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Strategic Counter-Terrorism

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As this book was being written, debates about the effectiveness of the "global war on terrorism" were intensifying. In light of recent major increases in significant terrorist attacks worldwide—including bombings in London and Sharm el-Sheikh in July 2005 and in Amman in November 2005, continuing major attacks in Iraq, and increasing car bombings and suicide attacks in Afghanistan—questions about the appropriateness and effectiveness of current strategies against terrorism have multiplied. The deadly and changing parameters of this age of "new" terrorism are becoming more starkly defined. Various studies note that, despite relative successes in the global campaign against terrorism, more attacks from extremist groups have occurred since September 11, 2001 (9/11) than in the three years prior to that date.[1] Intelligence reports indicate that despite more than five years of intensive efforts to weaken it, the Al-Qaida network remains resilient and may be strengthening.[2] In a number of the world's regions, especially in Europe, the struggle against terrorism has developed primarily within a law enforcement paradigm, with an emphasis on regional cooperation and multilateral crime-fighting measures. The United States has also strengthened law enforcement efforts and transnational cooperation, but it has oscillated between efforts to mobilize United Nations and multilateral cooperation against terrorism and skepticism about the adequacy of such approaches.

Washington has devoted the largest share of resources and political capital to military approaches. In fact, the Bush administration has made the point continually that U.S. efforts prior to 9/11 were relatively ineffective in dealing with Al-Qaida because they relied too heavily on law enforcement approaches, which the administration considered viable

only after the fact of a terror attack. Since 9/11, President Bush maintained, the United States has considered the threat and actions of global jihadist terrorists as the major national and global security threat of our time, one that demands a state of war to prevent future attacks. The result has been an expenditure by the U.S. of more than $500 billion for the global war on terror. This has been accompanied by an undervaluation of nonmilitary mechanisms for counter-terrorism and a lack of strategic vision about the role and importance of the UN counter-terrorism program and the efforts of other multilateral institutions. Many have raised doubts about the near-exclusive U.S. reliance on military solutions, particularly the decision to wage war in Iraq. The U.S. has fallen victim to an overemphasis on tactical counter-terrorism (in which the objective is to find, destroy, and defeat operative terrorist groups) and an underemphasis on strategic counter-terrorism (which includes multiple policy responses designed to eliminate the sustaining and underlying conditions of extremist terrorism). Concerns have also been expressed about the tendency in Washington to call for greater international cooperation but then to manifest in its policies a general disdain for international institutions and binding legal arrangements.

Due to the global nature of the terrorist threat, cooperative nonmilitary responses are necessary elements of counter-terrorism strategy. The Al-Qaida movement is spread across more than sixty countries and is increasingly decentralized and self-reliant. Countering this multifaceted and complex threat requires a broadly cooperative effort involving legal, economic, political, and military cooperation from virtually every nation in the world. The United Nations is particularly relevant and important to this fight because of its role as the primary source of international political legitimacy and legal authority for many nations. Although the United Nations frequently lacks resources and operational capacity, it is indispensable in developing political consensus for the international cooperation required to counter the terrorist threat. As several of the chapters in this volume indicate, the United Nations has made important contributions to the global fight against terrorism, although there are also significant shortcomings and problems associated with the UN effort. By offering a critical evaluation of these UN efforts, along with a review of counter-terrorism programs within the European Union, the

Financial Action Task Force (FATF), and other major institutions, we hope to shed light on both successes and failures and to draw lessons on ways to develop more effective strategies against the global terrorist threat.

Despite the burgeoning literature on terrorism, relatively few works have focused on the role of the United Nations and multilateral mechanisms in general.[3] Many works focus exclusively or primarily on U.S. policy and fail to acknowledge the contributions to global counter-terrorism of the United Nations, the European Union (EU), and other international organizations and agencies.[4] The role of diplomacy and the use of economic sanctions against terrorism are often ignored. Only a handful of analysts have attempted to dissect the specific operational components of the UN counter-terrorism program—despite the considerable expansion of these efforts in recent years. Little attention has been given to the work of the Al-Qaida/Taliban Sanctions Committee and its associated Analytical Support and Sanctions Monitoring Team.[5] Very few published works are available on the substantial work of the United Nations Counter-Terrorism Committee (CTC) and the related Counter-Terrorism Executive Directorate (CTED).[6] Even less has been written about the Counter-Proliferation Committee established by Security Council Resolution 1540 (2004).[7] Although international diplomats and law enforcement officials have increasingly focused on these UN counter-terrorism programs, there is little independent evaluation of these efforts among scholars and nongovernmental analysts. We intend this volume as a corrective to this relative neglect. We offer these chapters as documentation and discussion of the strengths and weaknesses of multilateral approaches and as a springboard to future policy research and debate about the contributions that regional and international efforts can make in the global campaign against terrorism.

