrorists are not just killing innocent civilians. They are in fact, I would like to say, destabilising consuming states. States which are here without any real capacity to completely prevent terrorism. We see that every day. The fact that also terrorism has now international ramifications gives the task even more difficulty.

So the role of the United Nations in the strategy. Well, let me explain this. It is true that most of the counter-terrorism work is undertaken by countries individually with their domestic context. I will not pretend that the UN can do everything against terrorism. However, as terrorists have repeatedly evolved into genuine non-state actors, and this is what we discussed before also, international engagement has become indispensable. That's where I think there is a niche and the real need of the UN.

Because I feel that the United Nations can provide a platform for this engagement on counter-terrorism to take place. I think really this is what we have to do. So what we have done, up to now.

First of all, the UN has provided the value of bringing international communities' work on counter-terrorism the international instruments, the international legal framework. So we know very well that the sixteen universal instruments against terrorism are not very often used by member states.

Well everybody feels that we have to have international instruments, but at the end of the day, these international instruments which criminalise terrorism and act as tools for extradition assistance, including the most recent

international convention for the suppression of acts of nuclear terrorism... countries didn't use that too much.

The tradition, let's use another word which is less positive, the habit, is to go through bilateral work. And since I speak about non-state actors, we have to really keep in mind that this bilateral approach will not continue to work in certain areas. I say that for the legal framework, not for the exchange of intelligence, information, I don't say that for many other issues. But at least for the understanding of what we are doing in international co-operation against terrorism, we will be obliged to use this framework.

It is very simple because these terrorist organisations have roots. If we were one, two, three, four, five, six countries at the same time, this is where, especially for these actions against terrorists on the side of mutual legal assistance, we will need to use these instruments. We have to start to use them.

Not only that, there are also the solutions of the Security Council concerning Al Qaeda and Taliban nuclear terrorism or incitement against terrorism, so there is a series of instruments or tools which can be used against, and which gives you the signal of the frame.

Some agencies are also working very deeply in this work against terrorism like the Executive Committee of the Security Council, which looks after the implementation of the famous resolution which is called Resolution 1373. This is a resolution that was adopted by the Security Council after the 11th of September, and which provides a framework against the financing of terrorism and also for extradition mutual assistance in combination with the conventions which I have just spoken before.

So I think that when we speak about the framework, we should not look at that only from the legal point of view. We should also look at the international legitimacy and universal coverage. So the framework is a result of political will of member states.

What it means exactly? It means first that through its decisions, the UN sets the universal norm on the unacceptability of terrorism. Such a universal norm will prevent terrorists from utilising any narrative to justify their actions. There is already a real usefulness of the norm setting.

Second, the UN also houses a slew of technical bodies whose expert assessments of countries provide for global co-operation, not just over a single region or continent, but for the world. You have co-operation about efficiency, which work on the subject matter. And of course to help the

countries which need help for that This helps in spotting common problematic trends that are present globally and allows the UN to rectify them comprehensively.

Third, the legitimacy of our actions is rooted in our adherence to a global framework but also that this global framework is built in accordance with international norms and standards, especially the Charter of the United Nations, in which is embedded the ultimate respect for human welfare, unity and human rights.

We have to know for what we are fighting. Because if we are fighting just for fighting, it doesn't mean anything. I think we have to fight for the respect of the principles enshrined in the UN Charter, which is the charter of all of the member nations, which is 192.

In this context, I would like to say that in addition to these legal instruments, framework, etc, they are also a novelty. This is the adoption of the famous strategy which I would like to speak about a little more, which is a political animal. You know very often we, the lawyers, we speak very strictly about the law, but something which is much more important in my view is the political vision and how we will see the actions of the UN, not only from the legal point of view that I just explained, but also from the policy point of view.

Then the beauty is that in September 2006, the General Assembly for the first time in the history of the UN adopted a UN counter-terrorism strategy. It means that this strategy is a political instrument in which we address-countries address, not the Secretariat- all the countries in the world, of course including the UK, have adopted a strategy composed of four pillars. This is the first time we have a comprehensive political framework.

First pillar is what we call measures to address the conditions conducive to the spread of terrorism. Wow, what is this word? This is the UN jargon. I will explain to you, there is a political reason behind that. When we speak of measures conducive to the spread of terrorism, to speak about the root causes. Every countries here has clearly said there is no root causes of terrorism. All the countries have said that, because if you say root causes, you make a direct link between the act of terrorism and a possible origin.

When you speak about conditions conducive, it means that there are surrounding conditions which might *lead to* some conditions which are very favourable to the spread of terrorism. But no one in the world is obliged to go to terrorism in order to express his will, his wishes, or his thoughts.

And still, and among all of that, I would like to say that we should be very content to see that we have, for example, the use and employment. We have the rule of law issue, it means the lack of rule of law. We have also, since it is day to day to speak about that, some elements of international development eventually.

