Terrorism and the OSCE. An overview

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Introduction
The al-Qaida attacks of 11 September 2001 on the World Trade Center in New York and the Pentagon in Washington caused worldwide shock and condemnation. Overnight, terrorism dominated international thinking. Most international organisations had had the issue on their agendas for many years; now, it was rediscovered as a top priority. The United Nations, the Council of Europe, NATO, the European Union, the OSCE (to mention the most important) — all stated their determination to act against terrorism and started to take countermeasures.

At the United Nations from the early 1960s onwards specific attention has been devoted to terrorism, which has led to the adoption of a number of declarations and conventions dealing with various aspects of the issue. Since 1996, negotiations have been taking place at the level of the UN General Assembly on a comprehensive anti-terrorism convention; their pace has intensified after the attacks. The Security Council has dealt with terrorism in concrete situations, including Usama Bin Laden and the Taleban in Afghanistan, as well as in more general terms.

After 11 September, the UN has provided the overall framework for the current struggle against terrorism. The Security Council authorised, under the self-defence provisions of Article 51 of the UN Charter, the use of force in pursuing those responsible for the attacks. Subsequently, its most important measure was the adoption of resolution 1373, which has as its main objective to enhance on a wide range of issues the legal and operational capacity of national governments to fight terrorism. It also established a Counter-Terrorism Committee (CTC) to monitor the implementation of the measures imposed. From January 2002 the CTC has been reviewing and commenting upon the reports submitted by states as required by resolution 1373, including making recommendations on sharing expertise and providing assistance on counter-terrorism.

For the Council of Europe (CoE) terrorism was not a new subject either. In January 1977 it adopted the European Convention on the Suppression of Terrorism. Its Second Summit of Heads of State and Government (October 1997) called for the adoption of further measures to prevent terrorism and to strengthen international co-operation in combating terrorism (Action plan, Section III, Security

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of Citizens). After 'eleven-nine', the CoE has largely focused on legislative and legal measures. It has urged its member states to sign and ratify its terrorism convention and other relevant legal texts. The Council also tries to co-ordinate its member states' positions on the comprehensive UN convention on terrorism under discussion. A Multidisciplinary Group on International Action against Terrorism was established to review existing CoE instruments in the field of counter-terrorism including the European Convention, and to prepare a report for the Committee of Ministers on possible additional actions that the CoE could undertake in this area.

The North Atlantic Treaty Organisation (NATO)\(^4\) is a relative newcomer to the subject of terrorism. Before the attacks, the Alliance had devoted some attention to the challenge of international terrorism (see in particular paragraph 42 of the Communiqué of the Washington Summit of 24 April 1999). Eleven September, however, brought NATO’s involvement to a wholly new level. NATO members decided to regard the attacks as an action covered by Article 5 of the Washington Treaty: An armed attack against one or more of the Allies in Europe or North America shall be considered an attack against them all. Apart from being a statement of political solidarity, it was also a commitment by the Allies to offer practical support in the military field. They rapidly agreed to US requests for a range of specific measures, such as enhanced intelligence support, blanket overflight rights for US and other Allied aircraft, and access to ports and airfields. In addition, primarily European forces were rapidly deployed to the Eastern Mediterranean and the Balkans and seven NATO airborne early-warning aircraft were moved from Europe to replace US aircraft in monitoring US airspace.

Further discussions are ongoing within the Alliance on possible military responses to terrorism and adapting forces to meet that threat. In the military campaign in Afghanistan it became clear that NATO’s political, military and logistical support and multinational interoperability were of great value to the United States. Finally, the partnerships which NATO had developed with Central Asian states proved to be of value: These countries provide airspace and bases without which effective operations in Afghanistan would have been impossible. No doubt NATO will be looking to build on these experiences as well. (Of course, these states have their own interests at heart; see below).

Before 11-9, the European Union (EU)\(^5\) had already undertaken measures to counter terrorism. The Union was implementing UN-mandated sanctions and strengthening judicial co-operation between its members. After the al-Qaida attacks in the US, the EU imposed new restrictive measures against Usama bin Laden, al-Qaida and the Taleban. It declared its commitment to the ratification of relevant UN conventions and to the implementation of SC resolution 1373, submitting a report to the CTC. The EU’s efforts are focused inter alia on freezing terrorists’ property and funds and stepping up intra-EU assistance and co-operation in the fields of police and justice and improving the Schengen information system. The EU also engages

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