The Current Debate

Following the September 2001 terrorist attacks, the Bush administration declared that the United States would respond by forging a multilateral coalition to engage in a military campaign in Afghanistan against Al-Qaida and the Taliban regime that protected them there. From the outset

the administration stated the global war on terror would be a long-term struggle.[8] It has certainly been that. The administration launched a military invasion and occupation of Iraq that many observers who otherwise might agree with U.S. use of force against regional foes considered a diversion from the central struggle against Al-Qaida. Writing in *Foreign Policy* in January 2003, Stephen M. Walt and John J. Mearsheimer cautioned against invading Iraq and argued that the U.S. national security interest would be best served by finishing the fight in Afghanistan and building the international coalition against terrorism.[9] When, by the fall of 2006, U.S. military engagement in this global war had lasted longer than American fighting in World War II, other analysts called for new thinking about the war, its direction, and its definition.

But is the global struggle against terrorism really a war? The term "war on terror" has value as political metaphor, but as actual policy it can be counterproductive. In the spring and summer of 2005, possibly sensing the declining political power of the phrase, some Bush administration officials acknowledged the one-dimensional nature of the phrase "global war on terror" and started to employ a broader expression, "global struggle against violent extremism." National Security Adviser Steven J. Hadley told the *New York Times* that the campaign against terror is "more than just a military war" and is also a "global struggle against extremism." The change in rhetoric was a partial recognition of the broader dimensions of the campaign against terrorism. But by late autumn, in part because President Bush himself continued to describe the struggle as primarily a war, the phrase "global struggle against extremism" virtually vanished from the policy lexicon.[10]

There is little doubt that the use of force is relevant to the struggle against terrorism and that since 9/11 U.S. action has been effective in countering Al-Qaida and related groups. But the current, relatively singular emphasis on military measures is excessive and is becoming counterproductive. "The Bush administration has seriously overmilitarized the effort to stop jihadist terror," write former National Security Council officials Daniel Benjamin and Steven Simon.[11] Most analysts supported military action in Afghanistan as an appropriate operation that destroyed terrorist training camps and disrupted Al-Qaida capabilities, but growing numbers consider Iraq a major strategic blunder. Military force can be

useful for some counter-terrorism missions, but heavily armed troops are rarely able to penetrate terrorist networks.

When military force is used excessively, as the Iraq case illustrates, it is likely to galvanize support for the jihadists and have opposite effects from those intended. A U.S. National Intelligence Estimate, leaked to the press and partially released by the White House in September 2006, acknowledged that the Iraq war "has become the 'cause celebre' for jihadists, breeding a deep resentment of U.S. involvement in the Muslim world and cultivating supporters for the global jihadist movement."[12] According to an intelligence official quoted in the original *New York Times* disclosure, the report showed that "the Iraq war has made the overall terrorism problem worse."[13] An overemphasis on military means is undermining the still ill-defined strategic counter-terrorism effort against Al-Qaida and related jihadist forces.

A growing number of analysts agree that defeating Al-Qaida and related networks will require a multifaceted, strategic counter-terrorism approach encompassing a wide range of policy tools and forms of international cooperation.[14] Although their entry point into the study and policy analysis of terrorism differs, many analysts have emphasized the law enforcement dimensions of the struggle and the need to address the long-term dynamics that give rise to terrorism. Jessica Stern, who interviewed dozens of militants to examine their motivations and determine the ways in which extremist groups exploit religion to attract adherents, argues convincingly that jihadism is an idea, not a military target. Thus, she advocates more sophisticated, multifaceted strategies for overcoming the terrorist threat.[15] Having served as a CIA case officer with Islamic militants during the Afghan-Soviet war, Marc Sageman writes as both scholar and practitioner to explore the inner dynamics of how terrorist networks form and grow, with particular attention to their transnational tendencies.[16] Karen von Hippel of the Centre for Defence Studies at King's College in London focuses on multilateral mechanisms against terrorism and the lessons to be learned from enhanced regional coordination in Europe and cooperative international peace-building efforts during the 1990s.[17] Bruce Hoffman of the RAND Corporation writes extensively on the rise of terrorist networks and the need for multiple approaches that address the core problems of terrorist recruitment and

support.[18] Martha Crenshaw argues that states must strike a balance between efforts to reduce terrorism and the preservation of basic civil liberties.[19] Crenshaw also urges greater attention to the motivations of the terrorists themselves to better understand how to mitigate the danger posed by their extremist views and behavior.[20] Andrew Silke points to the need for a deeper understanding of the social and political dynamics that motivate terrorist violence.[21]