But the second pillar is meant to address the measures to improve states capacity to combat terrorism. This is why, for example, to prevent terrorist attack. It comprises all the issues related to nuclear terrorism. An issue which is discussed today and yesterday in Washington.

Of course the state capacity is essential, because if you want to address terrorism, you have to also raise the level of capacity of member states. Not only on the law enforcement level, but also on the judicial level, but also on the capacity of states also to be able to give more education, to give more counter-terrorism narratives.

The fourth pillar is measures to protect human rights while combating terrorism, I just spoke about that before with the Charter. We have also to address one point, which is the role of the civil society. I'm not here today by chance. I really wanted to come here because as long as we don't speak to civil society and the people who are really of the nations, I think we will never end up... terrorism will end up the answer, and you will continue to have this type of problems with problematic, with what is terrorism and the other side, and the civil society which suffers. This is why I feel that speaking and having a dialogue with civil society is so important for raising the level of awareness.

This is also the reason why the strategy has this holistic approach; in order to be able to tackle these issues, but also to speak to the civil society.

The task of course, you will tell me, 'well what do you do with that?' Because normally this is what civil society says to the people in charge, what are you doing with what you have in your hands now? What we are doing now is trying to implement the strategy with all the pillars.

Of course, I think that it is really the basic, but I think that really the primary responsibility for the implementation of the strategy remains with member states. If we speak of course, as I said from the beginning, it's with member states. But the former Secretary General and this Secretary General have asked the UN as a whole to see how much they can help countries to implement the strategy.

So there is a unique exercise in the UN at the moment. The Secretary General has created the CTITF, Counter-Terrorism Implementation Task

Force, we say the Task Force. And this is nice because for a subject which is so difficult to have a consensus about, you have now 30 agencies of the UN which work together to support member states in the implementation of this strategy. This is really a beauty. You mention kindly that I was in one of the agencies before becoming the chair of that.

So who are the agencies? Well, you know from the International Atomic Agency, Energy Agency, the World Bank, International Monetary Fund, Department of Disarmament, Department of Political Affairs, of course the High Commission for Human Rights... etc. Then Interpol, of course, etc. This variety of agencies of course is extremely rare in the UN. This is probably the only place where you have all these agencies together, and here you have in London the International Maritime Organisation, which is part of the Task Force. It's a very active actor.

So what do we do together? We try to, with all the various mandates that these agencies have in their various areas of competencies, we try first as a task force chair, to support the work of these agencies in the specific areas in which they work on counter-terrorism. For example, the International Atomic Agency has a lot of work to do on security, and now is leading a working group, and this agency, we support the work that they undertake... and at the same time we form working groups to get different agencies working together on various subjects.

The various subjects are the following ones. Preventing and resolving conflicts which might be a source, it is the old traditional source of terrorism.

Supporting and highlighting victims of terrorism, that's another one. We have supported the establishment through this working group of the global survivors network, of which members are in London after the terrorist attacks in London.

Preventing and responding to WMD attacks. This one groups the agencies in charge of that; the leader is the International Atomic Agency. They see how we will respond together in case such an attack occurs.

Tackling the financing of terrorism. We have produced a brochure on that from which three recommendations have been taken by the G20. Also, tackling the use of internet by terrorists. That's something which is really important now, with all the legal aspects and technical aspects. We had a meeting with Microsoft about that. We have also something on the counter-narrative. Apology on terrorism on the internet should be countered by a narrative which is contrary to what the apologists say.

Obviously, some guides for how to work against terrorism while respecting human rights. Positive guides; I would like to say that for this one I insisted with the human rights actors, who were in a group, to have a guide which is not something that says 'you should not do that, you should not do that' but 'you *should* do like that'. Much more positive, not to be a judge.

So you see this is why I feel that with all these working groups and the reports, which will be made public, we have recommendation policies for each of the agencies working in the field of more coherence, more vision. This organ works at this level.

I have also to say that when a country wants to have that, it is also possible to have a huge and massive help through what we call the Integrated Implementation of the Strategy. So if we see that one country, such as Nigeria, was ready to have a massive help in all the compartments of the game, from the UN system, then I ask all the agencies which are part of the task force to see if they agree to help this country, not only individually but also from a more global perspective.

This is what I wanted to bring to your attention. Because I really feel that we have to address the issue as a global issue, and that was my main message. As I just said at the beginning, for me, terrorism is a very antithesis of what the UN Charter stands for. To save our future generations from war, to reaffirm faith in fundamental human rights and the rule of law, to establish conditions under which justice and international obligations can be maintained, and the UN and the global strategy provide help on that, with a clear roadmap.

We at the CTITF believe that there has never been an opportunity as golden as presently to combine our institutional and strategic strengths across the global and international framework and counter terrorism from all angles.