The White House *National Strategy for Combating Terrorism*, released in September 2006, acknowledged these scholarly insights in stating that the struggle against the jihadist threat is a "different kind of war." It is a broadly based effort that involves not only military power but diplomatic, financial, intelligence, and law enforcement tools. It is "both a battle of arms and a battle of ideas."[22] The document presented a relatively sophisticated analysis of the nature of the terrorist danger and outlined a range of policies for defeating the jihadist threat through the promotion of freedom and human dignity. Despite these noble intentions, however, U.S. government actions have continued to emphasize the battle of arms. The largest share of counter-terrorism resources has gone into the wars in Afghanistan and Iraq, which the National Strategy document listed as "successes"—notwithstanding a reversal of fortunes in the former and military "fiasco" in the latter.[23] The White House has instituted a militarized system for apprehending, interrogating, and detaining terror suspects that is contrary to international legal standards and that has impeded cooperation with allies in Europe and beyond. Until current policy catches up with available strategy and incorporates the findings of scholarly research on options for international cooperation, U.S. efforts to stem the growing jihadist threat will become increasingly ineffective.

Regional and Institutional Approaches

There is a natural tendency for large and powerful states, when faced with the kind of national security challenge that terrorism poses, to want to "go it alone" in countering the danger. The result is that the multifaceted strategies needed to actually succeed in counter-terrorism are slow to develop. Critical to a multifaceted approach is the effective use

of regional and international organizations. Scholars and practitioners of international affairs understand that such institutions are at once a direct extension of member state foreign policies and an organizational space where actions on a particular issue can be more far reaching, comprehensive, and cooperative. To examine the relative effectiveness of regional and international organizations is to scrutinize their work as security organizations, even if this function is not their usual self-definition. Further, it means assessing how these organizations can be more successful than individual nations in facilitating information sharing and policy coordination. In this volume we present and scrutinize the organizational opportunities open to the United States, its European allies, and the United Nations.

In the days following the September 11 attacks and again at the G-8 summits in 2005 and 2006, European and U.S. leaders acknowledged their shared vulnerability and vowed to work together in the global fight against terrorism. Over time, however, the underlying counter-terrorism strategies of the United States and Europe have diverged. As Karen Greenberg and other scholars have noted, while counter-terrorism cooperation remains strong, real differences exist. Most notably, the European community has adopted a more institutionalized, rule-based approach, as opposed to the ad hoc and extralegal efforts employed by the United States. On the continent, information sharing and cooperation among a wide range of agencies are the norm. Europe's open society and removal of border controls make it easier for extremists to operate, but the high degree of law enforcement cooperation among dozens of countries provides important protections. Many terrorist operations have been disrupted and militant suspects arrested through the cooperative efforts of European law enforcement agencies.[24]

The differing institutional and legal approaches of the United States and Europe sometimes impede the successful prosecution of suspected terrorists. A case in point is that of Mounir el-Motassadeq, a Moroccan student in Germany who was prosecuted and convicted for involvement in the September 11 plots. In March 2004 a German appeals court overturned Motassadeq's conviction because U.S. authorities withheld crucial information and refused to allow testimony by terrorist suspect Ramzi Binalshibh, the so-called twentieth hijacker.[25] Europe's emphasis on

institutional cooperation and adherence to strict legal guarantees even in the midst of national security challenges stands in juxtaposition to the more secretive, nonjudicial approach in the United States. Complications have also emerged over U.S. detention and interrogation methods in Guantanamo and related facilities, which do not meet European legal standards. Reports that the U.S. used European air bases for refueling and transport of individuals who were "rendered" to third states or secret facilities drew sharp criticism in Europe. Other reports that the U.S. has employed torture in these facilities have compromised evidence and impeded prosecutions. The success of global counter-terrorism efforts depends significantly on these two powerful democratic communities working together effectively and within the same legal framework. This will require a greater emphasis on mutual legal standards and practices and a greater commitment on the part of the U.S. to uphold internationally accepted detention and interrogation standards.

Another major difference between the United States and Europe, indeed between the United States and most of the world, is the degree of importance accorded the United Nations as a principal actor. In Europe and most other regions of the world, the legal authorization and political leadership of the United Nations are indispensable for cooperative international action against terrorism. Security Council Resolution 1373 (2001) and other counter-terrorism measures have provided the essential legal and political authorization permitting nations and regions to act. In the United States, by contrast, there is greater disdain for international legal agreements and a more critical view of the United Nations. The Bush administration has worked through the United Nations to advance global counter-terrorism objectives, but it undermined and humiliated the organization on Iraq. And the U.S. has been highly selective in its adherence to international treaties. The bias against the United Nations among some U.S. policymakers has weakened the underlying legal and political foundations on which multilateral cooperation depends. By focusing instead on ad hoc coalitions and bilateral arrangements of convenience, the United States has given short shrift to international institutions that are vital to the success of global security. One of the central conclusions of this volume is that international mechanisms and legal agreements matter significantly in the fight against

terrorism and that more purposeful attention is needed to improve the legitimacy and effectiveness of the UN counter-terrorism program.

The Role of the United Nations: An Overview

The modern era of United Nations involvement against terrorism began in the 1990s when the Security Council adopted Resolution 748 (1992) calling on Libya to cease its support of terrorism and turn over suspects wanted in connection with the bombing of Pan Am flight 103 and French UTA flight 772. Targeted UN sanctions against Libya in combination with more comprehensive measures by the United States were successful in dissuading Libya from further support for terrorism and eventually led to the extradition of the bombing suspects for trial at The Hague in the Netherlands. UN sanctions against Libya were accompanied by extensive diplomatic dialogue and the promise of economic benefit to encourage Libyan reengagement with the world community. This led to Tripoli's agreement in 2003 to dismantle its programs for the development of weapons of mass destruction. Security Council sanctions to counter terrorism were also employed in Sudan (Resolution 1054 in 1996) and Afghanistan (Resolution 1267 in 1999), as the United Nations became more active in applying pressure on regimes that supported or harbored terrorist operations.[26] These Security Council sanctions efforts were closely integrated with intelligence, diplomatic, and occasionally foreign aid efforts by the United States and other countries. They played an important, albeit little noticed, role in mobilizing international pressure against state support of terrorism.[27]

In the wake of the September 2001 attacks, the United Nations launched a second, more expansive phase of its campaign against international terrorism. Targeting the diverse and widely dispersed transnational networks of Al-Qaida and other related nonstate actors, the Security Council adopted Resolution 1373 (2001) mandating a worldwide campaign by all 191 UN member states to deny finances, travel, or assistance of any kind to terrorists and those who support them. Resolution 1373 created the Counter-Terrorism Committee (CTC), and three years later the council adopted Resolution 1535 (2004) to strengthen the CTC through the creation of an unprecedented Counter-Terrorism

Executive Directorate (CTED).[28] The Security Council also adopted Resolutions 1540 (2004) and 1566 (2004) prohibiting the transfer of weapons of mass destruction or related materials to nonstate actors and calling on UN member states to strengthen their cooperation with UN counter-terrorism mandates.[29]

These efforts have produced an unprecedented expansion of UN counter-terrorism activities and a parallel increase in counter-terrorism committees and professional staffing. They stimulated significant international action to build counter-terrorism capacity, particularly in the former Soviet Bloc and in the global South. The UN counter-terrorism program has also sparked greater international cooperation and coordination among regional and subregional organizations, along with specialized international agencies. As the chapters in this volume elucidate, these UN counter-terrorism efforts face numerous challenges, contradictions, and inefficiencies even as they have been partially effective in establishing global legal requirements and building international cooperation in the fight against terrorism.

The third phase of the UN's expanding role in the struggle against terrorism has been marked by proactive involvement of the Secretary-General in analyzing the problems of international cooperation regarding terrorism and in articulating a viable role for the UN as the central collective security regime of the globe. This was particularly evident in Kofi Annan's address at the Madrid Summit in March 2005, delivered on the first anniversary of the terrorist bombing in that city's train station. Although not widely covered by the news media in the United States, the Secretary-General's address was considered by other nations as signaling the need for a more comprehensive strategy against terrorism.

Building from earlier recommendations of his High-Level Panel on Threats, Challenges and Change,[30] and related ideas discussed in various diplomatic-scholarly circles, the Secretary-General proposed a strategy that included five Ds: denying and deterring terrorist activities, dissuading groups from supporting militancy, developing state capacity for the rule of law, and defending human rights. The Secretary-General acknowledged the importance of robust protective and law enforcement measures, but he also called for broader preventive strategies to address the root causes of terrorism. He spoke directly to the growing concern in

many parts of the world that counter-terrorism efforts are encroaching on individual freedoms. Undermining human rights in the name of counter-terrorism, the Secretary-General warned, would be counterproductive and would erode the political legitimacy necessary to sustain the struggle against extremism. A more holistic strategy against terrorism must combine preventive and protective measures, he argued, to guard against attacks in the short run and reduce the motivation and social support for political terrorism over the long term.

The ideas in the Madrid speech formed the basis for the March 2005 report, *In Larger Freedom: Towards Development, Security, and Human Rights for All*, which outlined policy recommendations for the world summit held in conjunction with the sixtieth anniversary of the United Nations in September 2005.[31] The Counter-Terrorism Implementation Task Force emerging from that summit helped to produce the Secretary-General's April 2006 report, *Uniting Against Terrorism: Recommendations for a Global Counter-Terrorism Strategy*, which integrated all the previous suggestions into a comprehensive summary of current UN activities and a set of specific proposals for strengthening global efforts to combat terrorism.[32]

Achieving these ambitious objectives will be a difficult and long-term process. Preventive strategies pose enormous challenges for multilateral organizations and especially for the United Nations. A comprehensive approach includes not only coercive measures but also persuasive policies that seek to win hearts and minds of the many young citizens across an array of nations who have yet to decide whether their political participation will take the form of violence or not. Like the other dimensions of successful counter-terrorism strategy, this longer-term preventive effort depends on a greater commitment to cooperation, multilateral action, and the rule of law.

The Chapters in This Volume

The field of counter-terrorism is now so wide-ranging and the volume and scope of published literature so deep that it is difficult to decide where to concentrate an intellectual venture that seeks to be policy relevant. Our choice is to emphasize the role of the United Nations and

other major multilateral institutions—particularly the Financial Action Task Force and the European Union. We have also sought to examine the role of international legal mechanisms, sanctions and incentives-based diplomacy, and collaborative efforts to build law enforcement capacity. The result is a set of essays that examine with a critical eye the most important nonmilitary, multilateral strategies for countering terrorism.

In chapter 2 we are joined by our colleagues Alistair Millar and Linda Gerber-Stellingwerf in providing a comprehensive overview of the UN counter-terrorism program. We trace the history of the UN Counter-Terrorism Committee (CTC) from its beginning in September 2001 through the summer of 2006, examining its role as the principal coordinating body for global capacity building and regional coordination efforts. Operating under the mandate of Security Council Resolution 1373 (2001), the CTC has worked with UN member states, regional organizations, and specialized international agencies in support of efforts to deny finances, travel, and other forms of assistance to terrorists. Among the main functions of the committee have been to request and analyze reports from states on their implementation activities and to coordinate the delivery of capacity-building assistance for states needing help to comply with the broad requirements of the resolution. The response of states to CTC reporting requests has been unprecedented, with all 191 (now 192) member states submitting the required reports. As the committee's experts requested additional information, however, states began to bristle at the constant requirement for more paperwork, and a kind of "reporting fatigue" set in. Questions also have emerged about the CTC's role in coordinating the provision of technical assistance. The committee has lacked the staff capacity to monitor and facilitate the expanding international effort to provide assistance for counter-terrorism law enforcement.

Chapter 2 examines this process of UN institutional expansion in detail. We review the accomplishments and the shortcomings of the CTC, noting the gradual loss of institutional and political momentum. The chapter also explores the major challenges facing the UN counter-terrorism program. The relationship between counter-terrorism technical assistance and international developmental aid has stirred debate. Are

these programs in competition, or can they be integrated? International coordination remains inadequate, especially in regions of concern such as Northern Africa, the Middle East, and Central Asia. Greater coordination is also needed within the UN system itself. The chapter concludes with a review of the major political and organization obstacles facing the UN as it attempts to play its appropriate role in strategic counter-terrorism. Among these hurdles are the lack of an agreed international definition of terrorism and the absence of universally accepted compliance standards and enforcement policies.

Chapter 3 provides a critical analysis of the UN counter-terrorism program and suggests alternative arrangements for strengthening legal and institutional mechanisms in the future. Eric Rosand, former chief of the Multilateral Affairs Unit in the Office of the Coordinator for Counterterrorism at the U.S. Department of State and deputy legal counsel at the U.S. Mission to the UN, joins with Alistair Millar to explore both present limitations and future options for creating effective international cooperation against terror. Rosand and Millar examine the duplication and overlap that have complicated UN counter-terrorism efforts. The United Nations now has five separate counter-terrorism bodies: the Office on Drugs and Crime/Terrorism Prevention Branch (UNODC/TPB), created by the General Assembly in the late 1990s and expanded after September 2001; the Al-Qaida/Taliban Sanctions Committee and associated Analytical Support and Sanctions Monitoring Team, established by the Security Council in Resolution 1267 (1999) and since reauthorized several times, including in Resolution 1617(2005); the Counter-Terrorism Committee and the Counter-Terrorism Executive Directorate authorized by Resolutions 1373 (2001) and 1535 (2004); the Counter-Proliferation Committee and associated team of experts established by Resolution 1540 (2004); and the working group on additional measures against terrorism established by Resolution 1566 (2004) in the wake of the massacre in Beslan, Russia. The authors argue that this multiplication of underresourced counter-terrorism bodies has led to duplication in analytic and assessment functions at the UN and has imposed excessive reporting obligations on individual UN member states, which can be especially burdensome on smaller, less developed countries. Most important, the existence of separate bodies has impeded

the development of more coherent, integrated strategies and programs for combating the terrorist threat.

Rosand and Millar discuss a variety of options for improving program coordination and coherence, ranging from the proposal of Costa Rica and Switzerland for the appointment of a UN high commissioner for terrorism, to the suggestion offered by the prestigious Council on Foreign Relations for the creation of an entirely new international counter-terrorism agency. They present short-term options that might be achieved without extensive political debate or controversy, including integrating the separate Security Council staff bodies, or combining these with the staff of the UNODC/TPB into one consolidated UN counter-terrorism body. Proposals have also been made to consolidate the four separate Security Council counter-terrorism committees into one. These steps could serve as a prelude to the creation of a larger international counter-terrorism body that would be created by the UN and authorized to report to the Security Council but that would operate independently, without the impediments of working within a highly politicized and bureaucratized UN environment. Creating greater institutional capacity for global counter-terrorism is a long-term challenge that will require extensive consultations with stakeholders throughout the world.

In chapter 4 former ambassador and assistant secretary of state Thomas E. McNamara provides an insider's account of one of the most important successes in the global struggle against terrorism and weapons of mass destruction, the case of Libya. McNamara helped to formulate U.S. policy toward Libya during the administration of President George H. W. Bush, and he served as a special assistant for counter-terrorism policy in the State Department in the months after the September 11 attacks. His chapter provides a detailed account of U.S. policy toward Libya and shows how the unique mix of unilateral and multilateral sanctions convinced the Qaddafi regime to end its support of terrorism and dismantle its weapons of mass destruction. The Libya case featured a unique blend of sanctions and diplomatic engagement among an array of actors that included the United States, the UN Security Council, the European community, and Arab and African regional organizations. It illustrated the success of nonmilitary strategies and the effectiveness of

sanctions-based diplomacy in achieving counter-terrorism and counter-proliferation objectives.

McNamara's analysis runs counter to the explanation of Libya's behavior posited by the Bush administration and now accepted as conventional wisdom of many media commentators and Washington policymakers. When Libya announced the dismantlement of its weapons programs in October 2003, officials of the Bush administration attributed Libya's dramatic turnaround to what Representative Tom Lantos (D-CA) termed the "pedagogic value" of the war in Iraq. According to this interpretation, Qaddafi had seen what happened to Saddam Hussein and agreed to mend his ways out of fear of American military attack. In fact, as McNamara documents, Libya's policy reversal began many years before in response to sanctions-based diplomacy during the 1990s, and it concluded successfully because of persistent but fair negotiations. Flynt Leverett, senior director for Middle Eastern affairs at the National Security Council in 2003, wrote that the Iraq war "was not the driving force in Libya's move. . . . Libya was willing to deal because of critical diplomatic representations . . . that doing so was critical to achieving their strategic and domestic goals."[33] In a larger and more recent study, Bruce W. Jentleson and Christopher A. Whytock come to a similar conclusion.[34] McNamara's meticulous account of the diplomatic interactions with Libya confirms this analysis and convincingly demonstrates that political and economic pressures, not the threat of war, brought about the historic change in Libyan policy.

As part of post-9/11 security policy, U.S. officials have identified the "deadly nexus" between terrorism and weapons proliferation as the greatest threat to international security. In chapter 5 Alistair Millar and Jason Ipe examine this threat and review the efforts now underway in the international community, especially at the United Nations, to prevent a terrorist-delivered nuclear strike. The authors quote former U.S. secretary of defense William Perry, who said in 2004, "I have never been as worried as I am now that a nuclear bomb will be detonated in an American city. I fear that we are racing towards an unprecedented catastrophe."[35] Chapter 5 reviews the alarming evidence of Al-Qaida's expressed intentions and attempts to acquire nuclear weapons

capability. Osama bin Laden has described the acquisition of nuclear weapons as a sacred duty. Senior Al-Qaida officials have met with Pakistani nuclear scientists. Police officials in Europe have arrested suspected members of Al-Qaida for attempting to purchase uranium. Despite these worrisome developments, however, there is no evidence to date that Al-Qaida has succeeded in acquiring nuclear capability. Millar and Ipe examine the problem of unsecured and vulnerable nuclear weapons and materials around the world, particularly in the former Soviet Union. They explore regional approaches to preventing the spread of nuclear materials, especially in the Middle East. The chapter concludes with a critical analysis of UN Security Council Resolution 1540 and the fledging efforts of the UN Counter-Proliferation Committee.

Early in the struggle against Al-Qaida and related networks, international officials recognized the importance of attempting to cut off the financing of terrorist groups. Law enforcement experts and practitioners sought to disable these networks, as they have with criminal syndicates involved in money laundering and drug trafficking, by depriving them of funding. They also attempted to follow the trail of financial transactions as a means of gaining evidence for the indictment and prosecution of terrorist criminals. Since the late 1990s the Financial Action Task Force (FATF) of the Organization for Security and Co-operation in Europe (OSCE) has been at the heart of the struggle to halt the financing of illicit international actions that now include transnational terror. Created in 1989 by the then G-7 nations to combat money laundering, the FATF has been one of the world's most effective organizations for setting standards and monitoring member state progress in implementing anti–money laundering measures. With the increase in terrorist violence in recent years and especially after the attacks of September 2001, the FATF has taken on the additional task of aiding states as they combat the financing of terror.

In chapter 6 Kathryn L. Gardner assesses the Financial Action Task Force's successes and failures in achieving member state compliance with Security Council requirements to freeze the assets of terrorist groups and their supporters. Gardner notes the sharp contrast between financial crime related to money laundering, which involves huge sums of money

illegally channeled through banks and conventional financial institutions, and the financing of terrorist networks, where the amounts of money involved are much smaller and where funds are transmitted through informal, nonbanking channels. As a consequence of these differences, the struggle to defund terrorism is extremely daunting and is unlikely to be successful on its own in countering terrorism. Gardner nonetheless points out the ways in which FATF procedures and policies are helpful to the global counter-terrorism struggle and draws lessons for enhancing international cooperation to reduce the funding available for terrorist crime.

In the wake of the September 11 attacks, as Oldrich Bures and Stephanie Ahern document in chapter 7, the European Union acted swiftly to create a counter-terrorism Plan of Action and to increase regional law enforcement cooperation against terrorism. The development of the European program against terrorism was able to grow alongside a historic expansion of the number of states within the Union, which enabled European officials to use the prospect of EU membership as an inducement for new member states of central and eastern Europe to expand counter-terrorism capacity. Bures and Ahern trace the development of European counter-terrorism policy from the 1970s, when members of the emerging European community agreed to a regional approach against politically inspired extremism. In the typical European manner, these programs were grounded in formal legal agreements and were accompanied by the creation of a wide range of organizational structures.

The September 11 attacks provided a jolt to enhance existing protections and add new programs, including the European arrest warrant. As Bures and Ahern note, the idea of a communitywide arrest warrant originated in 1999, but it did not receive serious consideration until after September 11. It took nearly three years for all EU members to approve the new warrant. The program has been a qualified success so far in strengthening law enforcement cooperation and streamlining arrest and extradition procedures. The European Union has also made substantial progress in agreeing to a common definition of terrorism and in designating individuals and entities subject to financial freezes and travel bans. These programs have faced challenges, have stirred controversy, and have

a mixture of successes and failures. But on balance, they represent progress in the overall fight against terrorism and can serve as models for other regional organizations.

In chapter 8 we broaden the discussion of counter-terrorism strategy to address the difficult but necessary long-term task of prevention. In the spirit of Secretary-General Kofi Annan's keynote address at the March 2005 Madrid Summit and April 2006 *Uniting Against Terrorism* report, we examine the root causes of terrorism and the challenge of preventing the rise of extremist networks. We address what Shibley Telhami has termed the "demand side" of terrorism, exploring ways to cut off the flow of recruits, financial support, and political sympathy for terrorist groups. By attempting to understand the underlying risk factors associated with terrorist formation, we hope to identify policies that can dissuade groups from supporting militancy and thereby cut off the development of terrorism at its source.

Longer-term preventive strategies require an understanding of the new forms of "superterrorism" that have emerged in the last decade and the ways in which U.S. military policies, particularly the war in Iraq, have inflamed jihadist militancy. Terrorism is ultimately a political act, and it is necessary to understand the political motivations, without justifying the methods of those who resort to such acts. Chapter 8 explores the deeper roots of terrorism in economic deprivation, failed governance and the denial of viable means of political participation, and the exercise of human rights and democratic freedoms. We conclude the chapter with an assessment of protective and preventive strategies that differentiate between hard-core terrorist militants (against whom coercive measures are necessary) and the broader social base of potential sympathizers (where persuasive strategies are likely to be more effective). By addressing legitimate political grievances, improving governance in regions of instability, and expanding economic and social opportunity, the United States and other leading states can alter the underlying conditions that give rise to and sustain terrorist networks. The proposed preventive strategies will require profound changes—including a demilitarization of American policy—and thus will not be welcome in official circles in Washington, but they are in the best interest of the United States and deserve consideration.

The purpose of this volume, then, is to focus attention on the multilateral, nonmilitary dimensions of the struggle against terrorism, with a particular focus on the United Nations counter-terrorism program. As we have passed the fifth anniversary of 9/11 in the U.S. and the commemoration of the unprecedented UN foray into counter-terrorist policy and action via Resolution 1373, nothing could be more appropriate than an assessment of the strengths and weaknesses of the UN—and by association U.S.—counter-terrorism efforts. As the chapters in this book suggest, the battle against terrorism is not really a war at all, at least not in any recognizable traditional military sense, but rather a new kind of international campaign encompassing a wide array of policy tools, of which the use of force is but one relatively insignificant element. Our analysis assumes the primacy of cooperative international law enforcement efforts and gives large weight to the role of the United Nations as both legitimizing agency and central hub around which the struggle against terrorism must be organized. We provide a critical look at the strengths and weaknesses of multilateral approaches in general and the UN counter-terrorism program in particular. Our goal is to identify steps that the United States and other states can take to enhance the effectiveness of global counter-terrorism efforts and thereby achieve a shared goal of ending the scourge of terrorism as an expression of political grievance, hatred, or national or religious expression.

Notes

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4. A recent example of this U.S. focus is Daniel Benjamin and Steven Simon, *The Next Attack: The Failure of the War on Terror and a Strategy for Getting It Right* (New York: Times Books, 2005).

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6. David Cortright et al., *An Action Agenda for Enhancing the United Nations Program on Counter-Terrorism* (Goshen, IN: Fourth Freedom Forum, 2004), <http://www.fourthfreedom.org/pdf/Action_Agenda.pdf> (accessed 26 July 2005); see also Eric Rosand, "Security Council Resolution 1373 and the Counter-Terrorism Committee: The Cornerstone of the United Nations Contribution to the Fight Against Terrorism," in *Legal Instruments in the Fight Against International Terrorism*, ed. Cyrille Fijnaut, Jan Wouters, and Frederik Naert, 603, 606 (Boston: Brill Academic, 2004).

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9. Stephen M. Walt and John J. Mearsheimer, "An Unnecessary War," *Foreign Policy* 134 (January–February 2003): 50–59.

10. Eric Schmitt and Thom Shanker, "New Name for 'War on Terror' Reflects Wider U.S. Campaign," *New York Times*, 26 July 2005.

11. Benjamin and Simon, *The Next Attack*, 198.

12. "Excerpt from the National Intelligence Estimate," *Washington Post*, 27 September 2006.

13. Mark Mazzetti, "Spy Agencies Say Iraq War Worsens Terror Threat," *New York Times*, 24 September 2006.

14. See, for example, Paul Wilkinson, *Terrorism Versus Democracy: The Liberal State Response* (London: Frank Cass, 2003).

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

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

17. See Karen von Hippel, "Improving the International Response to the Transnational Terrorist Threat," in *Terrorism and the UN: Before and After September 11*, ed. Jane Boulden and Thomas G. Weiss, 102–19 (Bloomington: Indiana University Press, 2004); and Karen von Hippel, "Democracy by Force:

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35. William J. Perry, Keynote Address at the Conference on Post–Cold War U.S. Nuclear Strategy: A Search for Technical and Policy Common Ground, Committee on International Security and Arms Control, National Academy of Sciences, Washington, DC, 11 August 2004, <http://www7.nationalacademies.org/cisac/Perry_Presentation.pdf>, quoted in Robert S. McNamara, "Apocalypse Soon," *Foreign Policy* 148 (May–June 2005): 28–35.